COMMISSION ON HUMAN RIGHTS
Forty-fourth session
SUMMARY RECORD OF THE 25th MEETING
Held at the Palais des Nations, Geneva, on Thursday, 18 February 1988, at 10 a.m.
Chairman: Mr. SENE (Senegal)

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Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including:

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Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.
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Status of the International Covenants on Human Rights (continued)
STATEMENT BY MR. EGGAR, PARLIAMENTARY UNDER-SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS OF THE UNITED KINGDOM.

1. THE CHAIRMAN said that the Commission was aware of the United Kingdom's historical record of promoting human rights and of the contribution made by that country's delegation to its deliberations. He thus had pleasure in inviting Mr. Eggar to take the floor.

2. Mr. EGGAR (Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom) said that, while much of the Commission's time was spent debating the affairs of a small number of countries where international concern about human rights was focused, its members needed to have a clear picture of the fundamental values they were seeking to promote. As they looked at the record of respect for human rights throughout the world, there was always a strong temptation to find excuses for their friends and to concentrate their criticism on Governments they found uncongenial but to do so would be to betray the Charter and undermine the influence which the Commission rightly enjoyed.

3. Respect for individual liberties and the protection of the rights of individuals against the authority of the State were deeply rooted in his country's tradition, since history had taught his compatriots to cherish such civil rights as equality before the law, trial by jury and the humane treatment of offenders. Although their history had not created a perfect society, they could point with pride to the rule of law - the means by which rights were safeguarded and the weak were protected from the strong. Without equality before the law, human rights would inevitably become a prey to the arbitrary use, or abuse, of power.

4. While his Government had no ambition to impose its own views of how to organize society, it held to the fundamental principle of the rule of law and recognized a shared international responsibility. The United Nations had established the principle that human rights were a matter of legitimate international concern, and had set up the framework of international human-rights law and standards, a fact which reflected particular credit on the work of the Commission.

5. In many parts of the world however, those standards were being flouted. Human-rights violations were, unfortunately, not the monopoly of the few countries so often singled out for international censure. The plight of Soviet prisoners of conscience and the difficulties of Soviet Jews and others in leaving the Soviet Union, the long-term prisoners in Ethiopia and the oppressive policies of the authorities in Cuba or Syria were among the problems that should not be forgotten. Selectivity was a threat to the whole principle of international scrutiny of human rights, which must be firmly based on the principles of the Charter. If the Commission allowed extraneous political elements to creep into its resolutions, it would be undermining the very foundations of its work.

6. His Government shared the international community's outrage at the abhorrent practice of apartheid. It had voiced its great concern about Israeli policies and practices in the occupied Arab territories and had called for the withdrawal of Soviet troops from Afghanistan. In all those cases, and
in many others, it took a clear stand in both public and private. Its objective was always to secure improvements and alleviate suffering and that was not a simple matter of seizing the most powerful megaphone and shouting the loudest. If discreet and confidential approaches were more likely to secure that objective, it pursued them with thoroughness and determination. In the Commission, the delegation of his country was willing to engage in honest and open dialogue on the merits of each individual situation, resisting the blandishments of political prejudice.

7. It was in that spirit that his Government had always responded to criticisms of its policy in Northern Ireland. It had introduced a wide range of measures to protect human rights and prevent discrimination and was currently drawing up proposals for new legislation on fair employment. It tried to protect the rights of both the communities in the province, the vast majority of which wanted no part of the violence and terror.

8. An important element in the Commission's deliberations had been the creation of mechanisms such as special rapporteurs, either to investigate the problems of individual countries or to concentrate on thematic issues. The thematic reports had brought a welcome breadth of perspective and had enabled discreet inquiries to be made which had also led to solutions to some individual cases. It would be right to expand that work and introduce a new measure to maintain consistency by adopting an appropriate mechanism - such as a special rapporteur - to focus on the problems of political prisoners throughout the world. For too long the Commission had addressed the problem of political prisoners only selectively and not as a global problem. The delegation of his country would be undertaking broad consultations about his Government's ideas during the course of the current session, and he hoped that it would secure a consensus.

9. His Government had decided to contribute 20,000 pounds sterling to the new Voluntary Fund for Advisory Services and Technical Assistance. The advisory services programme was a channel for constructive help to Governments, several of which had already been in touch with the Centre for Human Rights about specific projects.

