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Chair: Mr. von Haff (Vice-Chair). (Angola)

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In the absence of Mr. Tafrov (Bulgaria), Mr. von Haff (Angola), Vice-Chair, took the Chair.

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

Agenda item 69: Promotion and protection of human rights (*continued*) (A/68/487)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/67/931, A/68/56,

A/68/176, A/68/177, A/68/185, A/68/207, A/68/208, A/68/209, A/68/210, A/68/201/Add.1, A/68/211, A/68/224, A/68/255, A/68/256, A/68/261, A/68/262, A/68/268, A/68/277, A/68/279, A/68/283, A/68/284, A/68/285, A/68/287, A/68/288, A/68/289, A/68/290, A/68/292, A/68/293, A/68/294, A/68/296, A/68/297, A/68/298, A/68/299, A/68/301, A/68/304, A/68/323, A/68/345, A/68/362, A/68/382, A/68/389, A/68/390 and A/68/496)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

(A/68/276, A/68/319, A/68/331, A/68/376, A/68/377, A/68/392, A/68/397 and A/68/503; A/C.3/68/3)

1. **Ms. Ezeilo** (Special Rapporteur on trafficking in persons, especially women and children), introducing her report to the General Assembly (A/68/256), said that many people were compelled by need or were coerced to provide their organs for transplantation within their own countries or abroad because of the acute global shortage of such organs. The trade reflected economic and social divisions within and between countries: whereas recipients were generally wealthy, victims were poor and unemployed, had little education, and were thus vulnerable to deception regarding the transaction. Such trafficking commonly involved recipients travelling abroad for a transplant which would be unlawful or unavailable at home, a practice known as transplant tourism.

2. The distinction made by some States and international organizations between trafficking in organs and trafficking in persons for the removal of organs was largely semantic, since transplant organs were not moved independently of their source. The more accurate of the two terms was “trafficking in persons for the removal of organs”.

3. The most relevant international legal instrument to date was the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime. The only significant regional response to the problem was the draft Council of Europe Convention against Trafficking in Human Organs, an encouraging development which nonetheless contained no definition of trafficking in organs and weak provisions relating to victim protection and support.

4. Although most States had incorporated into their domestic legislation the international standards prohibiting trafficking in organs and had criminalized trafficking in persons in general, not all of them specifically penalized trafficking in persons for the removal of organs. Several States had adopted extraterritorial provisions to prevent their nationals from illicitly obtaining organs abroad, while some countries of destination had adopted legislation to combat transplant tourism. Apart from the rules on trafficking in persons, however, the international framework to combat trafficking in persons for the removal of organs was weak, prevented strong national responses, hampered cross-border cooperation and obscured the human rights issues at the heart of the trade.

5. States should therefore ensure that the term “removal of organs” was included in their national definition of trafficking in persons and that any consent by victims to such removal was vitiated by abuse of their vulnerability. Domestic laws should ensure that criminal responsibility extended to intermediaries and medical staff. States should ban the removal of organs from executed prisoners and the so-called donation of organs by persons in official custody. They should require medical staff to notify the authorities of cases of such trafficking and safeguard their confidentiality in the event of official complicity. To prevent transplant tourism, they should limit the number of transplants available to foreign nationals, ensure the transparent allocation of organs and conduct of transplants, and prevent the commercialization of transplantation. Victims should not be prosecuted or punished for offences relating to their involvement. States of demand and States of supply should exchange information and cooperate to identify victims and investigate cases. States should work with the media

and civil society to raise awareness regarding such trafficking among potential target populations.

6. She encouraged Member States to make use of existing international, regional and national frameworks to eliminate trafficking in persons and urged States which had not yet done so to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

7. **Ms. Schlyter** (Observer for the European Union) requested further information on the ways in which assistance or protection could best be provided to victims of trafficking in persons for the removal of organs, who were often unable to trust the authorities and unwilling to accept such assistance; and the ways in which awareness-raising among at-risk groups could be improved.

