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经济及社会理事会

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人权委员会 第六十届会议 临时议程项目 3 和 20

会议工作安排

委员会工作的合理化

改进委员会的工作安排

秘书处的说明*

人权委员会秘书处谨向委员会转交第五十九届会议扩大主席团根据委员会第 2003/116号决定提交的报告,其中载有向第六十届扩大主席团提出一整套建议。

GE. 04-10556 (C) 100204 120204

^{*} 根据大会第53/208 B 号决议第8段,本文件的推迟提交是为了尽可能地列入最新资料。

<u>导</u> 言

- 1. 委员会 2003/116 号决定授权主席团与各区域协调员一起工作,除其他外,在委员会第 2003/101 号决定—— 该决定核可了 E/CN.4/2003/118 和 Corr.1 号文件—— 的基础上,审议可向第六十届会议扩大的主席团提出哪些措施建议,进一步改进委员会的工作。
- 2. 各区域集团和非政府组织向扩大的主席团发表了一些见解。这些见解涉及以下问题: (一) 第六十届会议的时间管理; (二) 答复权; (三) 高级别部分; (四) 与特别程序的交互对话; (五) 决议的格式、长度和审议; (六) 国家机构; 和(七) 与委员会规则和惯例相关的其它问题。
- 3. 以下是 2003 年 11 月 27 日至 28 日和 12 月 16 日以及 2004 年 1 月 13 日举 行的扩大的主席团专家级会议期间形成的建议和其他安排。

时间管理1

- 4. 扩大的主席团的建议如下:
 - (a) 坚决重申 E/CN.4/2003/118 和 Corr.1 号文件提出的各项原则:
 - (b) 如果扩大主席团、主席以及所有与会者合理地安排时间,就不应有必要在委员会按常规召开的会议之外,举行**额外的会议**;这将包括严格地尊守发言时限并且准时开会。要求与会者守时准点,以便主席按时宣布开会。扩大的主席团应研究具体措施,增强全体与会者守时准点;
 - (c) 若要求举行额外的会议,应只有在极为例外的情况下举行而且不超过下午6时。
 - (d) 通常在届会开始时通过的议程项目的审议**时间表**,应当成为确定**发言 时限**的重要指导工具:
 - (一) 根据时间表,每一个项目拥有的讨论时间,应当根据发言者人数 均摊——因为发言报名将在一般性辩论开始之前几个小时截止—— 与此相关的理解是,成员国的发言时间是观察员国发言时间的两 倍:

- (二) 为项目 10 划定的时间应当与为项目 11 规定的时间相同,而且为 议程项目 10 和 11 规定的发言时限,应当与为其他项目规定的时 限一样,但不实行延长 2 分钟的通例;
- (三) 扩大的主席团应当规定最长发言时限。在为各类议程项目分配时间时,扩大的主席团应全力确保观察员国可就每个议程项目至少发言3分钟;
- (e) 若要**缩短发言时间**,则应一律实行,与此相关的理解是,成员国应享有的发言时间比观察员国长一倍;
- (f) 参照有关委员会各届会议的近期统计,扩大的主席团和各区域集团应在铭记委员会的与会者类别、特别是成员国和观察员国、非政府组织和国家机构的情况下,寻找出在所有与会者之间更公平地**分配时间**的途径:
- (g) 在会议第一天开放**发言者名单**并在就议程每个项目展开一般性讨论前 3 小时截止报名的惯例应当继续延用。此外,鼓励发言者尽早在发言 者名单上登记,从而便利于扩大的主席团开展工作;
- (h) 联合发言。作为节省时间的措施,应当鼓励一些国家以及非政府组织 联合发言,而对此类发言将给予——时间限量将由扩大的主席团确 定——较长的时间。当单个国家既参与了联合发言,又希望在同一议程 项目下再度发言时,则将给予通常规定发言时限的一半;
- (i) 成员国和观察员国应考虑限制届会期间各自的**发言次数**。
- (j) 减少就**提案采取行动**所用的时间,可实现时间上的大幅度节省。为此目的,对于提案介绍、一般性评论和表决前后对表决的解释,均应确定时限。此外,如果是协商一致或者非争议性的决议,则确定更短的时限还有进一步节省的时间很大的余地;
- (k) **所涉方案预算问题的说明**不要在会上宣读,而应书面传阅,这样可以 节省届会结尾时的宝贵时间。为了不延误对提案采取行动,所涉方案 预算问题的说明应尽早分发;
- (l) 为了节省时间,应努力确保主席按照议事规则处置**程序问题**和其他程序性动议:和

(m) 在整个届会期间应为委员会配备电子表决系统,并按商定的方式使用。

答 复 权 2

5. **答辩权**将限于就每一项目进行两次答复,第一次答复 3 分钟,第二次 2 分钟。**每个项目两次答辩权**可在一次会议结束时、一天结束时或者项目结束时使用。

