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COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE 41st MEETING

Held at the Palais des Nations, Geneva,
on Wednesday 7 April 2004, at 3 p.m.

Chairperson: Mr. AL-FAHINI (Bahrein)

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

RIGHTS OF THE CHILD (agenda item 13) (*continued*) (E/CN.4/2004/9 and Add.1 and 2; E/CN.4/2004/67, 68, 69, 70; E/CN.4/2004/NGO/4, 74, 81, 85, 96, 105, 136, 147, 241; E/CN.4/Sub.2/2003/26)

1. Mr. TRUONG TRIEU DUONG (Observer for Viet Nam) said that Viet Nam, a party to the Convention on the Rights of the Child and its two Optional Protocols, had always attached great importance to the promotion and protection of the rights of the child. Because of economic and social progress, Viet Nam could now devote more resources to children. Following the success of the Programme of Action for Children for the period 1991-2000, the Government was now implementing the Programme of Action for Children for the period 2001-2010, which set new goals such as the development of pre-school education, improvement in the quality of primary and secondary education and better prevention of HIV/AIDS. The increase in Government spending on social sectors (accounting for almost 30 per cent of the budget in 2000) meant that all children, including disadvantaged children, had easier access to health care, education and protection.

2. Viet Nam's achievements in the protection and education of children had been acknowledged by the international community. Viet Nam had been one of the few countries to achieve the goals set by the World Summit on Children. There was, however, no room for complacency. In the context of globalization, child-related problems were increasingly becoming world issues, and international assistance and cooperation must be strengthened.

3. Mr. VAROPHAT (Observer for Thailand) stated that under the Child Protection Act, which had entered into force on 30 March 2004, every child under the age of 18 was protected by the State. A child protection committee composed of representatives of Government agencies, NGOs and experts in children's issues would be set up at the national and local levels to implement the Act. A bill on the elimination of domestic violence was now under consideration. The Criminal Code provided penalties for child abuse. A law had been passed allowing children under the age of 18 to testify on videotape behind closed doors and in the presence of a psychologist or social worker, with the judge's consent. In addition, the Government intended to set up juvenile courts and observation and protection centres in every province before the end of 2004 and to improve living conditions in existing institutions. It was working on a restorative justice system emphasizing prevention and addressing the root causes of juvenile delinquency, and was considering the possibility of no longer putting children under the age of 16 in prison.

4. With respect to child labour, the Government had decided in October 2003 to ratify ILO Convention No. 138 concerning Minimum Age for Admission to Employment. The Thai authorities also wished to ensure the participation of children in matters affecting them; the report to be submitted by the Government to the Committee on the Rights of the Child would be accompanied by a report prepared by children. The Government had also organized a National Assembly of Children and, in cooperation with non-governmental organizations, a forum for children to discuss their needs and expectations. Thailand would continue to work closely with the international community in improving the situation of children.

5. Ms. NADIPOUR (Observer for the Islamic Republic of Iran) said that she first wished to thank all countries that had provided assistance to the children injured and orphaned following the Bam earthquake. Many countries had adopted comprehensive laws on the rights of the child

in implementation of the Convention on the Rights of the Child, and considerable progress had been made in establishing an international legal framework to protect the rights of children. Despite those efforts, however, millions of children throughout the world were still faced with poverty, famine, disease, displacement, armed conflict, violence, prostitution and exploitation. Sexual exploitation of children was closely linked to social problems such as poverty and exclusion. Some violations of children's rights, such as trafficking, sexual tourism and Internet child pornography clearly required cooperation between countries and international bodies.

6. For its part, the Iranian Government devoted a considerable part of the annual budget to realization of the objectives set out in the Convention on the Rights of the Child. Positive measures relating to juvenile crime had been taken and a bill on the establishment of children's courts had been put before Parliament.

7. Ms. SOLTANI (Algeria) expressed satisfaction that, of all international instruments, the Convention on the Rights of the Child had been most widely and rapidly ratified, but said that the progress made was derisory in relation to the hundred of millions of children still living daily tragedies throughout the world. Children were often victims of poverty and might be affected by its consequences for the rest of their lives. Trapped in a circle of inevitability, that heritage of poverty would be all they would have to pass on to their descendants.