8. Given that women and girls were more vulnerable to trafficking owing to factors such as gender discrimination and tolerance of violence against them, she asked why the Special Rapporteur had taken a gender-neutral approach in her report.

9. She requested further information regarding good practices in cooperation between Governments and civil society to prevent trafficking in persons for the removal of organs.

10. **Ms. Schneeberger** (Switzerland) said that since the removal of organs could be carried out very rapidly, prosecution was difficult and the rate of impunity was very high; it was essential to improve preventive measures. In October 2013 her Government had held its first annual week to combat trafficking in persons, with a view to raising public awareness of the problem. She requested further information regarding the ways in which more information on the organization of trafficking in persons for the removal of organs could be gathered; and the Special Rapporteur's top priority with a view to ensuring that her recommendations were followed up.

11. **Mr. Rohland** (Germany) requested further information regarding the unhelpfulness of making a distinction between trafficking in organs and trafficking in persons for the removal of organs, and the consequences thereof for national legislation.

12. **Mr. Doujak** (Austria) requested further information regarding the Special Rapporteur's views of the draft Council of Europe Convention against Trafficking in Human Organs and whether it could

serve as a model for similar instruments in other regions. He asked for examples of good practices by Member States in protecting and supporting the victims of trafficking in persons for the removal of organs, since they often had specific psychological and medical needs which could not be met through conventional approaches. Given the clandestine nature of such trafficking, he requested further information on the ways in which States could establish information-sharing systems.

13. **Ms. Sukacheva** (Russian Federation) said that the report was timely, since in 2013 three doctors had been found guilty of participation in a trafficking ring involving Russian citizens. She encouraged the Special Rapporteur to pay particular attention to Kosovo Serb victims of the trade.

14. **Ms. Muedin** (International Organization for Migration (IOM)) said that since the 1990s IOM had helped over 20,000 victims of trafficking in persons for the removal of organs through a victim-centred approach. She asked for the Special Rapporteur's recommendations regarding the ways in which victims could be identified, given the shortage of trained experts in the area and the lack of statistics on the number of people being trafficked and for what type of exploitation; and the ways in which individuals and companies could be encouraged to take responsibility for reducing the demand for organs.

15. **Ms. Jurcan** (Romania) requested further information regarding good practices in cooperation between States and national medical communities to ensure that practitioners were aware of their legal obligations, and regarding the ways in which cooperation among national actors could be fostered.

16. **Ms. Perceval** (Argentina) said that in 2012 her Government had broadened the scope of its legislation on trafficking in persons for the removal of organs to include the offences of promoting, facilitating or commercializing the removal of organs. Its comprehensive view of such trafficking included labour trafficking, which should be analysed in greater detail. She requested further information regarding the commitments which States should make to prevent such trafficking.

17. **Ms. Smaila** (Nigeria) requested further information regarding the ways in which the Special Rapporteur could improve the availability of information regarding trafficking in persons for the

removal of organs; and the reasons for which some States and intergovernmental organizations made the unhelpful distinction between trafficking in organs and trafficking in persons for the removal of organs.

18. **Mr. Lupan** (Republic of Moldova) said that his Government had introduced tougher sentences for human trafficking, forced labour, sex trafficking and trafficking in organs. It provided anti-trafficking training to law enforcement agencies, each of which had established a separate anti-trafficking unit. It had expanded the national referral system for victims of trafficking and, in conjunction with the French Embassy in Chisinau, had hosted a regional conference on “Combating Trafficking in Human Beings in South-Eastern Europe: for a Better Protection of Children” in October 2013 to enhance international cooperation and exchange good practices. He asked the Special Rapporteur to share with the Committee examples of public information campaigns regarding the dangers of organ collection.

19. **Mr. Elbahi** (Sudan) said that in 2013 his Government had adopted a law to combat trafficking in persons, in particular women and children, and the removal of organs. It had concluded bilateral agreements with neighbouring countries to prevent violations including such trafficking and, in July 2013, had launched a 10-year human rights promotion and protection plan. He asked what the Special Rapporteur’s office could do to help Member States to combat trafficking in persons.