10. His Government recognized the vital role played by non-governmental organizations in the Commission's work and welcomed their close involvement in the discussions, for they were in the front line in defence of human rights.

11. His Government would gauge the success of the Commission by the extent to which all its members could say that they had held firmly to their principles; that they had made judgements freely and fairly, and on the basis of fact; and above all, that they had tailored their responses not to political convenience but rather to securing the maximum improvements for the victims of human-rights abuses, to whom their first duty must lie.

12. THE CHAIRMAN said that the Commission was grateful to Mr. Eggar for his exposition of the United Kingdom Government's philosophy of human rights and would bear his analysis in mind in its future discussions.
QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; THE RIGHT TO DEVELOPMENT;

(b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(c) POPULAR PARTICIPATION IN ITS VARIOUS FORMS AS AN IMPORTANT FACTOR IN DEVELOPMENT AND IN THE FULL REALIZATION OF ALL HUMAN RIGHTS.


STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS (agenda item 18) (continued) (E/CN.4/1988/37, Chapter I, Section A, draft resolution I; A/42/450; E/C.12/1988/1; CCPR/C/2/Rev.1).

13. Ms. SHERWOOD (International Commission of Jurists) said that her organization welcomed the report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10). Implementation of the Declaration on the Right to Development could best be achieved by ensuring the right to participation of those concerned or likely to be affected by the development in question.

14. Development policies and programmes often violated the basic rights of the intended beneficiaries. One instance was the Narmada River Valley Project in India, financed by the World Bank programme, which would cause thousands of hectares of forests and agricultural land to be submerged, involving the irreversible loss of rare flora and fauna and the displacement of nearly one million people, for whom no compensation or rehabilitation scheme was provided. Another case was Indonesia's programme to transfer some 60,000 people from Java to other islands, which involved the expropriation of vast areas of land, the large-scale destruction of primeval forest and an upheaval of the indigenous Papuans' way of life. The Working Group had rightly mentioned in its report, the importance of participation in development projects of all those likely to be affected; it should enlarge on that aspect in future studies.

15. On the subject of women and development, she was speaking on behalf of ten other non-governmental organizations accredited to the Commission as well as her own organization. Throughout the world, and especially in developing countries, women were at a disadvantage - deprived of education, condemned to domestic work and often physical hardship, undervalued and underpaid in the workforce and denied such basic rights as freedom of movement and property
ownership. Thousands died needlessly each year because of inadequate medical care during childbirth. A glance at the composition of the delegations attending the Commission's current session was indicative of the level of participation accorded to women, even in bodies that were, presumably, among the most sensitive to their rights.

16. The failure to appreciate women's potential role in all aspects of social, economic and cultural life and in development - combined with the failure to ensure that their voices were heard - had resulted in an imbalance. The Declaration on the Right to Development (article 8), the Working Group's report and Sub-Commission resolution 1987/26 evinced some recognition of that imbalance but there was a woeful lack of reference to women's essential role elsewhere: for example, of the seven Government replies contained in document E/CN.4/1988/11, only two referred specifically to women's participation.

17. The NGOs she represented thus requested the Commission to stress the need to improve the status of women as part of the development process, to recognize that their participation was essential for balanced development, to exhort Governments to encourage such participation actively, to include the role of women in development as a sub-item to agenda item 8 in future, and to invite the Commission on the Status of Women to address it on the subject.

18. Mr. WADLOW (International Fellowship of Reconciliation) said that, in past years, the Commission had discussed, under the current agenda item, the question of the repression of movements for popular participation, including measures against trade unions and rural movements. With regard to the latter, there were many examples of harassment of the organizations of the least powerful groups. However, the celebration in January 1988 of the World Decade for Cultural Development reflected recognition by the world community of one aspect of popular participation; it was hoped that the Commission, the Sub-Commission and the Centre for Human Rights could play an important role in implementing the objectives of that Decade.

19. It was appropriate that the Commission's Chairman at its current session should be from Senegal, a country which had played an important part in promoting an awareness of cultural identity as being at the heart of all development efforts. Respect for cultural identity and values, which was a prerequisite for development and popular participation, was unfortunately rare. Many of the situations studied by the Commission stemmed from disrespect for such identity, which was also to be seen in the findings of the Working Group on Indigenous Populations.

