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Held at the Palais des Nations, Geneva,
on Tuesday, 30 March 2004, at 3 p.m.

Chairperson: Mr. AL-FAIHANI (Bahrain)

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The meeting was called to order at 3 p.m.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 10) (continued)
(E/CN.4/2004/10 and Add.1 and 2, 37-47, 41 and Add.1, 42, 43 and Add.1, 44, 45 and Add.1 and 2, 46 and Add.1 and Corr.1 and Add.2-3, 47 and Add.1 and 2, 48 and Add.1-3, 49 and Add.1 and 2, and 120; E/CN.4/2004/G/9, 10, 13, 14, 16 and 27; E/CN.4/2004/NGO/9, 10, 12, 20, 27-29, 83, 93, 103, 116, 122, 135, 144, 152, 185, 193, 199, 223 and 230; E/CN.4/Sub.2/2003/12/Rev.2)

1. Mr. EMADI (Observer for the Islamic Republic of Iran) said that the General Assembly, the Commission on Human Rights, the Sub-Commission on the Promotion and Protection of Human Rights and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance had taken note of the opportunities offered by globalization but had warned that it could exacerbate poverty, underdevelopment, marginalization, social exclusion and economic disparities based on racism. The Millennium Development Goals for the eradication of poverty were far from being achieved, and globalization had contributed to underdevelopment in the poorest countries of the world. A global strategy aimed at integrating the dimension of human rights and development into global processes, coherence between national policies and international commitments and the establishment, at the international level, of an enabling environment would ensure that globalization became fully inclusive and equitable. The Commission on Human Rights should assess the impact of globalization on such critical issues as trade, investment, technology, the digital divide, migration, human rights and international law, and should provide adequate guidance. Further discussion would promote greater multilateral coordination and cooperation among the relevant international organizations. Solutions that were globally workable and consistent with global citizens' rights must be found.

2. Given its role in promoting development, the private sector must become more involved. Corporate social responsibility and its implications for poverty eradication, full employment and social integration should be acknowledged. A framework based on human rights and enhanced international cooperation was needed to maximize the benefits of globalization and guarantee equal opportunities for all in the areas of trade, economic growth and sustainable development.

3. Mr. HUNT (Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health), introducing his report (E/CN.4/2004/49 and Add.1 and 2), said that he had sought in his work to focus on the relationship between poverty, discrimination and the exercise of the right to health. His approach to the right to health was based on the notion that the courts had a role to play in protecting that right and that that right must be integrated in all national and international policies. Many countries had poverty reduction strategies, but only a few of them contained specific provisions on the right to health. The question, then, was the extent to which a poverty reduction strategy could be enhanced by incorporating the right to health. In an effort to find an answer, he had studied the case of the Niger. He had come to the conclusion that integration of the right to health did not imply a radically new approach to poverty reduction. Rather, it would strengthen existing strategies by reinforcing anti-discrimination measures and, possibly, monitoring and accountability mechanisms. It would also help to highlight the importance of international cooperation.

4. Sexual and reproductive health were an essential aspect of the right to health. As the participants at the International Conference on Population and Development had recognized in 1994, it was fundamental not only for the well-being of individuals and families but also to the sustainable development of communities and nations. The Cairo Programme of Action set out 15 principles, some of which referred directly to the right to health, the right to education, gender equality and the right to development. An entire chapter was dedicated to reproductive rights and reproductive health. The international community often disregarded that important aspect of the work of the Conference. Yet the promotion and protection of sexual and reproductive health rights had an indispensable role to play in poverty reduction and the implementation of the Millennium Development Goals. In the light of those considerations and Commission on Human Rights resolution 2003/28, in which the Commission had emphasized that sexual and reproductive health were integral elements of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, he had decided to address those issues. However, he was aware of their sensitive and controversial nature.
5. He would present his report on his mission to Mozambique at the next session of the Commission; in the meantime, he wished to warmly thank the Mozambican authorities for their invitation and full cooperation. In July and August 2003, he had also visited the World Trade Organization (WTO), and his report on that mission had been issued as an addendum to his main report. The primary goal of that mission had been to enhance the dialogue between trade experts and human rights experts by focusing on the relationship between trade and the right to health. While trade could contribute to the gradual implementation of the right to health by increasing countries' resources, its impact on the realization of that right depended largely on the trade rules applied. The main challenge was to reconcile the implementation of trade agreements and international human rights instruments, which required a rigorous and informed dialogue.
6. The report focused on the position of WTO member States rather than on WTO itself; issues addressed in the report included the need to take into account the different implications trade policies could have for men and women and the role of technical assistance. He recalled that the Secretary-General of the United Nations had often emphasized the importance of ensuring that everyone benefited from globalization. Taking the right to health and other fundamental rights into account could help to establish fairer trade rules and an international trade system that benefited all, including those living in poverty.
7. Mr. DA CONCEIÇÃO ZANDAMELA (Observer for Mozambique) said that his Government, which had given top priority to the fight against HIV/AIDS, tuberculosis and malaria, welcomed the recent visit of the Special Rapporteur to Mozambique and looked forward to his report on that mission. It was to be hoped that the fruitful dialogue which had been initiated at that time would be continued and expanded.
8. Mr. WILLIAMSON (United States of America) recalled that his delegation had not supported the establishment of the Special Rapporteur's mandate, which it found too broad and imprecise. The report under consideration, which dealt with a wide range of issues instead of concentrating on health issues affecting the largest number of people, reflected its concerns. His delegation therefore wished to know where the Special Rapporteur intended to direct his attention over the following 12 months and what he thought the priority issues were, bearing in mind their impact in the field of human rights.

9. With regard to the report itself, his delegation rejected the notion of enforceable health-related entitlements advanced by the Special Rapporteur, which would require the establishment of judicial or administrative remedies at the national or international levels. The United States Government strongly opposed abortion, and his delegation disapproved of the position adopted by the Special Rapporteur in his report, which seemed to promote that practice. In no case could abortion be promoted as a method of family planning, and women who had had an abortion should in all cases receive humane treatment and counselling. More generally, he wished to know what place sexual and reproductive health would occupy in the Special Rapporteur's future work. He also enquired as to why the Special Rapporteur had ignored family rights and the responsibilities of parents or guardians when discussing adolescent health.