20. **Ms. Al-Mulla** (Qatar) said that, as a member of the Group of Friends United against Human Trafficking, Qatar supported the Special Rapporteur’s mandate. Her Government had launched the Qatar Foundation for Combating Human Trafficking and a national plan to combat such trafficking as part of its efforts to implement the United Nations Global Plan of Action to Combat Trafficking in Persons. She requested further information regarding the ways in which international cooperation could be fostered.

21. **Mr. Alemu** (Ethiopia) said that legal action to address trafficking in persons for the removal of organs was often a lengthy process which left the victims with no security or interim remedy; he asked what could be done to address the problem. He requested further information regarding political, media and communications measures to combat trafficking in persons for the removal of organs. He asked whether

the Special Rapporteur intended to conduct comprehensive research on national, regional and international law and practices, to enable a holistic approach.

22. **Ms. Ezeilo** (Special Rapporteur on trafficking in persons, especially women and children) said that she had taken a gender-neutral approach in the report because, as stated in paragraph 24, her research had not confirmed the assertion that women were disproportionately affected by trafficking in persons for the removal of organs. The distinction between trafficking in organs and trafficking in persons for the removal of organs was unjustifiable since it prevented the international community from making effective use of existing international standards on trafficking in persons and shifted the focus away from the victims.

23. Although she welcomed the draft Council of Europe Convention against Trafficking in Human Organs, which could indeed serve as a model for other regions, victims of such trafficking should also receive the protection described in the 2005 Council of Europe Convention against Trafficking in Human Beings within a human-rights-based approach. States should criminalize trafficking in persons for the removal of organs and ensure that the provisions applied extraterritorially, prohibit transplant tourism, ensure equal access to organs, raise awareness regarding the issue, involve the medical community and develop specialized tools. She acknowledged the valuable work of IOM in developing such tools. She intended to organize a further expert consultation on the best way to proceed at international level. Her report represented the most comprehensive legal and ethical review of the matter to date and provided possible avenues for future work.

24. **Mr. de Greiff** (Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence), introducing his report to the General Assembly (A/68/345), said that justice concerns were often considered as less important than short-term economic development or stability, while the obligation to fight impunity for human rights violations and the need for development to be sustainable were ignored. If the post-2015 development agenda failed to provide access to justice, however, it would set aside many fundamental aspirations of citizens. Its goals and indicators should not create an illusion of development success in countries where development was undermined by deficits in security,

justice and rights, and it should take account of the widespread institutional recognition that justice was not merely a desirable end but a right.

25. States had an obligation under international law to establish prevention and redress mechanisms in the aftermath of repression or conflict, with a view to upholding the rights to truth, justice and reparation and avoiding recurrence. Human rights violations could hinder development by lowering expectations and undermining trust, social capital and capabilities. Transitional justice measures served to counteract the marginalizing effects of unredressed human rights violations and the lowering of expectations through the recognition that victims were rights-bearers, the promotion of civic trust and individual capabilities and the strengthening of the rule of law.

26. Justice could not be postponed indefinitely on the pretext that economic growth needed to be achieved first. Neither could it be achieved only through development programmes, stable institutions and a productive economy. Such considerations should be incorporated in the post-2015 development agenda, as should the prevention of abuses by the security and justice sectors through the expansion of legal identity through birth or civil registration; reduced reliance on confessions as evidence for convictions; reduced levels of violence in the investigation of the most serious crimes; and better resolution of violent crimes under due process. Development agents should take account of theoretical advances through which justice and human rights concerns had come to be viewed as part of that agenda. However, the justice measures described in the report could not in themselves bring about the social, political and economic change required in countries where systematic human rights violations had taken place.

