

U.N. Commission on Human Rights (2004): Notes, Quotes & Votes on Selected Resolutions

by Thomas W. Jacobson (2004)

The 53-member United Nations' Commission on Human Rights (CHR) met in Geneva for its 60th session, March 15 to April 23, 2004, with a total of 130 nations represented (the additional 77 non-member nations may participate, but not vote). The following are my notes on 15 selected resolutions, including sponsors, votes, and quotes (some unrecorded comments made by national delegates). One controversial resolution not mentioned below because it was withdrawn is Brazil's draft resolution seeking to classify "sexual orientation" as an international human right (see "*Sexual Orientation*" Measure Fails Again at UN Commission on Human Rights, Focus U.N. brief 2004-12). The first 10 resolutions are topical, and the last five are country-specific (China, Cuba, North Korea, Zimbabwe and Sudan).

L.41: The Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health

- ❖ Sponsored by *Brazil* (E/CN.4/2004/L.41)
- ❖ Approved on final vote; 2 U.S. amendments failed.

Problem paragraphs:

PP-1 [intro. par. 1]: Without qualification, reaffirmed CEDAW and the Convention on the Rights of the Child even though some nations never ratified one or both.

U.S.: offered amendment to delete, but **no** nation stood with it in the vote.

OP-3 [operational paragraph 3]: "Calls upon States to guarantee that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health will be exercised without discrimination of any kind" (emphasis added). This phrase, "without discrimination of any kind," seemed to go unnoticed, as no nation made mention of or opposed it. Yet I believe that Brazil will return next year with their resolution on "sexual orientation" and say to the Commission that last year its members declared that this alleged "right" should be guaranteed "without discrimination of any kind"; and therefore proclaim that their resolution seeking to add "sexual orientation" as a protected international human right is simply to uphold the principle of "without discrimination of any kind" – whether this pertains to health care services or protection of assumed identity or preferred behaviors. Proponents would then accuse anyone who opposes special protections based on "sexual orientation" of committing discrimination.

OP-14: Took "note of the report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (E/CN.4/2004/49 and Add.1 and 2)." Special Rapporteur Paul Hunt, in his report, exceeded his authority and mandate when he equated abortion, "sexual rights," and "sexual orientation" to international "human rights"; invented a new group to be protected, namely, "sexual minorities"; and sought to separate "sexual rights" from "reproductive health" – that is sex from marriage or having babies.

Mr. Jacobson originally wrote this paper in 2004 when he was serving as Representative to the United Nations for Focus on the Family (U.S.A.), from 2001 to 2010.

U.S.: made statement to the Commission on March 30, 2004, opposing the Special Rapporteur for promoting abortion, ignoring parental “rights and responsibilities,” declaring that “sexual orientation” is a human right, “confusion about what constitutes international human rights law,” and using the phrase “right to health.”

Drafting sessions: A majority of nations present rejected “Welcoming” (positive) the report, and chose the lowest level of recognition, “Takes note of the report.”

U.S.: wrote and distributed Talking Points, voicing serious concerns with the Hunt report (which I other pro-life/family NGOs distributed and utilized in lobbying).

U.S.: offered amendment to delete OP-14 paragraph.

Amendment Vote: Yes to delete: 13 [U.S., Bahrain, Egypt, Eritrea, Indonesia, Mauritania, Nepal, Qatar, Saudi Arabia, Sudan, Swaziland, Togo, Uganda]; **No: 36**; Abstain: 4 [Burkina Faso, Gabon, Japan, Pakistan].

EOV (Explanation of Vote):

U.S.: Reiterated that “the Special Rapporteur exceeded his mandate and has inappropriately focused his report on rights to sexual and reproductive health.”

U.S.: Wrote letter to the Commission Chairman (same day, April 16, 2004), asking it to be distributed to all the member-nations of the Commission, which read in part:

“On behalf of the United States, I am writing to express our concern about the Report ... The Report relies heavily on his [Mr. Hunt’s] personal interpretation of international instruments in relation to sexual and reproductive health issues ...