20. It was to be hoped, therefore, that the Commission would request a study of the human-rights aspect of the World Decade for Cultural Development. Such a study could survey the efforts of the United Nations system, Governments and non-governmental organizations to promote understanding of cultural values, safeguard endangered cultures and languages and overcome patterns of discrimination based on cultural characteristics.

21. Mr. ANDREASSON (International Commission of Health Professionals for Health and Human Rights) said that his organization had, at the Sub-Commission's thirty-ninth session, specified ways in which it was prepared to work with intergovernmental and non-governmental bodies to promote the aims of the International Covenants on Human Rights and the relevant declarations,
particularly in respect of the right to health. In a report presented to the Commission (E/CN.4/1986/38/Add.1) the World Health Organization dealt with that aspect, which had been raised once again in the Declaration on the Right to Development.

22. His organization, which agreed with the recommendation by the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10, subparagraph 42.2 (d)), on the need for a broad-based study on the problems relating to the realization of the right to development, noted that the guarantee of health as a human right was absolutely essential for the realization of many of the aspects of development. It also agreed with the Working Group's recommendation, in subparagraph 42.5 (e), concerning the study of measures adopted by Governments at the national level.

23. At a recent seminar it had held at Lusaka, Zambia, his organization had noted that, in some countries and particularly the front-line States of southern Africa, health budgets were being drastically cut on account of defence needs. Situations of tension, discrimination and insecurity must be eliminated in order to free the resources necessary for the health care which was fundamental to the whole development process.

24. The identification and study of specific areas related to the right to development, mentioned in subparagraph 42.5 (h) of the Working Group's report, must include the health sector and its interrelationship with other development sectors. His organization thus proposed a study on health as a human right, as it related to economic, social and cultural rights. As stated in subparagraph 42.8 (d), action must be pursued to eliminate mass and flagrant violations of human rights resulting from apartheid and political dissension, and to ensure that the resources released were used for comprehensive development, including adequate health schemes.

25. Mrs. PINTAT (Inter-parliamentary Union) said that little reliable data was available on the subject of women's participation in political affairs and in decision-taking. It could be seen, from inquiries her organization had conducted among its 108 member parliaments and data from the world's 144 parliamentary assemblies, that women represented a political force of growing influence. In the 113 countries for which information was available, women had the right to vote and be elected.

26. More often than not, women had been obliged to struggle for such rights and had gained them only in the recent past; the rights had frequently been obtained only at the end of a colonial era, and not always for women of all races. Exercise of such rights had often been influenced by social conditions such as family situation, personal wealth, level of education or husband's career. In the 113 countries which had submitted information such obstacles seemed to have been removed; however, there had been a considerable lapse of several decades, in some instances, between the acquisition of the right to be elected and the opportunity to exercise it.

27. As far as was known, in only 17 countries had women served as elected members of parliament before the Second World War while in 5 countries no woman had ever been elected to parliament. Only 10.5 per cent of senators and 14.5 per cent of representatives throughout the world were women. Between 1975 - the beginning of the United Nations Decade for Women - and 1987, the global percentage of women in parliament had increased by only 2.5 per cent.
28. A number of systems and institutional mechanisms, applicable to countries at whatever stage of parliamentary development, had been devised to attract women to political office. They included allocation of seats for certain disadvantaged categories, including women, nomination to non-elected seats and an electoral quota system. In Iceland there were lists of electoral candidates consisting entirely of women.

29. Such measures were viewed by some as undemocratic and unconstitutional; and women themselves had often hesitated to avail themselves of such discriminatory provisions. Another view was that such measures were a necessary transitional step required to overcome cultural and other obstacles.

30. From the limited data available, it appeared that the percentage of women candidates in elections to legislatures had varied from 1.4 per cent in Turkey to 39.2 per cent in Romania, but had rarely exceeded 15 per cent. It seemed too - although information was hard to obtain - that women were not favourably placed in the selection of candidates. The obvious obstacles included conservative attitudes and women's hesitation to assume political duties which could conflict with normal family life. Once elected, however, women made devoted and active members of parliament. Data showed that their work was not confined to family and health fields, as largely believed, but often including areas such as defence and fiscal, foreign and environmental affairs.