10. Most disturbing, however, was the Special Rapporteur's apparent confusion as to what constituted international human rights law. Contrary to the impression given in the part of his report dealing with discrimination on grounds of sexual orientation, general comments by United Nations treaty bodies and recommendations, principles and guidelines adopted at international conferences were not rules of law. Finally, although the expression "right to health" was common, it was often misused. In fact, Mr. Hunt's title had never been "Special Rapporteur on the right to health", as was incorrectly indicated on some official communications addressed to Governments, but "Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health".

11. Mr. UMER (Pakistan) said that even though his delegation had initially approved the Special Rapporteur's mandate, it shared the point of view expressed by the United States delegation. It found some elements of the report entirely unfounded and out of place. In particular, the Special Rapporteur's assertions with regard to the prohibition of discrimination on grounds of sexual orientation were completely inaccurate. No international human rights instrument contained specific provisions of the kind. The Special Rapporteur, who was aware of the highly controversial nature of the issue and of the fact that no international consensus had been reached on it, ought to have refrained from addressing it in his report, especially in such a categorical manner.

12. Ms. WHELAN (Ireland), speaking on behalf of the States members of the European Union, drew attention to paragraphs 41 and 42 of the report and asked the Special Rapporteur what difficulties he had found with regard to the provision of sexual and reproductive health services that were culturally acceptable to indigenous populations and other minorities, and what measures he proposed to ensure that such services were acceptable to people of all social and cultural backgrounds. She also asked for clarification of the concept of "underlying determinants of health" and the elements comprising it.

13. Mr. NORMANDIN (Observer for Canada) said that his delegation appreciated the linkage that the Special Rapporteur had established between sexual and reproductive health and the right to health, and wished to know how he intended to move the issue forward. His delegation did not share the point of view expressed by the representative of Pakistan with regard to discrimination on grounds of sexual orientation. Recalling that the issue of accountability was a major focus of the work on the possible elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights, he wondered how violations of the right to health could be measured.

14. Mr. VIGNY (Observer for Switzerland) asked the Special Rapporteur how he thought the elaboration of an optional protocol to the Covenant would affect the right to health. Drawing attention to paragraph 71 of the first addendum to his report, he also asked the Special Rapporteur to clarify the purpose, terms and scope of the proposed dialogue at the national and international levels between the human rights community, in particular the actors responsible for the right to health, and the private economic sector. His delegation supported the Special Rapporteur's position on the issue of prohibiting discrimination on grounds of sexual orientation.
15. Mr. SHALABY (Egypt) expressed support for the statement by the representative of Pakistan and pointed out that the outcomes of the International Conference on Population and Development contained no implicit or explicit provisions that would allow the Special Rapporteur to come to such a conclusion on the issue of sexual orientation. In particular, he disapproved of the content of paragraph 54 of the report and said that the Special Rapporteur had exceeded his mandate by interpreting the provisions of existing international instruments.
16. Mr. AL MADI (Saudi Arabia) said that he was surprised at the content of the Special Rapporteur's report and believed that the Special Rapporteur had exceeded the mandate that had been entrusted to him. He had used terminology on which there was no consensus and which was rejected by a large part of the international community. For that reason, his delegation endorsed the statements made by the representatives of Pakistan and Egypt.
17. Mr. FERNÁNDEZ PALACIOS (Cuba) said that there was a certain imbalance in the Special Rapporteur's report; surely it would have been better if he had focused more on the most pressing health problems in many countries, such as HIV and malaria, or on the vital issue of access to medicine. He suggested that, in his next report, the Special Rapporteur should look into the harmful effects of unilateral coercive measures on the right to health.
18. Ms. LI Xiaomei (China) commended the Special Rapporteur for establishing a link between health and poverty reduction, and encouraged him to continue to pay special attention to that link. It was also to be hoped that the Special Rapporteur would look further into the effects of globalization on the right to health and propose measures that would enable all countries to benefit from globalization.
19. Mr. HUNT (Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health) said that as his time to answer questions was limited, he would be glad to engage in bilateral discussions with individual questioners. At present, one of the international community's main concerns was the implementation of the Millennium Development Goals. Combating HIV/AIDS and reducing infant and maternal mortality rates, which were closely related to sexual and reproductive health, were among those objectives. At its previous session the Commission had recommended that sexual and reproductive health should be considered as integral elements of the right to health. He had therefore thought it appropriate to dedicate a chapter of his report to that area of health, which he also intended as a contribution to the tenth anniversary of the International Conference in Cairo. He recognized that those were sensitive issues, as the statements made by some delegations showed. He had examined all sources of international law as set out in Article 38 of the Statute

of the International Court of Justice, as well as the legal interpretations of treaties made by United Nations treaty bodies. While the opinions of those bodies were certainly not binding, they nevertheless had a certain status, since they came from independent experts nominated by States to monitor the implementation of international human rights instruments.

20. In order to strengthen the dialogue between those involved in trade and the human rights community at the international level, he advocated implementing the recommendation that had been made at a WTO symposium in June 2003 that a seminar or conference should be organized on the links between trade and the promotion of equity. At the national level, for example, it would be useful to encourage cooperation between officials from ministries of health and their counterparts in the area of trade to make policies more coherent. In his future work he intended to place emphasis on the role of the right to health in the context of the Millennium Development Goals and their implementation.

21. Ms. TOMAŠEVSKI (Special Rapporteur on the right to education), introducing her annual report (E/CN.4/2004/45) and the reports on her missions to China (E/CN.4/2004/45/Add.1) and Colombia (E/CN.4/2004/45/Add.2), said that she was speaking for the last time in her capacity as Special Rapporteur on the right to education. The key purpose of her mandate as defined by the Commission had been to identify the obstacles and difficulties preventing the realization of the right to education. That had proved to be an impossible task owing to the difficulties and obstacles she had encountered in carrying out her mandate, which had led her to file a formal complaint against the Office of the United Nations High Commissioner for Human Rights. She therefore recommended that the Commission should consider not renewing the mandate on the right to education as it currently existed, but should instead discuss the issue, investigate different options and create a mandate with a stronger focus on human rights, since that was the Commission's purpose. She had already drawn attention to that issue in her annual report in 2001 (E/CN.4/2001/52). Special rapporteurs played an important role, and the Commission should heed their recommendations and refocus its attention on its main purpose, namely the protection of human rights, if it was not to lose credibility.