“For instance ... the Special Rapporteur ‘recommends that increased attention be devoted to a proper understanding of reproductive health, reproductive rights, sexual health and sexual rights,’ despite the well-known fact that the international community has never recognized nor defined the term ‘sexual rights.’ Thus, the United States cannot accept the Special Rapporteur’s assertion in the Report that ‘the correct understanding of fundamental human rights principles, as well as existing human rights norms, leads ineluctably to the recognition of sexual rights as human rights.’

“The Special Rapporteur’s Report appears to be endorsing, supporting, or promoting an international right to abortion and the use of abortifacients. We cannot accept the numerous references to ‘reproductive and sexual health services’ in this report – a phrase often interpreted to include abortion and abortion services.”

Final Vote on L.41: **Yes: 51**; No: 1 [U.S.]; Abstain: 0.

L.63: Elimination of Violence Against Women

❖ Sponsored by *Canada* (E/CN.4/2004/L.63)

❖ Approved without a vote after 2 U.S. amendments were rejected.

Problem paragraphs:

OP-7 contains the term “reproductive and sexual health ... services,” which some countries view (“services”) as including abortion.

U.S.: offered an amendment to delete “services.”

Costa Rica: “We are aware that violence against women impacts their health ...

Nevertheless, the right to life is a principle enshrined in our Constitutional law.

Paragraph 7 in no way may be construed as including abortion. ... It is something we totally reject. The right to life is not subject to doubt or conditions.”

Amendment Vote: Yes: 2 [*U.S., Costa Rica*]; **No: 50**; A: 1 [*Argentina*].

EOV:

Egypt: “It has been the long-standing understanding of Egypt that the language in no way means abortion.”

EU: “Reproductive health care services are necessary to combat violence against women. ... Forced pregnancy constitutes a crime against women.”

Mexico: “The word ‘health care services’ being equivalent to abortion is not justified.”

China: “We studied all the English dictionaries and could not find anywhere where it meant abortion. ... Example given by American is not sound.” [said in mocking way]

OP-12 contains reference to CEDAW Committee general recommendation 19 (from 1992, 11th session, #24[m]), which encourages nations to ensure access to legal abortions.

All countries: silent.

Paragraph **retained**.

OP-18: “Acknowledges the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court ... and urges States to ratify or accede to the Rome Statute.”

U.S.: tried to delete the last part of the paragraph “since it calls for the ratification or accession to the Rome Statute. The U.S. cannot join others in calling for the ratification ... since the U.S. has made the sovereign decision not to ratify. It is up to each state to decide which treaties they will ratify.”

Amendment Vote: Yes to change: 5 [*U.S., India, Qatar, Saudi Arabia, Togo*]; **No: 43**;
Abstain: 4 [*Bhutan, China, Sri Lanka, Swaziland*]; No-vote: 1 [*Mauritania*].

L.56/Rev. 1: Extrajudicial, Summary or Arbitrary Executions

- ❖ Sponsored by *Sweden* (E/CN.4/2004/L.56/Rev.1)
- ❖ Approved without a vote after OIC amendment was rejected.

Problem paragraph:

OP-6: “Reaffirms the obligation of States to protect the inherent right to life of all persons under their jurisdiction and calls upon concerned States to investigate promptly and thoroughly ... all killings committed for any discriminatory reason, including sexual orientation ...” (emph. add.).

The intent of the resolution is good, but adding “sexual orientation” to a long list of reasons against extrajudicial executions was political and a dangerous precedent. While it does not define “sexual orientation” or equate it to an international human right, its inclusion can be problematic, making it more difficult to keep out of other documents.

EOP (Explanation of Position):

OIC [Pakistan, spokesman for Organization of Islamic Conference countries]: called for a vote to eliminate OP-6 because it included the term “sexual orientation,” and said: “The right to life is a fundamental right. ... However ... [the OIC is] concerned about paragraph 6 ... in our view it is not appropriate to include a selected partial list.”

EU [Ireland, for European Union countries]: “The resolution was revised to protect the *inherent right to life* The establishment of the ICC [mentioned in PP-6 as having jurisdiction over such executions] is important in accountability.”