31. Rarely, it appeared, did women head political parties or parliaments or chair bodies such as parliamentary commissions; but they were to be found in directive bodies where they could exercise the highest responsibility. Moreover, high office seemed more readily conferred on women in countries of younger parliamentary tradition than in those of long-standing tradition, where political power remained essentially a male domain.

32. Clearly, no firm conclusions could be drawn from the information currently available; the studies undertaken would have to be followed up, with a view to promoting women's participation in civil and political affairs.

33. In 1987, the Union had addressed an appeal to the parliaments of its 108 member countries, with a view to their undertaking or speeding up action to ratify or accede to the International Covenants on Human Rights; the same sort of action might be taken on the occasion of the fortieth anniversary of the Universal Declaration of Human Rights.

34. Mr. MOSES (Grand Council of the Cree) said that the Working Group of Governmental Experts on the Right to Development had rightly noted in its report (E/CN.4/1988/10) that "pockets of underdevelopment" existed even in developed countries. The indigenous peoples of those developed countries with indigenous populations found themselves inevitably in those pockets of underdevelopment. They shared conditions such as malnutrition, lack of shelter, overcrowding, infant mortality, diphtheria, tuberculosis, unemployment and poverty with the developing countries. The extreme disparity between the indigenous and non-indigenous members of a developed society was maintained only by depriving the indigenous peoples of the right to control their own lives and destinies. That was why his delegation emphasized the right to self-determination and invited the members of the Working Group to visit the Cree communities and see the situation for themselves.
35. For the Crees in Canada, 500 years under the protection of a Crown trustee had ensured their exclusion from the economy of one of the richest countries in the world. A few hundred miles north of Calgary, the venue for the Winter Olympic Games, a massive epidemic of tuberculosis among the indigenous peoples had been associated with inadequate housing. It had been estimated that Canada's entire indigenous housing backlog could have been eliminated if the money spent on the Calgary Olympics had been invested instead in the construction of indigenous housing.

36. The Crees were the signatories of the James Bay and Northern Quebec Agreement - the first modern convention between an indigenous nation and a State - and their experience might demonstrate a technique for indigenous peoples and States to address the practical issues being examined by the Working Group. His delegation welcomed the fact that Canada was a State party to the Optional Protocol to the International Covenant on Civil and Political Rights, thereby demonstrating its Government's respect for basic human rights and its willingness to rely upon an international process which might help to make progressive improvements to the country's law.

37. Mr. NCHAMA (International Movement for Fraternal Union among Races and Peoples) said that it was difficult to define development because the definitions offered were weighed down with ideology. One of the problems of the newly independent countries of the South was that the Governments of the North judged them not on the basis of the efforts they were making for their people but rather on that of the development model they had chosen. If a country of the South chose a market-economy development model, part of the North - the "North-East" - would not support it. On the other hand, if a country of the South chose a development model based on a planned economy, the other part of the North - the "North-West" - would not support it. If a country of the South invented its own development model, that model was not accepted by either side in the North.

38. The controversy between the development model of the "North-East" and that of the "North-West" was the obstacle to a real definition of the right to development. That controversy resulted in an ideological battle with regard to human rights and fundamental freedoms. One side attached more importance to civil and political rights, while the other attached more importance to economic, social and cultural rights. The fact was that both sets of rights were equally important. Certain rights could not be respected in isolation without respecting the others.

39. The right to development was the fruit of those two generations of human rights. There were, however, two major obstacles to the right to development for the countries of the South in general: the control by the political and economic Powers of the North of the elites of the South, and the control by the elites of the South of their own peoples. Many States of the South considered democracy to be their enemy. While they called for democratization of the international order, they did not democratize their own societies. The North would not accept the South's demand for international democratization until the South presented a solid front, i.e. until the States were truly representative of their people. The South would then have truly realized the right to development.
40. Mr. RAJKUMAR (Pax Romana), said that the International Year of Shelter for the Homeless in 1987 had drawn attention to the 100 million people in the world who had no roofs over their heads. In Manila, Philippines, nearly 2,500 families lived in a settlement called Smokey Mountain on top of Manila's putrid and ever-increasing garbage heap. Every member of each household sorted through the heap for re-saleable items, which yielded an income of about $US 1 per day. There could be no solution to that problem except a radical one. Resettling people in areas where there was no work or supplying them with medicine when they had no food or money would solve nothing. Their only help came from the local Christian community to which they belonged.