8. It was therefore essential to place the realization of children's rights in the broader context of realization of the right to development. Children were the first victims of economic crises and all the problems faced by societies. Infant mortality, malnutrition, illiteracy, child labour, recruitment of child soldiers and sexual exploitation of children for commercial purposes were almost always corollaries of underdevelopment. Debt relief measures would, by improving the economic prospects of heavily indebted countries, make it possible to ensure that children enjoyed the right to be given proper food, grow up healthy and receive an education. For that reason, the defence of children's rights required solidarity among peoples.

9. Mr. NYUN (Observer for Myanmar) said that Myanmar gave priority to the rights of the child. It had submitted its first periodic report on the implementation of the Convention on the Rights of the Child in 1996 and would submit the second in 2004. On the question of child soldiers, Myanmar had some reservations concerning the annual report of the Secretary-General's Special Representative for children and armed conflict (E/CN.4/2004/70) and in particular Annex II entitled "Other parties to armed conflict that recruit or use children in armed conflict", in which the Special Representative included the Government army (Tatmadaw Kyi). In fact, the armed forces in Myanmar consisted solely of volunteers and no one could enlist in the army before the age of 18. There was neither a draft system nor forced conscription. Myanmar had the legal means to prevent recruitment of child soldiers through the Myanmar Defence Services Act of 1947. The War Office Council's Instruction No. 13/73, dated 3 January 1974, clearly stated that new recruits must be over 18 and under 25 years of age. In addition, the Government had adopted strict measures to ensure that persons enlisted in the armed forces fulfilled recruitment conditions. To ensure effective implementation of the law, a committee for the prevention of the recruitment of child soldiers had recently been established.

10. The Government of Myanmar fully shared the view of the international community on the need to protect children, particularly in situations of armed conflict. The promotion of human rights, particularly the rights of children, should be achieved through cooperation. It was in that

spirit that the Government of Myanmar had invited the Secretary-General's Special Representative to visit Myanmar.

11. Mr. MAHOUE (Observer for Cameroon) said that the main evils undermining the realization of children's rights were continuing poverty, poor socio-economic conditions in an increasingly globalized economy, the AIDS pandemic, natural disasters, illiteracy, hunger and armed conflicts. He welcomed the cooperation that had been established between UNICEF, other agencies in the United Nations system and NGOs in promoting the rights of the child and the adoption of the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and children in armed conflict, respectively. The Cameroonian delegation emphasized in particular the importance of education for the implementation of children's rights.

12. Free primary education, including for refugee children, had been introduced in Cameroon, and the competent authorities were working to create an environment conducive to equality of opportunity for boys and girls. Cameroon was a party to virtually all international legal instruments, both global and regional, relating to child protection, and its domestic legislation in that area was copious and reflected the bi-cultural nature of Cameroonian law, which drew on sources from Romano-Germanic law and common law without repudiating traditional values. The Ministry of Justice, aware of the importance of training, had arranged for multi-disciplinary seminars on juvenile justice to be held until 2007. Lastly, appreciable progress had been achieved in implementing the commitments undertaken at the World Summit for Children in 1990 and reaffirmed in May 2003 at the Special Session of the General Assembly on Children. Nevertheless, much remained to be done.

13. Ms. FORERO UCROS (Observer for Colombia) said that the protection of children's economic, social and cultural rights was a central feature of the National Development Plan. The Government intended to ensure the progressive realization of those rights subject to available resources. Efforts were being made, through programmes for the prevention and monitoring of domestic violence, to prevent and punish ill-treatment of children and sexual abuse. In addition, the Colombian Family Protection Institute worked with abandoned and street children. The Ministry for Social Protection had, with the help of ILO, prepared the third National Plan for the Elimination of Child Labour. The País Plan contained strategies, policies and activities to ensure the protection of pregnant or lactating women and young children.

14. Acts of violence committed by illegal armed organizations had increased the vulnerability of the child population. The High Commissioner for Human Rights and NGOs had condemned the forced conscription of children – 15,000 according to UNICEF – by illegal armed groups and the violence and barbaric acts to which they were subjected. According to the Restrepo Barco Foundation, 50 per cent of displaced persons were under 18 years of age and a child had been abducted virtually every day in 2003. The Government was using all the means at its disposal to address those tragic situations with the support of the local community. Since March 2001, the International Organization for Migration, in cooperation with the Colombian Family Protection Institute, had been helping children who had left armed combat under a programme with a budget of US\$ 6.5 million paid by the United States Agency for International Development (USAID). A campaign designed to prevent the involvement of children in armed conflicts had been launched on 28 January 2004 with the help of the Colombian Family Protection Institute, the People's Defence Service, UNICEF and ILO. The armed forces did not recruit juveniles.