Sweden: “The list of crimes in the paragraph reflects the specific categories of concern of the co-sponsors.”

Amendment Vote to retain OP-6: Yes: 30 [USA, Argentina, Armenia, Australia, Austria, Bhutan, Brazil, Chile, Costa Rica, Croatia, Dominican Republic, Ethiopia, France, Germany, Guatemala, Honduras, Hungary, India, Ireland, Italy, Japan, Mexico, Nepal, Netherlands, Peru, South Korea, Sri Lanka, Sweden, Ukraine, U.K.]; No: 7 [Bahrain, Egypt, Indonesia, Pakistan, Qatar, Saudi Arabia, Sudan]; A: 14 [Burkina Faso, China, Congo, Eritrea, Gabon, Nigeria, Paraguay, Russia, Sierra Leone, South Africa, Swaziland, Togo, Uganda, Zimbabwe]; No vote: 2 [Cuba, Mauritania].

EOV:

U.S.: “The USA condemns extrajudicial executions ... But does not view this resolution as including any promotion of abolition of the death penalty where it now exists.”

Final Vote on L.56/Rev.1: Yes: 39 [USA, Argentina, Armenia, Australia, Austria, Bhutan, Brazil, Chile, Congo, Costa Rica, Croatia, Dominican Republic, Eritrea, Ethiopia, France, Gabon, Germany, Guatemala, Honduras, Hungary, India, Ireland, Italy, Japan, Mexico, Nepal, Netherlands, Nigeria, Paraguay, Peru, Russia, South Africa, South Korea, Sri Lanka, Swaziland, Sweden, Uganda, Ukraine, U.K.]; No: 0; Abstain: 12; No-vote: 2 [Cuba, Mauritania].

L.57: The Incompatibility Between Democracy and Racism

- ❖ Sponsored by *Brazil* (E/CN.4/2004/L.57)
- ❖ Adopted without a vote.

Positive: Included for the first time the term “Christianophobia”.

OP-5: “Recognizes with deep concern the increase in anti-Semitism, and Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas against Arab, Christian, Jewish and Muslim communities”

L.55: Elimination of All Forms of Religious Intolerance

- ❖ Sponsored by *The Netherlands* (U.S. was one of many co-sponsors) (E/CN.4/2004/L.55)
- ❖ Adopted without a vote, including the *Argentina* amendment.

Argentina proposed adding “Christophobia” to an introductory paragraph that contained “Islamophobia and anti-Semitism” (on p. 3 of L.55; amendment E/CN.4/2004/L.111).

EOP (Explanation of Position):

OIC [Pakistan speaking]: “Every individual has the right to freedom of religion or belief ... of his own choice. ... The rising trend of religious intolerance ... especially against Muslims is a matter of grave concern. ... ‘Semites’ include Jews, Muslims and Christians; it is misleading to include ‘anti-Semitism’ in this resolution.”

L. 65: The Right to Freedom of Opinion and Expression

- ❖ Sponsored by *Canada* (U.S. was one of many co-sponsors) (E.CN.4/2004/L.65)
- ❖ Adopted without a vote.

L.51: Rights of the Child (CRC)

- ❖ (E/CN.4/2004/L.51)
- ❖ Adopted by vote.

U.S.: participated in the drafting sessions on this resolution, but the co-sponsors were not receptive or responsive to U.S. concerns.

EOV: U.S.: “The United States welcomes the interest of the United Nations ... and this Commission ... with regard to issues relating to children....

“My Government will call for a vote and vote No on this draft

“(T)he Convention (Convention on the Rights of the Child) conflicts with the authorities of parents and other provisions of state and local law in the United States. We find the assertion that the Convention ‘must constitute the standard in the promotion and protection of the rights of the child’ ... unacceptable. Additionally, the United States consistently opposes calls for abolition of the juvenile death penalty, in view of the U.S. federal system.”

Final Vote on L.51: **Yes: 52**; No: 1 [U.S.].

L.61: Torture & Other Cruel, Inhuman or Degrading Treatment or Punishment

- ❖ Sponsored by *Denmark* (E/CN.4/2004/L.61)
- ❖ Adopted without a vote.