22. Turning to the report itself, she said that the end of the cold war had created conditions for abandoning a distortion whereby education had been defined as instruction controlled and imposed by the Government, in a blatant denial of human rights. Respect for the right to education implied respect for human rights, for the principle of compulsory education bestowed on Governments the power to force all children into school where they could be indoctrinated or abused. Her global survey had revealed that in 90 countries, almost half the countries in the world, not even primary education was free, which was proof that the right to education was under a serious threat. Education had become a traded service in 45 countries. The scope and nature of the right to education must therefore be re-evaluated as a matter of urgency. In countries where primary education was not free, it was clear that military expenditure was given priority over investment in education. That was the case in both China and Colombia. Exclusion from education was a particularly significant issue, given that a global campaign was being launched to identify those who were being excluded. The question was important, for while statistics on school enrolment existed, little information was available on children who were not in school; migrant children in China or internally displaced children in Colombia were

probably not taken into account. The situation of teachers was equally worrying. Few education systems in the world recognized their human, professional or trade union rights. Yet experience had shown that if teachers' rights were not protected, the education system itself could not function properly. In China, for example, teachers' right to organize was not recognized, and in Colombia three teachers were killed each month, which showed that the profession was truly threatened.

23. She had continued to accord priority to gender in her reports. The most widespread obstacles to the education of girls were marriage and pregnancy, and addressing those issues was therefore a priority. Children's right to sex education was crucial to self-protection of the adults children would become.

24. Ms. LIU Zhongxin (China) said that the Chinese Government attached great importance to the human rights protection mechanisms established by the United Nations and had engaged in a frank and open exchange with the Special Rapporteur, providing her with all the information she had requested. It was therefore regrettable that her report did not present a true picture and contained unfounded comments and accusations regarding China's efforts to ensure the realization of the right to education. Her delegation had noted in particular that the report addressed issues that were entirely irrelevant, such as foreign affairs and the military. Given the limited scope of the report, it was not surprising that the situation of education in China had not been addressed comprehensively. The Special Rapporteur had turned down the Government's invitation to visit places other than Beijing, and her assessment of the situation with regard to education in places she had not visited, such as Tibet, was lopsided and irresponsible. At the end of her visit she had informed the foreign media that the situation of education in some countries, even Uganda, was much better than in China. Her delegation had no idea why Uganda had been chosen as a benchmark for comparison and did not appreciate such degrading remarks being made by a rapporteur about two developing countries that maintained friendly bilateral relations. She sincerely hoped that the Commission's rapporteurs would carry out their mandates in a serious, responsible, objective and just manner in the interest of their own reputation and to safeguard the credibility of the Commission and its cooperation with Member States.

25. The Chinese Government recognized that education was crucial to long-term development, and it had made unremitting efforts to guarantee its citizens' right to education, with remarkable results. Enrolment rates had reached 99 per cent for primary schools and 90 per cent for secondary schools. Also, the progress report on the Millennium Development Goals showed that China had made tremendous progress and would meet most of the Goals by 2015. As a developing country, China was confronted with many problems and challenges. While relying on its own efforts to solve those problems, it also welcomed assistance, suggestions and constructive criticism from the international community.

26. Ms. FORERO UCROS (Observer for Colombia) said that her Government had received four special rapporteurs in 2003, including the Special Rapporteur on the right to education, in a spirit of transparency and cooperation; consequently it deplored the Special Rapporteur's inaccurate portrayal of the situation of the right to education in Colombia. For example, in her report the Special Rapporteur had claimed that the World Bank had singled out Colombia as the

only country in the region where primary education was not free. The World Bank had been consulted in order to confirm the veracity of that information and its source, and it had turned out that that statement was untrue: in Colombia, as in many countries, those who were able to afford tuition fees paid for those who were not. The World Bank had also confirmed that, according to a recent study, Colombia was the only country that had provided information on the subject and that certain fees were established in agreement with family associations, according to each person's financial means. The report had failed to mention that Colombian children were taught about their country's legitimate democratic institutions throughout their school years; it had also said nothing about the planned civic education programme, which comprised four main areas of study: respect for and promotion and protection of human rights; the establishment of peace and peaceful coexistence; participation and democratic responsibility; and plurality, identity and respect for diversity.

27. Her delegation would have liked the report to be clearer in its analysis of the overall social environment, which was under siege from the acts of violence carried out by illegal armed groups. Education had been the sector most seriously affected, but 435 teachers had been covered by special protection programmes, and democratic policies had been successful in reducing acts of violence against teachers by 48 per cent between 2002 and 2003. The Government acknowledged the importance of universal access to education and recognized State responsibility in that regard. However, in a developing country like Colombia that faced budgetary constraints, it would not be wise to abolish tuition fees for those who could afford them, since that would make it impossible to help the disadvantaged; under those circumstances, private education should not be stigmatized. A number of programmes had been developed to improve the quality of education and adapt it to the requirements of the economy and to strengthen technical education and scientific development.

28. Mr. UMER (Pakistan) commended the Special Rapporteur on her intellectual and professional integrity. In her report she had noted the increasingly numerous obstacles and difficulties she had encountered in the discharge of her mandate; he wished to know whether she could say more about that issue and about the complaint she had lodged against the High Commissioner's Office.

29. It was surprising that the Special Rapporteur had not seen anything positive about the situation of education in China during her visit, a situation that gave rise to a number of fundamental questions. When a special rapporteur visited a country to assess a situation, he or she must be willing to acknowledge the progress made. If the only purpose of the report was to point out negative elements, the very institution of special rapporteurs was likely to suffer.

30. Ms. ANDERSON (Ireland), speaking on behalf of the European Union, asked whether any progress had been made in establishing a dialogue between economists and human rights advocates and whether the Special Rapporteur could point to any positive examples that could be followed in the context of the right to education. She asked the Special Rapporteur to expound on her idea that human rights provided a "ready-made framework" for assessing what learners could do with their education.