15. Ms. LO (Observer for Senegal) said that the promotion and protection of children's rights had always been at the heart of the actions taken by the Senegalese Government, which had ratified the principal instruments relating to the rights of the child. The new Senegalese Basic Law of 22 January 2001 had enshrined the rights of the child by including the Convention on the Rights of the Child and its two Optional Protocols in its preamble. Senegal had followed the commitments it had undertaken under the Convention and the final documents of the Special Session of the General Assembly held at New York in 2002 with specific action. On the initiative of the Head of State, child-care structures had been established to provide education, training and health care and combat poverty. The Government's action had taken the form of the establishment of the Young Children's Cabin for small children, modernization of Quranic schools (*daara*) and targeted action to help the poorest families and young people in difficulty.

16. At the regional level, Senegal, together with UNICEF and the Community of West African States, had hosted in Dakar from 4 to 6 September 2003 a ministerial meeting on the establishment of strategies to improve the situation of children in West Africa, where they were faced with many difficulties, especially in the areas of education, access to drinking water and health. Children were often the main victims of conflicts from which they emerged wounded both physically and mentally.

17. Ms. GEZELIUS (International Save the Children Alliance), speaking also on behalf of the International Council for Women, the International Alliance of Women, the International Federation of Social Workers, the International Catholic Child Bureau, Casa Alianza, Defence for Children International and Plan International – Sweden, expressed the hope that the study on violence against children would help to improve the lives of girls and boys and welcomed the fact that the independent expert, in his concept paper annexed to the Secretary-General's progress report on the study on the question of violence against children (E/CN.4/2004/68), had emphasized his intention to give prominence to children's strategies and actions. The consultations with children during the Special Session of the General Assembly on Children and the Yokohama Conference had shown that children throughout the world were extremely worried by violence and that they wanted their experiences and suggestions to be taken into account in national and local plans of action. In that connection, she quoted the testimony of three children regarding the violence to which they had been subjected.

18. As a preliminary contribution to the independent expert's study, Save the Children, a member of the NGO Group for the Convention on the Rights of the Child, had produced a toolkit to help children participate in research and consultations. It was known from experience that when children had easy and safe access to child protection mechanisms hidden or unknown instances of violence were brought to light. Moreover, it was not rare for children themselves to seek and find means of making themselves heard, for instance by participating in school panels, village committees or clubs. The independent expert's study provided an opportunity to involve children in programmes to combat violence in schools and in the community at large. Such participation was essential both to understand the extent and characteristics of violence affecting children and to design effective reporting systems that children could trust.

19. The Commission on Human Rights should therefore urge all States to inform children, and the public at large, of the progress of the study so as to help create broad public discussion, to emphasize the campaign against violence against children in national plans of action and to provide financial support to the study secretariat.

20. Ms. SALANUEVA (Federation of Cuban Women), speaking also on behalf of the International Democratic Federation of Women and the Solidarity Organization with the Nations of Africa, Asia and Latin America, demanded the right of her daughter, who had been born in the United States, to visit her father, who was unjustly imprisoned for having fought against terrorism. She condemned not only the sentencing of five Cubans to heavy punishments for trying to prevent terrorist acts organized and financed on the territory of the United States with the complicity of its Government, but also the fact that hatred of the Cuban revolution had been turned against their families, and in particular their children, who were too young to understand. It was for adults to defend the rights of the children of the five Cubans detained in the United States, who were being prevented from visiting their fathers in prison as a reprisal and an attempt to stifle the spirit of resistance so often shown by their fathers, heroes of the Cuban Republic. One day men would not have to sacrifice their lives and those of their children to protect an entire people against terrorism. She demanded the right of the children of Cuban detainees to grow up alongside their fathers.