Paragraph of concern (though no concern was voiced by any nation at time of vote):

OP-6: “Reminds Governments that corporal punishment, including of children, can amount to cruel, inhuman or degrading punishment or even to torture.”

In the UN context, this is of concern because the Committee on the Rights of the Child views all spanking as abuse, interprets the CRC to prohibit parents from spanking their children, and pressures nations to make laws prohibiting spanking.

L.60: Trafficking in Women and Girls

L.62: Special Rapporteur on Trafficking in Persons, Especially in Women and Girls

- ❖ (E/CN.4/2004/L.60)
- ❖ L.62 was sponsored by *Germany* (E/CN.4/2004/L.62)
- ❖ Both adopted without a vote.

L.37: China

- ❖ Sponsored by the *United States* (E/CN.4/2004/L.37)
- ❖ China’s “no action” motion succeeded, pre-empting a vote on L.37.

U.S.: praised China for its progress in the area of respecting human rights, but identified multiple areas—including “severe restrictions on freedom of assembly, association, expression, conscience and religion”—where China continues to violate the human rights of its own people, failing to uphold its international obligations under the Universal Declaration of Human Rights (“The Situation of Human Rights in China,” U.S. statement on consideration of Draft Resolution, April 8, 2004; and Ambassador Richard Williamson, giving U.S. statement on “Introduction of Draft Resolution: China,” April 15, 2004, prior to final consideration and vote).

China: called for “no action” on the resolution.

Congo, Cuba, Indonesia, Mauritania, Pakistan, Russia, Sri Lanka, Sudan, Zimbabwe: spoke in support of China and its request for “no action,” opposing L.37.

EU/Ireland, Japan: oppose “no action” motions on human rights issues.

Vote on China’s “no action” motion: **Yes (to take no action): 28** [*Bahrain, Bhutan, Brazil, Burkina Faso, China, Congo, Cuba, Egypt, Eritrea, Ethiopia, Gabon, India, Indonesia, Mauritania, Nepal, Nigeria, Pakistan, Qatar, Russia, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Togo, Ukraine, Zimbabwe*]; No: 16 [*U.S., Australia, Austria, Costa Rica, Croatia, France, Germany, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Netherlands, Sweden, U.K.*]; Abstain: 9 [*Argentina, Armenia, Chile, Dominican Republic, Mexico, Paraguay, Peru, South Korea, Uganda*].

L.13: Cuba

- ❖ Sponsored by *Honduras*, with strong support from the *U.S.* (E/CN.4/2004/L.13)
- ❖ Adopted by a one vote majority.

Resolution condemned the Castro regime for violating the human rights of the Cuban people.

Cuba: ridiculed *Honduras* for sponsoring the resolution; called the *U.S.* a “hegemonous power” guilty of “imperialism” and of “blackmail(ing)” and pressuring Latin American countries; criticized the *U.S.* for its “concentration camp” at Guantanamo Bay; and called for “a carefully recorded vote.”

U.S.: made strong statement with specific charges about human rights abuses.

Chile: spoke in support of the resolution.

China, Zimbabwe: commended Cuba for progress in human rights; opposed resolution.

Congo, Russia, Sudan, Togo: spoke in opposition to the resolution.

Final Vote on L.13: **Yes: 22** [*U.S., Armenia, Australia, Austria, Chile, Costa Rica, Croatia, Dominican Republic, France, Germany, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Mexico, Netherlands, Peru, Republic of Korea, Sweden, U.K.*]; No: 21 [*Bahrain, Burkina Faso, China, Congo, Cuba, Egypt, Ethiopia, India, Indonesia, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, Sudan, Swaziland, Togo, Ukraine, Zimbabwe*]; Abstain: 10 [*Argentina, Bhutan, Brazil, Eritrea, Gabon, Mauritania, Nepal, Paraguay, Sri Lanka, Uganda*].