31. Ms. PÉREZ ÁLVAREZ (Cuba) asked the Special Rapporteur whether she was aware of any recent mass literacy campaigns involving the use of audio-visual materials, such as the one that had been carried out in Venezuela, and whether she had any ideas as to how such experiences could be generalized. On the question of pregnancy as an obstacle to girls' education, she wished to know more about the features and content of programmes to give teenage mothers access to education.
32. Mr. VIGNY (Observer for Switzerland) said he was surprised that the Special Rapporteur had recommended that her mandate should not be renewed and asked her what her specific reasons for doing so were. Switzerland fully supported the renewal of that mandate, particularly as the global survey the Special Rapporteur had conducted on primary school tuition fees had revealed that primary education was not free of charge in 91 countries. That alone justified renewal of the mandate, provided that the obstacles and difficulties mentioned by the Special Rapporteur were eliminated.
33. Mr. KURTTEKIN (Observer for Turkey) noted that the Special Rapporteur had referred in her report to six letters she had sent to Turkey without receiving a reply and asked whether she had received the four letters sent to her by Turkey in 2002. The Special Rapporteur had also referred to Turkey as one of the countries in which primary education was not free of charge. However, public primary education in Turkey was indeed free of charge, and he would like the Special Rapporteur to indicate where she had obtained her information.
34. Mr. OULD SIDI HAIBA (Mauritania) acknowledged that the work of the Special Rapporteur would no doubt lead to progress in the field of education and said that in Mauritania primary education was free of charge except in private schools.
35. Ms. TOMAŠEVSKI (Special Rapporteur on the right to education), replying to the representative of China, said that there was nothing irresponsible about her assessment of the situation of education in Tibet, as the Chinese Minister of Education could attest. The fact that she had not actually visited Tibet did not prevent her from addressing such issues as the legislation, policies, practices and high illiteracy rate there, the latter being one of the highest in China. She also had no recollection of having mentioned Uganda in her report on her mission to China. She did, however, refer at times to the case of Uganda, the country where she had undertaken her first mission, because she fully supported the decision of the Ugandan Government to make primary education free and compulsory as of 1997.
36. Referring to the comments made by the observers for Colombia and Turkey and the representative of Mauritania, she said that she had always respected what was written on the badge issued to her by the United Nations, namely the word "expert"; accordingly, all her reports had been prepared on the basis of corroborated information. Her statements that primary education was not free of charge in certain countries were supported by information that resulted from years of in-depth research contained in reports prepared by Governments for specific agencies and international organizations, in particular the World Bank and the International Monetary Fund (IMF). She would be delighted to receive information that could prove that primary education was not fee-based in certain countries. She wished to confirm that it was possible for economists and human rights advocates to engage in dialogue, and that dialogue had already borne fruit.

37. Mr. RAMCHARAN (Acting High Commissioner for Human Rights) commended the Special Rapporteur on the right to education, who had been the first person to hold that mandate, and thanked her on behalf of the Commission for the very important contribution she had made to the conceptual development of the different dimensions and issues relevant to the right to education. He particularly welcomed the strong focus she had kept throughout her work on combating all forms of discrimination in the enjoyment of that right, especially with regard to girls. The very high standards she had set for her own performance were reflected in her important achievements, and her outstanding contribution to the promotion and protection of human rights deserved recognition.

38. Mr. ERGUDEN (United Nations Human Settlements Programme (UN-HABITAT) said that according to indicators developed by UN-HABITAT, 1 billion people, or about one third of the world urban population, were currently slum-dwellers. That figure was expected to rise unless measures were taken to reverse that trend and efforts made in the area of human settlements and housing development were accompanied by poverty-alleviation strategies and made human beings and a rights-based approach the centrepiece of policy formulation and implementation. Guided by the Habitat Agenda, the Millennium Development Goals and human rights instruments, UN-HABITAT was increasingly orienting its activities and policies in that direction. Centred on the Global Campaign on Urban Governance and the Global Campaign for Secure Tenure, UN-HABITAT programmes sought to foster inclusiveness in cities and realization of the right to adequate housing, and to fulfil the Habitat Agenda commitment to promoting gender equality and women's rights.

39. The United Nations Housing Rights Programme, which had been launched in April 2002 and was in line with the directives of the United Nations Commission on Human Settlements and the Commission on Human Rights, was the most significant initiative of UN-HABITAT contributing to the realization of human rights in general and to the right to adequate housing in particular. Under that Programme an informative web site on housing rights had been created. UN-HABITAT had also published a report that reviewed international and domestic housing rights legislation and adjudication, along with three supporting compilations. All those publications, as well as a range of other documents, were updated periodically and available on the web site. Those studies would assist the Programme in developing guidelines for legislative reforms and frameworks for the implementation of housing rights at the national level. Work on establishing a global system to monitor and evaluate the progress made in realizing those rights had progressed significantly. An Expert Group Meeting had been held in November 2003 to develop indicators that would make it possible to collect, evaluate and disseminate data on a number of issues related to housing rights. The 15 indicators recommended by the Expert Group Meeting had been submitted to the Committee on Economic, Social and Cultural Rights for review. With the consent and under the guidance of that Committee, those indicators would be communicated to States in the form of a questionnaire to help them prepare the reports they were required to submit under the International Covenant on Economic, Social and Cultural Rights, which would simplify the existing procedure.

40. Another important Programme activity was the global research initiative on indigenous peoples and the right to adequate housing, which had been launched in response to a request from the Permanent Forum for Indigenous Peoples and would be completed by the end of 2004.

Other current Programme activities included the organization of regional consultations and capacity-building workshops on housing rights and the preparation of training and capacity-building guidelines.

41. UN-HABITAT supported the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living; it had cooperated with the Special Rapporteur within the framework of the United Nations Housing Rights Programme and had provided financial support for his activities. His latest report was on forced evictions, an important issue that was also addressed in the context of the Global Campaign for Secure Tenure and the United Nations Housing Rights Programme.

42. Ms. GALBRAITH (World Health Organization (WHO)) said that, mindful of the links between human rights and public health, WHO was in the process of preparing an organization-wide strategy aimed at incorporating human rights into all of its activities. It was also working to help Governments integrate a human rights-based approach in health development. The ultimate goal was to achieve health for all, but in view of the difficulties faced by all countries, especially resource constraints, that goal could not be achieved overnight. Its realization therefore had to be progressive. That was no excuse for inaction, however. Governments had an immediate obligation to take concrete and targeted steps to ensure the realization of the right to health and to fight discrimination as a matter of priority. In that regard, she drew attention to the important work being done by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health to promote better understanding and a more widespread application of the right to health.

43. In the face of the HIV/AIDS pandemic, which was currently one of the greatest threats to human security, and in recognition of the fact that lack of access to antiretroviral treatment was a global health emergency and that immediate measures were needed to safeguard the right to health and life of all persons living with HIV/AIDS, WHO had set a target of providing antiretroviral treatment to 3 million people by 2005. The right to health was one of the economic, social and cultural rights that should receive priority attention from the international community.