完善高级别会议3

- 6. 为第五十九届会议上高级别会议确立的实际安排应继续适用。具体而言:
 - (a) 为第五十九届会议确立的工作安排和标准应适用于委员会第六十届会 议的高级别会议:
 - (b) 高级别会议的会期最长可达 4 天,并应在届会的第一周期间举行;
 - (c) 答辩权应当根据议事规则和现行惯例行使;
 - (d) **发言人名单**应尽早开放,并应鼓励在某个日期之前表明将与会的高级 人士的发言意向;
 - (e) 对于发言不应规定具体的主题;
 - (f) 秘书处不规划与高级别会议并行的会议;
 - (g) 高级别会议的综合性质意味着,除国家元首和政府首脑之外,某位高级人士若希望在高级别会议之外发言,均应可以直接在座席上发言;和
 - (h) 发言时限:初步认为每一位高级人士最长 15 分钟发言为官。

完善交互对话4

- 7. 第五十九届会议上开始的与特别程序负责人的**交互对话**,普遍被认为是委员会工作的重大改进。为改进这些对话:
 - (a) 各国与特别程序负责人之间的**磋商**不应只限于交互对话。为此,应鼓励程序负责人与各国相互之间展开磋商;

- (b) 应当推行第五十九届会议确立的做法,即,程序负责人介绍了报告之后,立即进行**简要的问答**。提问发言最长时限为 10 分钟(大约每个问题 1 分钟),而程序负责人的答复时限为 5 分钟;
- (c) 若向程序负责人书面提问,并且在会议前提出,以便他们为交互对话做好准备,那么交互对话的效率更高。这样做不会影响任何国家在会议期间提问的权利。
- (d) 为便利于程序负责人和国家双方进行规划,应尽可能在会前确定与每一位程序负责人展开交互对话的时间安排。为此,且为了避免程序负责人在有关议程开始讨论之前发言,交互对话一般应在**项目讨论开始时**展开,但是,作为例外,交互对话也可在整个相关议程项目讨论期间穿插进行。

与决议的格式、长度和审议有关的问题5

- 8. 广泛的协商一致看法认为,需合理编拟向委员会提出的提案案文。具体而言:
 - (a) 应想方设法**缩短决议的长度**。不应整篇重复上一年的案文,而应以一个总体的段落回顾上年的决议。重点应放在新的内容上。针对类似或相关问题的决议,其主要提出者应相互交流,以便将案文合并在一起。各区域集团和各集团内决议的主要提出者,应当就落实这项建议提出具体的提案:
 - (b) 各项草案的谈判应尽可能地**避免同时举行**,以便人小型代表团能够参与;
 - (c) 秘书处应尽早就提议草案的磋商情况通报全体与会者。情况可在扩充 的日程文件中通报;
 - (d) 一方面要考虑到必须维持任务的持续性以及正确的预算程序,同时应当进一步鼓励对决议——和适当时对报告——实行**两年或三年提交一次**的做法。鼓励扩大的主席团通过各区域集团在闭会期间与主要提案者共同制订落实这些目标的具体措施;

- (e) 对于此类两年或三年提交一次的决议,在**非决议年**期间不应提出替代案文。
- (f) 应当停止使用唯一目的在于向委员会成员和观察员散发整篇决议的执行段落,因为决议案文已经可以在网上和在委员会报告中查阅。

国家机构 6

- 9. 国家机构在委员会中的作用和地位应当予以增强。具体而言:
 - (a) 为国家机构分配**充分的发言时间**(7分钟);
 - (b) 为国家机构分配的**日期和时间**应得到充分尊重,这种日期和时间不应 受任何时间表安排推迟的后果影响;
 - (c) 在会议厅内应当为国家机构保留**指定的座席**;
 - (d) 委员会第六十届扩大的主席团应审查现行的**国家机构资格认证程序**; 和
 - (e) 应鼓励国家机构同与会者之间加深交互联系。

与委员会规则和惯例相关的其他问题

- 10. 广泛认为,届会期间反复引用议事规则有时会最终形成无休止的讨论和僵局,浪费委员会的宝贵时间。在为克服这种现象提出的各项措施中,有人提出,委员会目前据以运作的现行规则和惯例(第 16 号文件所载的商定条款,加上第 2003/118 号文件和相关文件所载的新规定)应汇编成一份文件,提供给与会者。
- 11. 秘书处应通过编印**扩充的日程文件**,在其中编入介绍报告的特别报告员名单、关于决议草案的非正式磋商情况、区域和其他集团的会议、非政府组织的活动等,向各代表团通报围绕着委员会的一些活动。
- 12. 扩大的主席团与非政府组织之间的对话应予推动,以期增强委员会工作的透明度。

<u>杂 项</u>

13. 除了以上内容之外,在各方提交的意见中还述及一些进一步的技术问题,

扩大的主席团据此通过了如下建议:

- (a) 呼吁秘书处尽力确保用所有各种语文并尽可能加快**处理文件**。
- (b) 敦促秘书处将文件尽快上载到**人权高专办的网站**,并改善主页所附的 搜索引擎:
- (c) 委员会届会结束之后,办事处应尽快发出**征集资料的要求**,以便各国能有充分时间准备其回复。资料征集要求仅以一份**综合照会**发给各常驻代表团,附上所有要求的摘要。提交资料的限期应当标准化且更为切合实际:
- (d) 就工作组日历而论,鼓励扩大的主席团与一切有关方面展开对话,以期更好地利用所有可能的空余时段,以避免会议集中在委员会届会即将召开前几个月内的现象。着重强调这一进程透明度的重要性,以及避免会议重复的必要性。此外还指出,各会议不应重叠,不应当与大会第三委员会的届会或每年5月/6月召开的劳工组织和卫生组织大会同期举行。