Incident following vote: Just outside the conference room, a member of the Cuban delegation ran over and hit a free Cuban American so hard on the side of his head that he fell to the floor and was unconscious for 5 minutes or more. U.S. Ambassador Moley was standing near the man who was hit, and chased after the Cuban, but 2 U.N. security guards tackled the Cuban to the ground. I saw the guards taking the Cuban away and Amb. Moley yelling at him. The Cuban ambassador claimed diplomatic immunity for the Cuban, but Amb. Moley said that charges would be filed. The Cuban American was taken to the hospital and later released.

L.21: Democratic People’s Republic of Korea (North Korea)

- ❖ Co-sponsored by the *United States* (E/CN.4/2004/L.21)
- ❖ Adopted by vote.

Condemned the North Korean regime for violating the human rights of the North Korean people.

U.S.: made strong statement about severe human rights violations by the government.

Final Vote on L.21: **Yes: 29** [*U.S., Argentina, Armenia, Australia, Austria, Bhutan, Brazil, Chile, Costa Rica, Croatia, Dominican Republic, France, Gabon, Germany, Guatemala,*

Honduras, Hungary, Ireland, Italy, Japan, Mexico, Netherlands, Paraguay, Peru, Saudi Arabia, Sri Lanka, Sweden, Ukraine, U.K.]; No. 8 [*China, Cuba, Egypt, Indonesia, Nigeria, Russia, Sudan, Zimbabwe*]; A: 16 [*Bahrain, Burkina Faso, Congo, Eritrea, Ethiopia, India, Mauritania, Nepal, Pakistan, Qatar, Sierra Leone, South Africa, South Korea, Swaziland, Togo, Uganda*].

L.33: Zimbabwe

- ❖ Sponsored by *Ireland/European Union* (E/CN.4/2004/L.33)
- ❖ Zimbabwe's "no action" motion succeeded, pre-empting a vote on L.33.

Resolution condemned Mugabe regime for numerous human rights abuses.

Ireland [EU]: spoke of human rights abuses in Zimbabwe.

U.S.: made strong statement about specific and severe human rights violations by current government (contrasting it with previous lawful Zimbabwe governments).

China, Congo, Cuba, Nigeria: all spoke in opposition to the resolution.

Zimbabwe: called for "no action" and said "any human rights abuses in Zimbabwe are not out of the ordinary."

Vote on "no action" on L. 33: **Yes (to take no action): 27** [*Bahrain, Bhutan, Burkina Faso, China, Congo, Cuba, Egypt, Eritrea, Ethiopia, Gabon, India, Indonesia, Mauritania, Nepal, Nigeria, Pakistan, Qatar, Russia, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Togo, Uganda, Zimbabwe*]; No: 24 [*U.S., Argentina, Armenia, Australia, Austria, Chile, Costa Rica, Croatia, Dominican Republic, France, Germany, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Netherlands, Paraguay, Peru, South Korea, Sweden, Ukraine, U.K.*]; A: 2 [*Brazil, Mexico*].

L.36: Situation of Human Rights in the Sudan

- ❖ (E/CN.4/2004/L.36)
- ❖ Substitute offered by *African nations* (Agenda Item 3; E/CN.4/2004/Future.6).
- ❖ The weak African substitute was approved; the 2 U.S. amendments to improve the substitute were rejected; and further consideration of the original L.36 was pre-empted by a Rule 49 Motion to Adjourn, which succeeded.

L.36 clearly identified human rights abuses—including killing and raping civilians, and pillaging and burning entire civilian villages, in the southern Darfur region by Jangaweed militia groups collaborating with Sudanese Government troops, all acting with impunity. The resolution was strong, but did not adequately describe the enormity and longevity of the killings, rapes, dismemberments, and enslavement of countless non-Arab Africans, many of whom are Christians, living in the southern part of the Sudan.

The Commission spent the entire final day (April 23, 2004) of its 6-week session considering this resolution, the African substitute, and two U.S. amendments to the substitute. Most of the time was spent in recesses (between short periods of statements) for national delegations and regional groups of nations to negotiate and decide what to do. Little time was spent on substantive comments or discussion. The African substitute (Future.6) was a weak, watered-down compromise that did not even mention the atrocities, rejected interference by the international community or non-African nations, and called for African groups to conduct an investigation. (CHR delegations had information on atrocities, but chose to ignore it. If their own intelligence

and media sources were not sufficient, the BBC reported on it the day before, and the Office of the UN High Commissioner provided them with an investigative report.)