44. Mr. INGRAM (World Bank) expressed his appreciation for the work of the special rapporteurs and independent experts, which enabled institutions such as the World Bank to be more responsive to economic, social and cultural rights and held States accountable for their human rights policies. Their reports were generally balanced and consistent with the World Bank's positions, particularly with regard to the Heavily Indebted Poor Countries Initiative and the suggestion by the independent expert on the effects of structural adjustment policies to incorporate human rights considerations into the budget process. That would lead to greater civil society participation in budget preparation and better legislative oversight of public spending, which the World Bank supported. The Bank was also in favour of increasing market access for developing countries, which would strengthen the linkages between trade and human rights. Nevertheless, the independent expert might have benefited from reading the World Bank's World Development Report 2004: Making Services Work For Poor People and should have placed greater emphasis on the barriers to South-South trade.

45. The World Bank was beginning to incorporate basic human rights principles into its activities. While it would not use human rights treaties as the basis for new forms of conditionality, it accepted the concept of the progressive realization of economic, social and cultural rights. Convinced that poverty reduction strategies and the implementation of the Millennium Development Goals formed an integral part of the human rights-based system of values, the World Bank saw a clear convergence of the action programmes suggested by the two approaches, such as encouraging Governments and civil society to assert greater control over policy-making and the use of resources, placing greater emphasis in poverty reduction strategy papers (PRSPs) on domestic capacity-building and good governance, requiring Governments to promote citizen participation in policy-making, and stressing the importance of monitoring results in order to increase the transparency of activities and hold Governments accountable. The World Bank did not believe that there was a dichotomy between PRSPs and the human rights-based approach, and while they were far from being a perfect instrument for human development, PRSPs offered a way of reducing poverty in a manner that was consistent with human rights principles.

46. Mr. MANGUEIRA (Observer for Angola) recalled that the provisions of the International Covenant on Economic, Social and Cultural Rights were binding, as stipulated in article 21 of the Angolan Constitution, and must therefore be respected by all citizens and institutions. With regard to the elaboration of an optional protocol, his delegation was of the view that the international community should engage in a broader exchange of views on the mandate of the working group on that issue in order to state concretely the goal to be pursued. As a developing country with limited resources that had to focus on its reconstruction, Angola was deeply attached to the principle of progressive implementation of the Covenant, taking into account the available resources of States, as stipulated in article 2 of that instrument.

47. Mr. VIGNY (Observer for Switzerland) said that his delegation supported the special procedures as a matter of principle, even though it did not always agree with the conclusions they reached in their reports, because they facilitated a better understanding and broader implementation of economic, social and cultural rights; it also welcomed the organization of various interactive dialogues with the special rapporteurs. Convinced of the usefulness of such activities, his delegation had participated in an open and constructive spirit at the first session of the working group responsible for considering the options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights.

48. His delegation was also actively involved in the negotiation of voluntary guidelines on the right to food, which would help to bring the international community a step closer towards the progressive realization of that right by helping States meet their obligations in that regard. The guidelines also afforded an opportunity for States to encourage all international organizations to enhance the coordination of their activities and policies in that area. Furthermore, as the guidelines took into account the growing influence on the human rights situation of a large number of non-State actors, his delegation was in favour of addressing them to those parties as well. That would make the guidelines more effective and would enhance the international community's efforts to ensure the progressive realization of the right to food.

49. Ms. ANDRIANJAKA (Observer for Madagascar) expressed regret at the inequitable treatment given to economic, social and cultural rights as compared with civil and political rights. Focusing on human rights and extreme poverty, she said that extreme poverty was a serious human rights violation that had claimed and continued to claim numerous victims throughout the world, particularly in developing countries, including sub-Saharan Africa. The alarming figures set out in the Human Development Report prepared by the United Nations Development Programme (UNDP), which painted a bleak picture of the situation, demonstrated that, despite the international commitments made at the various summits devoted to the issue, little progress had been made towards achieving the goal of poverty reduction by 2015; furthermore, the mid-term review of the first United Nations Decade for the Eradication of Poverty (1997-2006) had been disappointing.

50. Responsibility for poverty eradication lay primarily with States, and it was encouraging to note that the serious problems encountered by poor countries had not prevented them from placing poverty eradication at the top of their national priorities, setting up programmes to address the problem in collaboration with UNDP, the World Bank and IMF and implementing reforms and initiatives to that end. At the international level, a number of measures had been taken to prevent the further marginalization of the poor and to alleviate the impact of globalization, including debt relief or cancellation measures, through various programmes carried out as part of the United Nations Decade for the Eradication of Poverty or through joint activities with UNDP, the World Bank, IMF and various development partners. Urgent measures were needed at both the national and international levels to ensure that the commitments made at the various summits were implemented swiftly and to enable the poor to regain their rights.

51. Mr. DIOP (Observer for Senegal) said that his delegation took note with interest of the decision by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health to focus in his report (E/CN.4/2004/49) on sexual and reproductive health, poverty and violence prevention. The Senegalese Government was endeavouring to guide its policies and programmes in the directions indicated in the relevant international instruments, in particular the International Covenant on Economic, Social and Cultural Rights, by giving tangible form to the right to health. Thus health was at the forefront of the country's poverty reduction strategy paper and accounted for 9 per cent of the national budget, the aim being to achieve the target of 10 per cent recommended by WHO.

52. However, Senegal, which was a developing country, was unable to fully implement that goal on its own, and national efforts had to be supported by the international community, as the Special Rapporteur had recognized, by viewing international assistance and cooperation as part of the right to health and by making a commitment to broaden that aspect of the Special Rapporteur's mandate. In a world characterized by individual mobility, the right to health was a collective responsibility and its realization required a joint approach to serve the interests of people around the world. At the same time, the question of international cooperation should not be limited to neglected diseases, as the Special Rapporteur implied in paragraph 79 of his report, but should be considered in the general context of the right to health, which would lead to the emergence of the conceptual framework required for its realization.

53. Given that access to medicines to combat HIV/AIDS still posed an obstacle to the realization of the right to health, his delegation advocated careful monitoring by the Special Rapporteur of the various processes being carried out in that regard, particularly within the framework of the relevant activities of WTO, the World Intellectual Property Organization (WIPO) and WHO.