注

For ease of reference it is recalled that document E/CN.4/2003/118 and Corr.1 referred to the issue as follows:

- (a) The current six-week timeframe is the basis of a solid consensus (B.1.a);
- (b) Appropriate steps should be taken to ensure an efficient use of the available time during each session (B.1.b);
- (c) The recourse to additional meetings should in principle be kept to a minimum and should in principle not take place after 9 p.m. (B.1.b);
- (d) The importance of meetings starting on time was reaffirmed (B.1.b);
- (e) There was agreement in closing the list of speakers at the latest at the beginning of the consideration of the item in order for the Secretariat to evaluate how much time would be necessary for each agenda item (B.4.1.c.ii);
- (f) It was also agreed that time limits should be introduced regarding all aspects of the work of the Commission, including those relating to the adoption of resolutions (B.4.1.c.iii);
- (g) Joint statements by groups of States and NGOs were encouraged (B.4.1.c.i);
- (h) Should cuts be made, this should be done across the board (B.4.1.c.iv).

The factual situation at the fifty-ninth session of the Commission in terms of time-limits was as follows:

- (a) Speaking-time limits were of 7 minutes per item for Member States and 3 minutes and 30 seconds for all observers. As from the third week of the session it became clear that this time allocation would be unsustainable. Accordingly, on 8 April 2003, it was decided that the time available under each agenda item would be divided by the number of speakers, it being understood that members would speak for double the amount of observers;
- (b) Introduction of reports by special rapporteurs were of 7 minutes' duration;
- (c) National institutions spoke for 5 minutes each under item 18(b);
- (d) Special time limits were set for joint NGO statements;
- (e) Concerned countries benefited from an additional 5 minutes to their normal speaking time;
- (f) In general, the list of speakers was closed three working hours before the opening of any given agenda item;
- (g) Six additional meetings were held during the session and during these days the Commission met from 9 a.m. to 12 a.m., from 12 a.m. to 3.00 p.m. and from 3 p.m. to 6 p.m.

- (h) Additionally, the following measures were adopted in the second half of the session:
 - (i) As from 3 April 2003, it was decided that the time limits for agenda items 10 and 11 would be the same as other items without the usual additional 2 minutes:
 - (ii) As from 8 April 2003 onwards, the time available under each remaining item was divided by the number of speakers, it being understood that members would speak for double the amount of observers (see above (a));
 - (iii) As from 9 April onwards, rights of reply were limited to two per item, 3 minutes for the first and 2 minutes for the second;
 - (iv) The consideration of items 14 to 20 was clustered.
- Document E/CN.4/2003/118 and Corr.1 provides that limits on the rights of reply available to delegations should be respected. During the fifty-ninth session, the Commission followed practices of its fifty-seventh and fifty-eighth sessions whereby delegations had the possibility to exercise their rights of reply twice per meeting, per day or per item. The first right of reply was of three minutes and the second of two minutes duration. However, as from 9 April onwards, rights of reply were limited to two per item, 3 minutes for the first and 2 minutes for the second.
- Document E/CN.4/2003/118 and Corr.1 provides some information on the modalities for the holding of the high-level segment in its paragraph B.6 a) and b). The practice at the fifty-ninth session of the Commission followed a very detailed scheme for the high-level segment which was considered to be introduced on a trial period at the fifty-ninth session.
- The modalities for the interactive dialogues (ID) were envisaged in paragraph B.4.d of document E/CN.4/2003/118 and Corr.1. In practice, during the fifty-ninth session, interactive dialogues took place at the opening of the general debate under each agenda item. When a special rapporteur was not in a position to speak at the beginning of the discussion then no ID was organized and, in that case, he/she could only introduce the report according to past practices. Only States were allowed to ask questions during the question-and-answer segment which was of a maximum 15 minutes duration per mandate.
- Document E/CN.4/2003/118 and Corr.1 (B.2) recommended the voluntary biennial or triennial presentation of a significant number of thematic resolutions. No alternative texts should be introduced during off-years. The corresponding documents and reports prepared by the Secretary-General and/or OHCHR would likewise be prepared on a 2 or 3-year basis. Additionally, recommendations were made regarding speaking-time limits during the voting process (see above), the format of resolutions member States being encouraged to streamline

resolutions (B.4.1(h)), and strengthening transparency of the intergovernmental consultations (B.4.1.(i)).

Reference was made in document E/CN.4/2003/118 and Corr.1 to the need to find appropriate time allocations for national human rights institutions. At the fifty-ninth session, one of the additional "lunch" meetings (3 hours' duration) was devoted entirely to national institutions, which thus had around 5 minutes per institution. The date and time of the meeting changed several times during the session.

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