27. **Mr. Estreme** (Argentina) said that his delegation was pleased that the Special Rapporteur had stressed the importance of taking into account the specific circumstances of individual countries. Argentina's history showed that societies in which human rights violations had been committed needed to end impunity in order to achieve equitable development. The post-2015 development agenda should therefore take human rights, access to justice and reparation into consideration.

28. **Ms. Zvonkova** (Czech Republic) requested further information regarding the limits of the

connection between transitional justice measures and development, on the basis of the Special Rapporteur's recent experience with post-conflict States. She requested his views on gender-related aspects of the issue.

29. **Ms. Dali** (Tunisia) said that her Government was convinced that transitional justice concerns should be incorporated in the Constitution in order to reassure the victims of human rights violations and ensure the continuity of the transitional justice process. It was committed to upholding human rights and agreed with the assertion in the report that the Tunisian experience proved that equality, the environment and human rights were better measures of development than economic growth.

30. **Ms. Schneeberger** (Switzerland) said that if the desired effects of incorporating justice and human rights into the post-2015 development agenda were to be achieved, transitional justice should be integrated into the national development programmes of fragile, post-conflict or post-authoritarian States; implemented in such a way as to strengthen national institutions and meet the needs of victims of human rights abuses; and considered as a common feature of development programmes. Each United Nations body should establish an approach to justice suitable to its mandate while contributing to an approach applicable to the United Nations system as a whole; that approach must be comprehensive and inclusive and must take into account gender equality and the rights of victims. She asked the Special Rapporteur to provide a catalogue of good practices, including country studies, through which a holistic approach to transitional justice had contributed to the success of development programmes.

31. **Ms. Tschampa** (Observer for the European Union) requested further information regarding the ways in which better cooperation between the justice and development sectors could be achieved in international and national policy; and development actors could be more involved in strengthening domestic capacities to investigate atrocities and prosecute those responsible. She welcomed the positive mention of the Special Rapporteur's mandate in the report of the Secretary-General on women, peace and security (S/2013/525).

32. **Mr. de Greiff** (Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence) said that the links between justice

and development were nowhere clearer than in the protection of women's and children's rights: insufficient protection of those rights hampered development, while their protection accelerated it. However, much more action was needed to uphold those rights.

33. Evidence from around the world demonstrated the advantages of promoting truth, justice, reparation and guarantees of non-recurrence as part of a comprehensive policy rather than as isolated initiatives. Through consultation, he would highlight cross-regional experience of the links among the terms of his mandate and among justice, security and development in the context of the discussions on the post-2015 development agenda.

34. **Mr. Grover** (Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health), introducing his report to the General Assembly ([A/68/297](#)), said that over the past year, he had submitted a report on the right to health of migrant workers ([A/HRC/23/41](#)) to the Human Rights Council as well as a study on access to medicines ([A/HRC/23/42](#)); he had attended a number of meetings and conferences on the right to health, and had organized a regional civil society consultation in July 2013 in Kathmandu, Nepal.

35. His report focused on the right to health obligations of States and non-State actors towards persons affected by conflict situations. The scope of the report extended beyond armed conflict and included internal disturbances, protests, civil strife and unrest, occupied territories and territories with a constant military presence. He stressed that human rights law continued to apply in situations governed by international humanitarian law. Where the application of international humanitarian law was disputed, human rights protection continued to apply to affected populations.

36. **Ms. Schneeberger** (Switzerland) said that maintaining an operational and effective healthcare system in situations of armed conflict or internal strife posed a significant challenge to States, which had primary responsibility for the protection of the right to health. There had been recent examples of Government actors attempting to undermine the impartiality of medical personnel, either by using them as informants in order to identify and arrest opponents, or by prohibiting them from treating persons

considered to be enemies. Switzerland strongly condemned such practices; she asked what could be done beyond calling on States to cease them. She also asked what could be done to better protect women's sexual and reproductive rights in situations of conflict. In view of the increasingly frequent reports of the use of sexual violence against women demonstrators, her delegation called on the States concerned to prosecute the perpetrators of such attacks.