54. Mr. OELZ (International Labour Office (ILO)) said that the World Commission on the Social Dimension of Globalization had underlined in a recent report the importance of human rights for equitable development. For its part, ILO was endeavouring to strengthen national human rights protection systems by contributing to the establishment of sound labour administration systems and dispute-settlement procedures.

55. ILO recognized the important role played by judges in the promotion and protection of economic, social and cultural rights. Judges in all legal systems could use the international instruments relating to those rights, which made them, in addition to guardians of the law, catalysts for social change. Accordingly, ILO had been organizing training courses for judges that had as their main goal explaining the relevance, content and potential of international human rights and labour standards and the outcomes of international processes for monitoring the work of national courts. Overall, the experience of ILO in that area had been positive; it had cooperated with its usual partners at the national level but also with the judiciary of the host country, the United Nations system, non-governmental organizations (NGOs), universities and judicial training institutions. That training, which had proved useful for both developed and developing countries in all regions, should be accompanied by assistance aimed at improving court infrastructure and management. Efforts should also be made to ensure the equal participation of female judges and legal practitioners in such courses.

56. Ms. MACIEYEWSKA (Observer for Poland) said that the Polish Government attached special importance to the realization of economic, social and cultural rights, which were just as important as civil and political rights and were the subject of renewed interest, a development that should be welcomed. Those two categories of rights were indivisible and inseparable without, however, being identical. The Polish Government supported efforts to enhance the efficiency of the monitoring mechanism for the International Covenant on Economic, Social and Cultural Rights and consequently the activities of the working group responsible for that task. The preliminary debate held in the group had revealed a multitude of opinions on how to improve the implementation of the Covenant. As those ideas warranted further consideration, it would be premature to consider that the working group had completed its mandate. The group should be asked to pursue its discussions, which would be enhanced by the presence of experts with different experiences in terms of monitoring the implementation of instruments at the national, regional and international levels. Her delegation hoped that it would be able to participate in those activities and that the spirit of consensus that ought to prevail would make a successful outcome possible.

57. Mr. PHAM TRUNG CHINH (Observer for Viet Nam) noted that the benefits of economic globalization were shared unequally and that many people, particularly in developing countries, were still unable to exercise their rights fully because of poverty, hunger and deadly epidemics. It was therefore imperative to create an environment that was conducive to the equal distribution of the benefits of globalization among all countries without distinction.

58. Over the years, and despite the difficulties it had experienced as a result of regional and global economic recessions, Viet Nam had endeavoured to improve the living conditions of its population and to build a strong and prosperous State governed by the rule of law, and it had made progress in that regard. At the same time, the Government had endeavoured to guarantee all forms of social equality throughout the country, to such an extent that Viet Nam had been recognized by the United Nations as being the twentieth century leader in eradicating poverty and hunger. In addition, equality between men and women was guaranteed by law and in practice, some 90 per cent of the population enjoyed access to adequate health services and as of 2000 all children received schooling. In that connection he wished to note that, contrary to what had been stated by the Special Rapporteur on the right to education in her report (E/CN.4/2004/45), the Vietnamese Government did not charge school fees for primary education.

59. Ms. FORERO UCROS (Observer for Colombia) said that the Colombian Government attached great importance to the economic, social and cultural rights set out in the Constitution and, within the limits of its resources, endeavoured to create the conditions for greater social equality by devoting more than 60 per cent of its budget, excluding debt-servicing costs, to social welfare, education and health. In that context, the reform of the education system had yielded some very promising results in terms of numbers of students and apprentices. The Government funded nutritional programmes which currently benefited 5 million children and provided assistance to the poorest families to ensure that their children attended school. In order to promote small- and medium-sized enterprises, the Government had promoted the creation of capitalization funds in public service companies and had facilitated access to housing for over 700,000 families by providing microcredit grants. Although significant problems continued to exist, the institutions, citizens and Government of Colombia had the necessary will to make continued progress towards overcoming them.

60. Ms. PÉREZ GUTIERREZ (National Union of Jurists of Cuba), speaking also on behalf of the Centre for European Studies and the Cuban Movement for Peace and People's Sovereignty, said that the existence of legal norms and the political will of States and Governments were not enough to guarantee the effective realization of economic, social and cultural rights when a country was constantly subjected to interference in its internal affairs by another country. That was what was happening in Cuba, where realization of the Government's economic and social goals was being hindered by acts of sabotage and terrorism perpetrated on its territory with support from the United States of America. The blockade, described as an embargo, that was being imposed on the Cuban people by the United States was not only an act of genocide against the Cuban people and a threat to regional security and world peace, but also the most flagrant violation of a country's economic, social and cultural rights. The embargo had no moral or legal justification whatsoever, and its consequences were further aggravated by the numerous legal provisions and the policy of prohibition and sanctions imposed by the United States against Cuba, in disregard of the General Assembly resolutions that condemned it.

61. Yet there was no doubt that the blockade would be lifted sooner or later, not only because it dishonoured the Americans but also because nothing could weaken the Cuban people's relentless resistance to an enemy that was doubtless superior to it from the standpoint of economic, technological and military resources, but clearly inferior in terms of reason and morality.

62. Mr. LEBLANC (Dominicans for Justice and Peace), speaking also on behalf of Pax Christi and the Dominican Leadership Conference, denounced the violation of the economic, social and cultural rights of peoples whose lands had been used for decades by foreign Governments to conduct military exercises. The toxic waste left behind had literally poisoned the air, water, soil, animal and plant life. That had happened on the island of Vieques in Puerto Rico, where for more than 60 years the United States of America had tested many types of conventional and non-conventional weapons, including napalm, Agent Orange, depleted uranium, white phosphorous, chemical weapons and explosives. As a result, development on Vieques had frozen in the 1940s. Roughly 50 per cent of the population was currently unemployed, and 60 per cent of all families lived below the poverty line. Vieques had the highest cancer rate in Puerto Rico. Weapons testing had stopped on 1 May 2003, and the question now was to what extent the United States would remedy the public health disaster for which it was responsible. United States military operations had also been conducted from Clark Air Force Base and Subic Bay Naval Base in the Philippines. The tons of toxic and hazardous products used in those operations had caused irreversible damage to the environment and to the health of millions of Filipinos, particularly children.