41. The people of Smokey Mountain could expect nothing from politicians. In 1986, almost half the national budget of the Philippines had been used to service the external debt incurred during the Marcos régime, only 15 per cent of which had been used for development programmes of direct benefit to the people. The Government had cited the foreign debt burden as the reason for its refusal to increase the minimum wage and carry out land reforms. The situation he had described was, alas, only too typical of the cities of the developing world.

42. The concept of the nation-State had been challenged from the outside, by the growing internationalization and interdependence of the world, and from the inside, by aspirations of dignity, freedom, identity and power-sharing among social groups. In other words, the national was being squeezed between the local and the international. It was essential to establish a more just, balanced and symmetrical international humanitarian order, if the world was to defuse the time bomb of the debt burden, eradicate poverty and provide shelter for the homeless.

43. A document recently released by the Pontifical Commission "Justitia et Pax" emphasized the responsibility of the political and economic decision-makers. The poor and the marginalized were waiting for a concrete answer and a change in the attitude of certain sectors of society which were indifferent if not hostile to their plight. They were hoping for an economic, political and social transformation of the structural factors which had caused the housing crisis.

44. One hopeful sign was the emergence of women's movements and alternative organizations, in which people were organizing themselves to claim their rights as citizens. Such popular participation movements, which threatened the whole existing system of power, could give new vigour to the peoples' democratic aspirations.

45. Mr. TEITELBAUM (International Federation of Human Rights) said that the written statement submitted by his organization (E/CN.4/1988/NGO/12) had stressed the importance of the report on the right to adequate food as a human right (E/CN.4/Sub.2/1987/23). The statement called upon the Commission to accord increasing attention to economic, social and cultural rights, to consider the possibility of conducting a study on the right to culture, which facilitated the implementation of other rights, and to invite the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine economic and social questions on an annual basis.
46. The right to development and other economic, social and cultural rights were the logical and historical consequence of decolonization and the right to self-determination. The establishment of new sovereign States had brought the need for a legal framework for inter-State relations. Just as labour law and other social laws had grown up to replace civil contract law in cases where the contracting parties could not negotiate on an equal basis, so the right to development had arisen as a result of the inequalities between States.

47. The external debt of the third world had been increasing at breakneck speed. Its growth in the last decade had been partly due to the large amounts of petrodollars accumulated by the banks. They had lent money freely in the expectation of third-world economic growth which had not materialized. The terms of trade had continued to deteriorate during the 1980s, so that third-world countries had been obliged to take out loans to pay for their imports. Other major factors had been inflation, the increase in interest rates on the loans and the protectionist policies of the developed countries.

48. Whether the recipient countries had used their loans wisely or otherwise, the burden of debt and debt-servicing had become too much for them to bear. There was currently a net flow of capital from the South to the North. Between 1980 and 1985, average income had fallen by 9 to 15 per cent in 17 countries of Latin America and 24 countries of sub-Saharan Africa. In many third-world countries, malnutrition, infant mortality and school dropout rates were beginning to increase again.

49. The solutions put forward so far had been inadequate or ineffective; the measures proposed by the International Monetary Fund (IMF) had led to recession, unemployment and growing poverty. Debtor countries were taking out new loans simply to service the old ones.

50. A meeting of African Heads of State had proposed measures such as a debt moratorium, suspension of debts until 1990, cancellation of part of the debts and a reduction in interest rates. The UN/NGO workshop on debt, adjustment and the needs of the poor, held at Oxford, England, in September 1987, had declared that any debt alleviation programme must also aim at the establishment of more equitable terms of trade. Banks and the developed countries must be prepared to cancel some part of the debt and reduce the interest rates on the rest.

51. A high priority must also be accorded to investment in debtor countries, with suitable provision for monitoring by all the parties concerned - debtors, creditors and, above all, the people themselves. In addition, the workshop had recognized that international financial institutions such as the IMF and the World Bank faced a crisis of their own, and had stated that they must become more democratic and multilateral, responding to the needs of the South as well as the interests of the North.