37. **Ms. Tschampa** (Observer for the European Union) asked how a State's responsibility was engaged in instances where non-State actors were the primary cause of disruption to the right to health. She also requested clarification of the assumption that non-State armed groups should respect international human rights norms and humanitarian law, and some examples.

38. **Ms. Hosking** (South Africa) said that the principle of non-discrimination was at the core of accessibility, availability and quality in ensuring the realization of the right of everyone to the highest standard of physical and mental health. Her Government provided healthcare services to all without discrimination, and had prioritized the development of universal health coverage. Her Government remained steadfast in its position that concerted efforts should be undertaken to achieve the Millennium Development Goals in conflict-torn areas, despite the challenges faced.

39. **Mr. Eshragh Jahromi** (Islamic Republic of Iran) said that sanctions negatively impacted the enjoyment of human rights, in particular the right to health, especially for women and children. He asked the Special Rapporteur how he would evaluate the legality or legitimacy of sanctions imposed against certain countries either unilaterally or multilaterally from the standpoint of international law.

40. **Ms. Alkhalifa** (Bahrain) said that there were some inaccuracies in the report and problems with the sources used in the case of Bahrain. The Special Rapporteur should consult Member States when drafting the report, and the countries concerned should be involved in addressing the allegations made against them. Caution should be exercised with regard to the use of sensational reports, particularly if other credible reports were not used to balance them. Bahrain would have appreciated the use of other sources alongside the report of Physicians for Human Rights, such as the

report of the Bahrain Independent Commission of Inquiry.

41. **Ms. Sukacheva** (Russian Federation) said that attacks by non-State actors on medical institutions should be considered human rights violations in accordance with article 30 of the Universal Declaration of Human Rights and article 5 of the International Covenant on Economic, Social and Cultural Rights.

42. **Mr. Gilroy** (Ireland) expressed concern regarding the increasing failure to respect the protections afforded to medical personnel and facilities under international human rights and humanitarian law and instances in which they were being threatened, targeted and attacked. The principles of non-discrimination, participation and accountability must underpin the approach to the right to health in all situations. Efforts to eliminate under-five mortality, which was driven not only by poverty but also by discrimination and social exclusion, required a holistic approach which explicitly recognized and integrated relevant human rights standards.

43. Recalling that a crucial component of the Vienna Declaration and Programme of Action was the participation of people in decision-making processes that affected them, he asked for an example of participation of the affected community in implementing the right to health during a conflict situation.

44. **Mr. Elbahi** (Sudan) said that his Government had made significant efforts to ensure that all citizens enjoyed optimum mental and physical health, in particular through the establishment of non-discriminatory hospitals and clinics across the whole country, notably in Darfur and the Blue Nile and South Kordofan states, the creation of a special unit to combat violence against women and children and the promulgation of a law to protect children as part of a comprehensive juvenile justice system. It had also enacted an anti-trafficking law, elaborated a 10-year plan for the promotion of human rights and signed agreements with rebel groups to create a peaceful environment in which all rights could be enjoyed.

45. Human rights mandate holders should base their reports on reliable information from genuine, impartial sources and adopt a holistic approach to conflict prevention which should include such issues as climate change, poverty reduction, debt relief to poor countries and other root causes.

46. His Government had agreed to allow the relevant United Nations agencies, notably the United Nations Children Fund, to launch a national polio vaccination campaign for children beginning on 5 November. As the entire country would be covered, including rebel-controlled areas in Darfur and the Blue Nile and South Kordofan states, his delegation requested the relevant United Nations entities to prevent rebel groups from obstructing the campaign.

47. **Mr. Grover** (Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health) said that no country had been selected for scrutiny in the report; illustrations had been used with the aim of promoting dialogue. Though all sources had been checked thoroughly by both his staff and the Office of the United Nations High Commissioner for Human Rights, and any sources that could not be verified had been excluded, he nevertheless welcomed differing points of view and encouraged continuing dialogue.