63. Dominicans for Justice and Peace called on the Commission on Human Rights to include in its agenda the question of toxic waste resulting from American military activity on the island of Vieques and in the Philippines. The Commission should examine the impact of the military exercises conducted on Vieques and in the Philippines on the local populations' right to health and to a clean environment. Dominicans for Justice and Peace urged the United States to provide full compensation and medical assistance to all victims, and to guarantee citizen participation in decisions about clean-up and future use of the lands of Vieques; the United States should also compensate the municipality of Vieques and the Government of Puerto Rico for the damage that had been done.

64. Ms. NAEGELE (Human Rights Advocates), speaking also on behalf of Earthjustice and International Educational Development, welcomed the report of the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights (E/CN.4/2004/46 and Add.1-3). She urged the Commission to renew the Special Rapporteur's mandate to ensure continued monitoring of the impact of toxic waste on human rights, including the rights to life, health, water, food, housing and work.

65. Toxic waste pollution was a reality for many poor communities, particularly in developing countries. Paraquat, for example, a herbicide that was completely banned in the United States of America and the European Union, was nevertheless sold and manufactured in over 100 countries, in spite of its well known detrimental effects on physical and mental health. In Colombia, aerial spraying of dangerous herbicides to eradicate coca and poppy crops had destroyed over 1,500 hectares of legal food crops, contaminated surface waters, killed livestock and fish, and caused serious health problems for over 10,000 inhabitants; it had also had an impact on the right to housing, since the victims had been forced to abandon their farms and move to uncontaminated areas. Oil spills into the sea or rivers, such as the 2002 spill in Nigeria, polluted the water and made it unsuitable for human consumption, and were a direct violation of the right to water, the right to food and the right to work. Another problem was the sale of toxic products by transnational companies. Such products were banned in the companies' countries of origin yet were sold to poor nations that lacked the necessary resources to avoid the attendant health risks.

66. Human Rights Advocates therefore encouraged the Commission to allow the Sub-Commission on the Promotion and Protection of Human Rights to continue its work on the responsibilities of business enterprises, and recommended that the Commission should urge Governments to ratify international agreements regulating the dumping of toxic waste. In particular, Governments should ratify the Aarhus Convention, which had been signed by 36 States and the European Community, and required States to set up systems to track the transfer and dumping of toxic substances.

67. Mr. KHOURI (Union of Arab Jurists), speaking also on behalf of the General Arab Women Federation, recalled that, like civil and political rights, economic, social and cultural rights could not be enjoyed in situations of conflict. People living under occupation, as the Palestinians and the Iraqis currently did, were deprived of their fundamental rights to food, housing, health and work, a situation that brought about resistance and thus acts of violence, which eventually led to the development of terrorist havens. It was therefore vital that all international conflicts should be resolved by peaceful means, through international cooperation, to ensure that people could enjoy all of their human rights, including economic, social and cultural rights.

68. Ms. ABRAHAM (World Organization against Torture (OMCT)) drew the Commission's attention to violations of the economic, social and cultural rights of marginalized communities in several States and the violence to which those communities had been subjected while protesting against policies and measures that maintained or increased inequalities. In particular, in Pará State in Brazil 21 rural workers had been assassinated during conflicts over land between large landowners and landless peasants. In Greece, some members of the Roma community had been placed in insalubrious temporary housing, while others had been evicted from their homes during preparations for the Olympic Games in Athens. In India, 150 people had been subjected to violent repression while protesting against the lack of compensation received for their property, which had been expropriated as part of the Sardar Sarovar Dam project in Gujarat State.

69. Despite the firm stand the international community had often taken on the indivisibility and interdependence of all human rights, economic, social and cultural rights continued to receive less attention than did civil and political rights. That was apparent from the absence of a separate complaints mechanism to address violations of economic, social and cultural rights. OMCT urged the Commission to renew the mandate of the open-ended Working Group to consider options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights, and to ensure that the Working Group was empowered to negotiate the text of the optional protocol. OMCT also welcomed the adoption by the Sub-Commission on the Promotion and Protection of Human Rights of the norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights, and urged the Commission to disseminate the norms for study and comment, and to promote them through all its decisions and deliberations.

70. Mr. GAVARRETE (Franciscans International) denounced the extreme poverty endured by the indigenous peoples of Honduras, the majority of whom were illiterate, since they lived in remote, disadvantaged regions and did not have the means of transport or the minimum resources required in order to attend school. They were thus deprived of the right to education and lacked any means of taking control of their destinies.

71. Franciscans International recommended that the Commission on Human Rights should renew the mandate of the independent expert on the question of human rights and extreme poverty so that she could continue and delve more deeply into her work on that subject and make recommendations on measures for the realization of human rights in the specific context of extreme poverty. Franciscans International urged the Commission to work towards developing an international instrument on extreme poverty and human rights that would provide for an effective remedy if States did not respect their positive and negative obligations regarding human rights in situations of extreme poverty.

72. Mr. BERRY (International Commission of Jurists (ICJ)) said that Amnesty International wished to associate itself with his statement. ICJ welcomed the efforts of the intersessional Working Group on the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights. The proposed instrument would permit a more thorough understanding and more precise definition of economic, social and cultural rights, strengthen the recognition of those rights, encourage States to adopt legislative and other measures to comply with their obligations under the Covenant and, most importantly, provide individuals and groups with access to international remedies when their rights had been violated. Given that the options regarding the elaboration of an optional protocol had been thoroughly analysed during the Working Group's session, the Commission should mandate the Working Group to study substantive issues related to the drafting of the text, which enjoyed the support of many Governments and civil society organizations. The Commission should take a pragmatic yet determined approach to the Working Group's mandate, bearing in mind its decision of 26 April 2000, according to which a standard-setting working group should complete its task within five years.

73. Mr. ELLMAN (International Federation of Human Rights Leagues (FIDH)) drew attention to three worrying situations: first, the violations of the principle of non-discrimination in access to health care in El Salvador, which had been exacerbated by the ongoing privatization process; second, the link between oil revenue management and violations of economic, social and cultural rights in the Congo, where the Government had not made maximum use of its available resources to ensure the progressive realization of all the rights set out in the International Covenant on Economic, Social and Cultural Rights; and, third, a number of reforms in France that had resulted in the marginalization of thousands of people. Those situations showed that new instruments had to be adopted in order to put an end to the impunity of those responsible for violations of economic, social and cultural rights, whether they were States or private entities.

74. FIDH supported the adoption of an optional protocol to the International Covenant on Economic, Social and Cultural Rights, and urged the Commission to renew the Working Group's mandate for two years. It urged the Commission to take steps to promote a careful study of the norms on responsibilities of business enterprises with regard to human rights. More generally, FIDH invited the Commission to increase the resources available to mandate holders in the field of economic, social and cultural rights so that they could undertake missions and follow-up activities in the field.