52. Mr. FALL (International Union of Students) said that, since there was no agenda item which specifically addressed the problems of students and young people, he wished to raise certain issues under agenda item 8. Although the right of equal access to education for all was widely recognized, the economic crisis in many countries had made it impossible for Governments to meet their peoples' educational needs. Education policies had suffered under the emphasis on profitability imposed by institutions such as the IMF and the World Bank.
53. Despite those difficulties, many young people had managed to obtain qualifications, only to be faced with unemployment. In the industrialized countries alone, 30 per cent of the people unemployed were under 25 years old. The derisory solutions proposed by certain Governments made it clear that they did not consider the right to work to be one of the basic human rights.

54. Certain categories of students encountered particular difficulties. The physically handicapped rarely had access to higher education. Women, too, were often subject to discrimination in their choice of subject and their search for employment. Foreign students, particularly third-world students, suffered discrimination and prejudice, although many of them went to study in the industrialized countries only because there were no proper facilities in their own. The root of those young people's problems lay in the economic imbalance between States, which made it essential to establish a new international economic order.

55. Mrs. BOUCHET (International Federation of Rural Adult Catholic Movements) said that her organization, which represented rural and agricultural groups throughout the world, was well aware that, for many of its members, under-development was a way of life and felt that the need for a just and equitable new international economic order could not be denied.

56. In that connection, it endorsed the comments along those lines in paragraph 26 of the report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10) and noted that a few experts had suggested that consideration of the question of property and its influence on the enjoyment of the right to development needed more attention. She mentioned, in that regard, that the world assembly of her organization had, in 1986, adopted a resolution advocating the establishment of a right of usage of land, which would be certified by legally binding deeds and, guaranteeing that peasants would not be deprived of the land or of their freedom of action, would take precedence over the right to property. It did not challenge the right to property as such, but only the exercise of that right where it became an obstacle to development such as cases where peasants were evicted from the land they cultivated or where they worked for a big landowner in conditions approaching slavery. The peasants did not want to own the land; they wanted only to be allowed to cultivate it and satisfy their basic needs.

57. There was a need for genuine agrarian reform with the participation of the peasants themselves. Every family or group should be allotted a plot of land sufficient for its needs, and the installation of infrastructures should be carried out in consultation with the peasants so as to ensure that their rights were respected. Agrarian reform of that kind would be an effective remedy for the flight from the land.

58. The movements belonging to her organization were striving to promote an agricultural and food policy that would guarantee a decent income for every agricultural worker and provide for the food needs of the general population.

59. Ms. SCIUTO (Amnesty International) said she wondered why some States, including two permanent members of the Security Council, had failed to accept the legally binding obligations of the International Covenants on Human Rights and to thereby demonstrate their countries' commitment to the international
protection of human rights. For those States that hesitated because reporting obligations might prove onerous, the advisory services of the United Nations Centre for Human Rights could assist. Perhaps more difficult to overcome was the lack of political readiness to be subject to international scrutiny.

60. Ratification of the Covenants was not, however, sufficient: their provisions had to become reality. States parties had the opportunity to demonstrate their readiness to implement the Conventions by meeting their reporting obligations yet, at its thirteenth session in 1987, the Human Rights Committee had been faced with the growing problem of overdue reports of States parties from both the developed and developing world.

61. Full adherence by Governments also required them to carry out an active programme to increase public awareness of human rights, and her organization welcomed the publication in 1987 by the United Nations Centre for Human Rights of a booklet explaining the world organization's human-rights machinery.

62. It was disappointing that only 39 States had ratified the Optional Protocol to the Covenant on Civil and Political Rights. Among those which had yet to do so were States whose nationals were, in their expert capacity, currently members of the Human Rights Committee, including the United Kingdom and the Union of Soviet Socialist Republics.

63. To subscribe to norms without being prepared to be subject to mechanisms for their implementation created suspicion. When the right of individual petition was recognized, the functioning of the monitoring system was enhanced, because it was possible to receive information from a primary source, the person complaining of a human-rights violation. Moreover, the hearings of the Human Rights Committee could become a place where not only was it possible to identify human-rights violations but false allegations could also be dispelled. Moreover, through its general comments on the Covenant's provisions, the Human Rights Committee played a vital role in elucidating international human-rights standards.

64. Amnesty International welcomed the proposed preparation, currently under way, of a second optional protocol to the Covenant on Civil and Political Rights aimed at the abolition of the death penalty. It fervently hoped that Governments that had not yet recognized the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment would do so at the earliest opportunity.