April 7, 2004: UN Secretary-General Kofi Annan spoke to the Commission on the 10th anniversary of the Rwanda massacre, urging action to stop the “ethnic cleansing” in the Sudan, and not fail to act as the international community did in 1994.

April 23, 2004 discussion/negotiations/vote:

Congo (representing the African nations): tabled a new resolution (Future.6) to pre-empt consideration and a vote on L.36.

African & Arab nations: not one was willing to condemn the Sudan.

EU: said the new resolution was an “honest compromise.”

U.S. statement (excerpts):

“Edmund Burke said that all that is necessary for evil to prevail is for good men to fail to act.

“... After World War II, the world said ‘Never Again.’ Then came Cambodia where the ‘Killing Fields’ were awash with blood. Ten years ago in Rwanda, evil reigned. In 100 days, 800,000 were killed in a rampage of killings. The world knew that the terrible acts were being committed, yet the international community failed to act. Again, the world said, ‘Never Again.’ ...

“Just days ago, Secretary General Kofi Annan traveled to Geneva to address the Commission on Human Rights during the day of remembrance of the 10th anniversary of the genocide in Rwanda. ... call(ing) upon the international community to never fail as we did ten years ago. And he referred to the acts now going on in the Darfur area of Sudan as ‘ethnic cleansing.’ We cannot fail as we have before. ‘Never Again’ must be more than mere words or an idle promise. ...

“The Office of the U.N. High Commissioner’s Mission report highlights the following terrible acts that contribute to creating that reign of terror:

“(A) Repeated attacks on civilians by Government of Sudan military and its proxy militia forces with a view to their displacement;

“(B) The use of systematic and indiscriminate aerial bombardments and ground attacks on unarmed civilians; ...

“(E) That the attacks appear to have been ethnically based ...;

“(F) The pattern of attacks on civilians includes killing, rape, pillage”

U.S.: offered 2 one-paragraph (which it pulled from L.36) amendments to the African substitute, which clearly mentioned the atrocities and Sudanese government complicity:

1. New paragraph. 3 bis.

“The Commission expresses deep concern at the grave violations of human rights and international humanitarian law in Darfur, in particular, reports of systematic attacks on civilians, targeting villages and centers for internally displaced persons and of civilians by Janjaweed militia groups; the removal by force of, *inter alia*, Fur, Zaghawa and Masalit communities from their villages; the lack of adequate protection of and assistance to civilians by the Government of the Sudan and the widespread recourse to rape and other forms of sexual violence, including against children, as a means of warfare”

2. Revised OP-9.

“The Commission calls upon the Government of the Sudan ... to ensure that all attacks against civilians in Darfur are stopped with immediate effect, these attacks having led to grave violations of human rights and to the forced de-population of entire areas in the region, and to cease all support, including the provision of supplies, to the Janjaweed militia”

African Group (Congo spokesman): “(T)he two amendments ... address a situation that is not taking place,” and we “categorically reject these two amendments.”

Cuba, Egypt: spoke in opposition to the amendments.

Chile: “(T)here is a tragic situation taking place in Sudan,” and “worst thing would be to not take action,” but then said it would abstain on vote.

EU/Ireland: said would support both African proposal and 2 U.S. amendments.

Amendment Vote on 3 bis: Yes: 19 [*U.S., Armenia, Australia, Austria, Costa Rica, Croatia, Dominican Republic, France, Germany, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Netherlands, Peru, Sweden, U.K.*]; No: 26 [*Bahrain, Bhutan, Burkina Faso, China, Congo, Cuba, Egypt, Eritrea, Ethiopia, Gabon, India, Indonesia, Mauritania, Nepal, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Togo, Zimbabwe*]; Abstain: 8 [*Argentina, Brazil, Chile, Mexico, Paraguay, South Korea, Uganda, Ukraine*].

Amendment Vote on OP-9: Identical voting results (same countries rejected).