75. Mr. MIOT (International Federation of Rural Adult Catholic Movements (FIMARC)) said that in its annual report issued in November 2003, the Food and Agriculture Organization of the United Nations (FAO) had recommended that States should adopt active and efficient agricultural policies to ensure that all people had adequate food and did not need to rely solely on market forces. Together with other NGOs, FIMARC believed that there was an urgent need for the introduction of new, interdependent rules for a form of international trade characterized by solidarity and to defend the principle of food sovereignty as a means of ensuring the realization of the right to food. Solidarity implied a need for trade that was governed by law, politically controlled by public authorities and implemented democratically with the participation of all stakeholders. Agricultural policies redefined in that way would present a perspective different from those that underpinned the thinking of WTO: farmers would have real control over what they produced, consumers over what they ate, States over what they managed, and organized citizens over which model of economic development they wanted.

76. FIMARC wished to draw the Commission's attention to the fact that fundamental human rights should take priority over the economic imperatives of trade, people's legitimate expectations should prevail over business interests, and the principle of food sovereignty should take precedence over free trade ideology. A more appropriate role should be defined within the United Nations system for the United Nations Conference on Trade and Development (UNCTAD) and FAO.

77. Mr. OZDEN (Centre Europe-Tiers Monde (CETIM)) said that his organization was deeply concerned by the draft Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food, which were due to be adopted by FAO in September 2004. The document ignored the obligatory nature of the right to food, which was nonetheless recognized in a number of instruments of international law, such as the International Covenant on Economic, Social and Cultural Rights. A special rapporteur of the Commission and the FAO Legal Office itself had also examined the justiciability of that right. The Legal Office had concluded on the basis of a survey that the right to food could be invoked before the courts in 54 countries. The draft Voluntary Guidelines thus constituted a particularly disturbing step backward, since they stipulated that the right to food was subject to agreements negotiated within WTO.

78. It was time that the inconsistencies of the international system were eliminated. One could not combat hunger and poverty within United Nations agencies while at the same time making human rights subordinate to the demands of international commercial and financial institutions that exacerbated hunger and poverty. Promoting the principle of food sovereignty was thus important, as it was the only way to institute a coherent policy that would take into account all of a country's social and environmental parameters. CETIM urged the Commission on Human Rights to take steps to remind the FAO Intergovernmental Working Group and States of the obligatory nature of the right to food.

79. Mr. KSOR (Transnational Radical Party) said that the Vietnamese Government had continued to pursue policies that violated the rights of its people, despite having ratified the International Covenant on Economic, Social and Cultural Rights in 1982. The Degar Montagnard people from the mountainous regions of central Viet Nam had been forced off their

ancestral lands and condemned to a life of poverty; Vietnamese military forces in the region had persecuted them for the past three years, provoking summary executions, imprisonments, disappearances, forced sterilizations, torture and rape. The Special Representative of the Secretary-General for human rights in Cambodia had publicly condemned those acts in December 2003. Furthermore, the Vietnamese Government had continued to ignore the concluding observations made by the Human Rights Committee in 2002 by refusing to grant international human rights monitors access to that region.

80. On behalf of hundreds of thousands of Montagnards in Viet Nam, the Transnational Radical Party urged the United Nations to implement emergency measures to stop those acts of repression and the resulting attacks on the Montagnards' culture, traditions and economy. The Commission on Human Rights should urge Viet Nam to open up the region so that missions of observers could assess the situation of those populations.

81. Mr. PEREZ BARRIO (American Association of Jurists (AAJ)) said that AAJ and CETIM had played an active role in the development of the draft norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights, which had been adopted by the Sub-Commission and sent to the Commission for consideration. The draft was not yet entirely satisfactory, since it did not address several questions that were essential to a coherent solution to the problem of the responsibilities of transnational corporations. In particular, no mention was made of the principle of the joint and several responsibility of transnational corporations for activities infringing human rights carried out by their de jure or de facto branches, suppliers, subcontractors or concessionaires. It was a key principle, given transnational corporations' current strategy externalizing costs and risks as well as the attendant responsibilities while reaping extraordinary profits. By omitting that principle, the draft would enable transnational corporations to violate human rights, directly or indirectly, with impunity.

82. The Commission could either give way to pressure from transnational corporations and abandon the draft text, adopt it in its current form without solving the problem or set up an open-ended working group to improve the draft, rectify the omissions and consider follow-up measures. AAJ and CETIM advocated the latter, as explained in document E/CN.4/2004/NGO/122.

83. Ms. PONCINI (International Federation of University Women), speaking also on behalf of seven other women's NGOs, said that despite irrefutable progress, gender inequality persisted, particularly as a result of indirect discrimination in employment and working conditions. The difficulties women encountered in reconciling their roles in society and in the family were continually ignored.

84. The Committee on the Status of Women of the Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations (CONGO), a coalition of over 65 international NGOs, welcomed the efforts made over the years by the Commission on Human Rights to integrate systematically in all its activities the question of women's rights and gender equality. It noted with satisfaction that in her report (E/CN.4/2004/43 and Add.1) the independent expert on the question of human rights and extreme poverty had highlighted

female illiteracy as a primary cause of poverty. The report also demonstrated, as did the report of the Special Rapporteur on the right to food on his mission to Bangladesh (E/CN.4/2004/10/Add.1 and 2), how proactive measures could improve the status of women and have a positive impact on a country's economic growth. The Special Rapporteur on the right to education should also be commended for emphasizing the role of education in transmitting values between generations and calling for the development of a comprehensive strategy for the elimination of gender discrimination. The report of the Special Rapporteur on adequate housing (E/CN.4/2004/48 and Add.1 and 2) was an excellent example of how those with responsibility for special procedures could, by addressing questions specific to women, identify ways of promoting other rights by taking an integrated approach.

85. Lastly, the International Federation of University Women welcomed the priority given by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health in his report (E/CN.4/2004/49 and Add.1 and 2) to sexual and reproductive health, and particularly to the impact they had on global efforts to combat poverty, given that over 80,000 women around the world experienced unwanted pregnancies and roughly 65 per cent of all young persons living with HIV/AIDS in Sub-Saharan Africa were women.

The meeting rose at 6 p.m.