48. Examples of how to deal with attacks on health care workers had been provided in the report. In terms of how to confront sexual violence, gender relations in peace time should be carefully observed as problems in those relations tended to be exacerbated in times of conflict. Understanding that dynamic was crucial because it was impossible to bring about changes in attitudes during periods of conflict. Legislation alone could not be effective in bringing about change; as such, the issue of gender relations should be tackled from a young age.

49. The growing acceptance of non-State actor responsibility under international law had been clarified in paragraph 57 of the report, and examples had been provided. With regard to the legality or legitimacy of legal sanctions, there was no clear answer. The use of sanctions could not be ruled out entirely in all situations.

50. There were no readily available examples of community participation in conflict situations, although there were examples in respect of post-conflict and peacetime situations. States should be proactive on that issue because community participation was a vital factor to the sustainability of peaceful development.

51. **Mr. De Schutter** (Special Rapporteur on the right to food), introducing his report to the General Assembly (A/68/288), said over the course of his

country visits, he had been greatly impressed by the commitment to eradicate hunger and malnutrition that had been expressed by people who supported his conviction that those phenomena were man-made, and who pushed for the adoption of framework laws on the right to food and the repeal of laws that discriminated against small-scale food producers, the protection of land users from illegal evictions and the implementation and expansion of public programmes, and who recognized the need for cross-sectoral measures as community kitchens, cash-for-work and asset transfer programmes.

52. The institutionalization of food security policies meant that people who were denied benefits would have access to claims or complaint mechanisms, while the adoption of framework laws that ensured the participation of civil society and farmers' organizations in policy formulation and implementation increased the effectiveness of such policies and improved accountability. The adoption by States of multi-year strategies also increased accountability and facilitated monitoring and evaluation by various bodies and institutions. Such strategies made for a holistic approach whereby various policies in the areas of health, education, employment and social protection, agriculture and rural development were coordinated, thus favouring the identification of synergies between programmes that fell under the responsibility of different departments.

53. The report highlighted the scope of the issues to be addressed but also demonstrated that change was occurring. The issues discussed were increasingly seen as violations of the human right to food, and there was increased recognition on the part of States as to their duty to support the realization of the right to food through trade and investment, development cooperation policies, and regulation of transnational corporations. The adoption of the Maastricht Principles on Extraterritorial Obligations of States in the area of Economic, Social and Cultural Rights had stimulated that development and clarified what could legitimately be expected from States in that regard. The Outcome Document of the United Nations Conference on Sustainable Development had reaffirmed commitments to the right to food, and the goals that had been put forward by the United Nations High-level Panel on the post-2015 development agenda emphasized the human rights dimension of food and nutrition security.

54. **Mr. Elbahi** (Sudan) asked what efforts had been made by the Special Rapporteur to direct the attention of the relevant international human rights bodies to the issue of the right to food.

55. **Ms. Brennen-Haylock** (Food and Agriculture Organization of the United Nations (FAO)) said that multi-stakeholder partnerships were essential to the work of FAO, which was committed to the complete eradication of hunger. In 2012 the Committee on World Food Security had adopted the Global Strategic Framework for Food Security and Nutrition with a view to implementing the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, as well as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. In addition, the 10-year retrospective to take place in 2014 would provide opportunities to identify good practices and challenges, and to share experience gained via the implementation of the Voluntary Guidelines.

56. **Ms. Schneeberger** (Switzerland) said that her delegation agreed that national policies and strategies should complement the general legal framework relating to food security. Concerted efforts by Governments, parliaments, courts, national human rights institutions and civil society were necessary to achieve real progress in eradicating hunger and malnutrition; her Government was endeavouring to have such an approach employed by multilateral institutions and incorporated into their international cooperation programmes. She asked how access to productive resources should be taken into account when developing framework laws and food security strategies in order to ensure that the most marginalized groups were not excluded.