65. Her organization was campaigning for a greater human-rights awareness by: circulating in over 50 languages an appeal for individuals to sign, accompanied by the text of the Universal Declaration of Human Rights; seeking greater protection for human-rights activists throughout the world by highlighting some of the cases of human-rights defenders who had been arrested, tortured or killed; encouraging all Governments to commit themselves to be legally bound to respect human rights, through ratification of the Covenants; promoting genuine respect for the provisions of the Covenants through public education and programmes to stimulate greater awareness of those rights; and encouraging Governments to make the observance of human rights explicit in their international relations by keeping human rights firmly on the international agenda and taking action to help the victims of abuses.
66. Ms. BANDETTINI di POGGIO (International League for the Rights and Liberation of Peoples) said she wished to draw the Commission's attention to the situation of a great number of peasants in many countries and their struggle to defend the land they tilled, in many cases their sole basis of existence. Not only did peasants face many obstacles to the enjoyment of economic rights and the right to an adequate standard of living, but they were also subject to numerous forms of repression, ranging from arrest and persecution to murder.

67. Brazil was a case in point. Most of Brazil's arable land was concentrated in the hands of a small number of rich landowners, who allowed more than half of those lands to lie fallow for speculative reasons. The majority of the agricultural labourers employed on the big plantations earned less than 50 dollars a month. Hundreds of cases of virtual slavery had been noted over the years, and reports indicated that tens of thousands of such labourers were employed under extremely degrading conditions and were unable to leave the estates on which they worked.

68. Although Brazilian law entitled them to acquire a right of ownership over land on which they had worked for a long time, in actual fact, thousands of such persons had been removed by force - with the connivance of the judicial system - and had been subject to systematic ill-treatment at the hands of the police; some had even been murdered.

69. The latest Brazilian legislation made agrarian reform impossible. By denying agricultural labourers the legitimate right to acquire ownership of abandoned fallow lands, the Brazilian Government had provoked serious confrontations. In 1986 and 1987, hundreds of persons had been murdered over conflicts involving land, and thousands had been persecuted and even tortured. The Brazilian Government tolerated and even encouraged violence by the police and paramilitary groups hired by the rich landowners, and its complacent attitude towards the wave of violence was in flagrant violation of numerous articles of the Universal Declaration of Human Rights.

70. That being so, her organization called for the creation of a high-level commission to conduct an on-site investigation of the violence and asked the Commission on Human Rights to urge the Brazilian Government to take immediate, energetic and effective measures to put an end to the violence against agricultural labourers and to comply with the relevant provisions of the United Nations Charter, to which Brazil was a party.

71. Mr. ROBEL (World Confederation of Labour) said that the right to development and the enjoyment of economic, social and cultural rights would remain an unattainable objective for the vast majority of countries and their populations as long as the current economic, social and political disorder continued to reign. In the developing countries, more than 900 million persons - 20 per cent of the world's population - were living in abject poverty. In many countries, the standard of living had declined drastically.

72. In the industrial countries, where basic human rights were thought to have been achieved, poverty had reappeared in the section of the population excluded from the labour market. Despite scientific progress, the vast
majority of the population of the third world continued to live in conditions of poverty, malnutrition and illness. Clearly, social and economic inequality and dependence were growing, as was the gap between the rich and the poor, the North and the South.

73. The serious consequences of the international economic crisis were often paralleled by violations of human and civil rights which raised obstacles to real democratic participation in development. Despite the great debates, the international community has been unable to put its declarations into practice.

74. It was difficult to speak of the right to development and the effective enjoyment in all countries of economic, social and cultural rights as long as astronomical sums were being spent on weapons and war and current economic and financial relations prevented countries from disposing freely of their own natural wealth and resources. Protectionism was mounting, and the drop in prices for raw materials had worsened the terms of trade of the poor countries. The difficulties encountered in UNCTAD, the breakdown of the North-South dialogue, well illustrated the unwillingness on the part of the developed countries to introduce more equitable international economic relations.

75. Foreign debt was currently the most visible expression of the domination and exploitation of the poor countries by the world's major centres of economic power. Private transnational banks were making enormous profits in the third world and were thus able to cope with situations of non-payment of debt. The privileged sections of the population in the developing countries misused foreign loans, purchasing imported products or placing money in foreign bank accounts. Dictators used them to import arms.