EOV:

Australia: strongly supported U.S. amendments because of “many reports it received about attacks against civilians in Sudan, including sexual violence”; would abstain on African compromise because “text does not adequately reflect our concerns.”

Egypt: said Africa should be left alone to address its own human rights abuses, and “does not support any resolution condemning Sudan.”

Uganda: helped draft the African proposal. Instructions were to abstain on L.36.

Vote on African substitute resolution (Agenda Item 3; Future.6): Yes: 50; No: 1 [*U.S.*]; Abstain: 2 [*Australia, Ukraine*].

Sudan: the “situation is not as bad as stated.”

African Group/Congo: Called for Rule 49, Motion to Adjourn, to force debate closure.

Egypt: supported African Group/Congo motion.

Honduras: “The victims of the tragedy of Sudan do not benefit from Rule 49.”

Rule 49 Vote (Motion to Adjourn, to close debate and pre-empt any vote on L.36): Yes: 27 [*Bahrain, Bhutan, Burkina Faso, China, Congo, Cuba, Egypt, Eritrea, Ethiopia, Gabon, India, Indonesia, Mauritania, Nepal, Nigeria, Pakistan, Qatar, Russia, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Togo, Uganda, Zimbabwe*]; No: 7 [*U.S., Australia, Costa Rica, Guatemala, Honduras, Paraguay, Peru*]; Abstain: 19 [*Argentina, Armenia, Austria, Brazil, Chile, Croatia, Dominican Republic, France, Germany, Hungary, Ireland, Italy, Japan, Mexico, Netherlands, South Korea, Sweden, Ukraine, U.K.*].

EOV: *Germany*: “regrets that the text adopted does not reflect the atrocities on the ground” ... but it does do the “most important” thing of authorizing an investigator.”

U.K.: This “matter is all over our news,” but “important thing is a resolution was passed.”

Sierra Leone: “The Commission on Human Rights is not the Security Council. ... The decision is good enough for the Commission.”

2004 & 2005 U.N. Commission on Human Rights: 53 Member Nations

2004 Member Nations (by region; *continuing on Commission in 2005):

<u>Africa (14)</u>	<u>America/Caribbean (12)</u>	<u>Asia-Pacific (9)</u>	<u>Europe/Russia/NIS (13)</u>
Burkina Faso*	Argentina*	Australia*	Armenia*
Congo*	Brazil*	Bhutan*	Austria
Eritrea*	Chile	China*	Croatia
Ethiopia*	Costa Rica*	India*	France*
Gabon*	Cuba*	Indonesia*	Germany*
Mauritania*	Dominican Republic*	Japan*	Hungary*
Nigeria*	Guatemala*	Nepal*	Ireland*
Sierra Leone	Honduras*	South Korea*	Italy*
South Africa*	Mexico*	Sri Lanka*	Netherlands*
Sudan*	Paraguay*		Russian Federation*
Swaziland*	Peru*	<u>Middle East (5)</u>	Sweden
Togo*	United States*	Bahrain	Ukraine*
Uganda		Egypt*	United Kingdom*
Zimbabwe*		Pakistan*	
		Qatar*	
		Saudi Arabia*	

2005 Member Nations (by region; +new on Commission in 2005):

<u>Africa (14)</u>	Ecuador+	<u>Europe/Russia/NIS (12)</u>
Burkina Faso	Guatemala	Armenia
Congo	Honduras	Finland+
Eritrea	Mexico	France
Ethiopia	Paraguay	Germany
Gabon	Peru	Hungary
Guinea+	United States	Ireland
Kenya+		Italy
Mauritania	<u>Asia-Pacific (10)</u>	Netherlands
Nigeria	Australia	Romania+
South Africa	Bhutan	Russian Federation
Sudan	China	Ukraine
Swaziland	India	United Kingdom
Togo	Indonesia	
Zimbabwe	Japan	
	Malaysia+	
<u>Americas/Caribbean (13)</u>	Nepal	
Argentina	South Korea	
Brazil	Sri Lanka	
Canada+	<u>Middle East (4)</u>	
Costa Rica	Egypt	
Cuba	Pakistan	
Dominican Republic	Qatar	
	Saudi Arabia	