57. **Mr. Meyer** (Norway) said that the right to food, which was widely recognized in domestic constitutions, served as a practical tool to steer the formulation of national food security policies. There had been a shift from charity-based food security schemes to schemes based on legal entitlements, with the State-citizen relationship clarified as one of a relationship between duty-bearers and rights-holders. His Government had launched the Food Security in a Climate Perspective — Strategy 2013-2015, under which it provided support to a number of countries

with a high level of food insecurity, particularly in Africa.

58. Despite greater focus on the role played by fisheries, and by women, in food production, particularly in Africa, the role of women had not been fully recognized from a legal standpoint in the strategy and policy documents presented in the Special Rapporteur's report. He asked for clarification on that point. Furthermore, given the inter-linkage between food insecurity, malnutrition, poverty and climate change, he asked what other obstacles hindered implementation of the right to food.

59. **Ms. Tschampa** (Observer for the European Union) asked what priority measures should be taken by States in implementing the right to food, in particular those States that did not have a developed institutional and legal framework. She also asked what place would be occupied by small and large food producers in the legal framework advocated by the report.

60. **Ms. Mballa Eyenga** (Cameroon) asked how mechanisms to ensure the right to food could be fully integrated into domestic and foreign policies with regard to specific domains such as commerce, investment and development.

61. **Ms. Pérez Álvarez** (Cuba) asked what measures could be taken in the context of the work of the Committee on World Food Security with regard to implementation of the Voluntary Guidelines on the right to food. She also requested additional information concerning the extraterritorial impact of implementing the right to food.

62. **Mr. De Schutter** (Special Rapporteur on the right to food) said he had been working systematically with a number of Rome-based agencies, in particular FAO. His report was largely based on three major consultations held in Bogota, Nairobi and Dakar in 2011, 2012 and 2013 respectively, where stakeholders had discussed progress achieved in those regions, shared best practices and encouraged States to move forward in realizing the right to food. Past reports had attempted to demonstrate that the right to food should be taken into account when formulating and implementing policy. Vulnerable groups should receive increased attention and should be encouraged to identify the obstacles they faced and participate in decision-making and policy assessment.

63. It was important that people living in impoverished regions without access to either paid employment or social security should be able to produce their own food, particularly in times of crisis when market prices were extremely high. It was also essential to protect small farmers' access to resources. The development of an international declaration on the right of farmers would clarify consequences for that population with regard to the right to food.

64. Supporting family farms could help to reduce the rate of migration toward cities, thereby contributing to the preservation of ecosystems and local food security. The food produced by small farmers increased nutritional diversity, met a variety of dietary needs and reduced nutritional deficiencies, a challenge that was almost as great as malnutrition. Over the past few decades, the industrialization of agriculture had left small farmers by the wayside. They should be placed back at the centre of development strategies for local food security.

65. Reports had been produced on the importance of fisheries and on women's empowerment in food systems. The 2012 report, in particular, centred on fisheries, while his report on how women's rights and gender empowerment contributed to food security had led to close collaboration with the Asian Development Bank and FAO on a broader report relating to gender equity and food security. Protecting women's rights and empowering women were the most economical ways of making significant progress in reducing hunger and malnutrition.

66. Climate change would play an important role in future food security strategies. In that regard, he identified three priorities: the need to promote less fossil fuel-reliant modes of food production, recycle agricultural waste and produce food locally using more sustainable agricultural techniques; the need to build resilient food systems; and the need to deconcentrate food production. In addition, stemming the tendency to concentrate production in certain regions would promote the idea of food sovereignty.

67. It was important to reverse the tendency to exclude small farmers from policy development. It was also vital to understand that if the international dimension was not taken into account, national efforts to reduce hunger and malnutrition could not succeed. An enabling international environment in the areas of trade, investment and development cooperation

policies was necessary. That point had been stressed by a number of United Nations bodies and in the Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights. The Maastricht Principles were a very useful guide for future policies, and he anticipated their use by Governments in shaping their trade and investment policies.

The meeting rose at 5:45 p.m.