76. In such cases, the foreign debt should not be borne by the general population. The strict debt-repayment terms were an obstacle to development and a danger to democracy in a number of countries. For the poorest countries, the debt should be cancelled. The interest rates on debts should be lowered; repayments should be rescheduled and should take into consideration the economic possibilities of the country concerned.

77. The rules of the International Monetary Fund and the World Bank must be changed to encourage debt rescheduling. Lastly, an international conference should be convened under the auspices of the United Nations - with the participation of worker organizations - to seek a comprehensive, durable and just solution that reflected a sharing of responsibilities among creditor nations, indebted countries, private banks and international financial institutions.

78. In order to bring about fundamental changes at the national level, it was essential to fight against inequality, discrimination and corruption, ensure implementation of the right to popular participation in the development process, guarantee freedom of opinion and of assembly and ensure respect for fundamental liberties, in particular those of workers and their organizations.

79. Ms. GARDNER (Women's International League for Peace and Freedom) said that, for development to succeed, it was essential to turn to account the great economic potential of women. As women made up half the world's
population, their importance for the economy should not be underestimated. Faltering economies left women struggling for the economic survival of their families and threatened services which provided for more equitable sharing of the burden of the home and child-rearing.

80. Imperialism, colonialism, apartheid, foreign intervention and all forms of domination prevented developing countries from achieving economic and social development. An example of a country whose economy was hampered by foreign interference was Nicaragua, and Nicaraguan women and children had suffered the most. Following the revolution, however, great improvements had been made in health care and in the fight against infant mortality, unemployment and illiteracy. Unfortunately, Nicaragua had to divert funds from the economic sector for national defence, and that in turn impeded development and women's participation therein.

81. The situation in Haiti was equally grim. The repression by a Government - which had survived thanks to Western support - had forced women into poverty and excluded them from positions of power. The infant mortality rate in Haiti had reached dramatic levels, and poverty, illiteracy and unemployment were widespread, and were much higher among women. Denied jobs, education and an adequate standard of living, Haitian women were engaged in a daily struggle to keep their families alive.

82. In many countries, women were also excluded from positions of power because of sexual discrimination. If development was a human right, women must be able to exercise it fully. In order to promote development, the inequity of the existing international order must be corrected. Education was of vital importance in that connection. To improve the status of women, educational systems and the content of education must be completely revised. Nations should implement educational programmes which promoted complete equality of women and men and encouraged the inclusion of women in decision-making bodies. It was important to recognize that women were the majority of the world's producers and were not only the victims of economic failure, but were those who had to rebuild systems that had failed.

83. Her organization supported the recommendation of the Working Group of Governmental Experts on the Right to Development that there should be closer co-operation between the United Nations bodies concerned with human-rights questions and the United Nations Development Programme.

84. The Commission should also bear in mind the importance of adopting a co-ordinated and integrated approach to the implementation of the recommendations adopted by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, held at Nairobi in 1985.

85. Mr. SUKUL (India), speaking in exercise of the right of reply, said that the representative of the International Commission of Jurists had made certain comments about the Narmada River Valley Project, a dam construction project in western India. In 1987, his country had faced the worst drought in its existence as an independent State, but it had been able to cope because of its reserve stocks of grain, which it had managed to constitute as a result of the extensive use of irrigation. Irrigation schemes certainly entailed short-term sacrifice, and some people were forced to leave their homes, but all population groups gained therefrom, leading to increased incomes and higher consumption levels.
86. The allegation by the International Commission of Jurists that the project made no provision for compensation was quite untrue. The federal and state Governments had drawn up a resettlement and rehabilitation plan which was currently being implemented. That plan clearly showed the commitment of the state Governments concerned to the rehabilitation of the tribal population and the high priority they attached to their problems.

87. In May 1985, for instance, the Government of the State of Gujarat had announced that tribal populations which were occupying government or forest land without authorization would be compensated as if they actually owned the land. They had since been awarded further land concessions.

88. At the federal level, a high-level sub-committee had been established to supervise the resettlement and rehabilitation of displaced persons, and increased subsidies had been provided for development programmes in the fields of agriculture, cottage industries, minor irrigation, animal husbandry, fishery and forests. Those measures went far beyond those envisaged in the only international instrument dealing with that subject, namely the ILO Indigenous and Tribal Populations Convention (No. 107) of 1957.

The meeting rose at 1.05 p.m.