21. Ms. GUERRERO BORREGO (Centro de estudios sobre la juventud), speaking also on behalf of the National Union of Cuban Lawyers, said that children constituted one-fifth of the population in Cuba and a large part of the national budget was devoted to them. They were the beneficiaries of social programmes, whereas elsewhere in the world 135 million children between the ages of 7 and 18 received no education. If the world contribution to measures to prevent AIDS did not increase, 45 million people in 126 countries would be infected in 2010. Every year more than 5 million persons became HIV-positive, half of them between the ages of 15 and 24. The situation was quite different in Cuba, where everything was being done to protect the health of children and adolescents and more and more young people were being trained at university in disciplines which would help improve the quality of life of human beings. In particular, medical students from Latin American countries were being trained in Cuba. Students from Honduras were ashamed of their Government's attitude to Cuba which, during disasters, had provided unselfish aid to that country. Many women were dying in Honduras following childbirth and many children, too, did not reach the age of 7. The Cuban Government would continue to show solidarity with the Honduran people, despite the attacks and offensive criticisms of the present Honduran President.

22. In 2000, the organizations on whose behalf she was speaking had demanded the release of young Elián González Brotón. Today, they were defending the right of the children of the five unjustly detained Cuban heroes to live with their fathers. Cuban children were writing to those heroes to express their support. Children should not be involved in such situations, yet they stood alongside adults in that battle of ideas.

23. Mr. MESSERLI (World Organization against Torture - OMCT) said that OMCT was very concerned about the failure both of the judiciary and of administrative authorities to react promptly to allegations of ill-treatment or torture of children in police stations, detention centres and other public institutions in many countries. In such cases, urgent measures should be taken not only to fight impunity but also to prevent further abuses. In its resolution on the rights of the child, the Commission should urge States to suspend immediately, for the duration of the investigation, any official suspected of having committed acts of ill-treatment against children. Subsequently, if he was found guilty, he should be barred from any position in which he might be in contact with children. In many countries, however, guilty officials were simply given a warning or were transferred to another post where they continued to work with children where their past acts were not known. Those practices were irresponsible and criminal.

24. OMCT also recommended that where officials were found guilty of serious human rights abuses, the staff composition of the institution concerned should be thoroughly reviewed and appropriate child protection measures adopted, implemented and monitored. For their part, the victims should receive reparation and psychological and medical support.

25. Lastly, OCMT believed that, in view of its importance, the final in-depth study on violence against children should be submitted not only to the Human Rights Commission but also to the General Assembly so that it might have the desired impact.

26. Ms. HAMOUDA (International Federation Terre des Hommes) said that child trafficking was a universal problem which inflicted extreme anguish on its victims, most of which was caused by traffickers and exploiters but which sometimes also resulted from the actions of the police and government agencies. International Federation Terre des Hommes, which had long field experience in the matter, had several recommendations on how to combat child trafficking. Firstly, any action must be based on the actual experience of the children concerned and take account of their views and real needs, since cases varied and there was no standard solution. Secondly, account must be taken of the diversity of ways in which trafficking and exploitation occurred and of the sex and age of children, as well as such factors as why and how they had left home and who was paying their exploiters, and steps must be taken to ensure that efforts to stop child trafficking were not counter-productive and, especially, that children were not harmed once they were freed, for instance if they were placed in a home or deported. Thirdly, coordination among the various programmes to combat child trafficking should be improved.

27. Mr. PERLA (General Conference of Seventh-day Adventists) expressed concern that some States parties to the Convention on the Rights of the Child did not respect the basic right to religious freedom that was expressly laid down in its articles 14 and 30. In order to help children suffering poverty, illiteracy, ill-health, exploitation and violence, the General Conference of Seventh-day Adventists had formulated an official statement affirming that children had the right to a stable and protected home filled with love, the right to adequate food, clothing and housing, the right to appropriate medical care, the right to education preparing them to play a positive role in society, the right to religious and moral education, the right not to be subjected to discrimination and exploitation, and the right to an identity, respect and the positive development of self-esteem. The General Conference called upon all States to reaffirm their determination to ensure that the Convention was not merely a list of good intentions but became an instrument that enabled real progress to be made in the welfare of the world's children.

28. Ms. BRETT (Friends World Committee for Consultation (Quakers)) said that her organization had analysed the reasons why adolescents volunteered for armed forces or groups and had identified five major interdependent factors: war, poverty, education, employment and the family. War usually provided the opportunity. Poverty was an important but not decisive factor: many more poor children did not become soldiers than did, even in war zones. What was true, however, was that children who were not living in poverty rarely became child soldiers. Education and the search for employment were dominating influences. The most underestimated, and perhaps determining, factor was the family. Many adolescents were running away from a family environment in which they were being abused or exploited. If there was to be sustained success in the campaign against the recruitment of child soldiers, it was essential, in addition to taking legal steps, to address those factors.

29. Ms. DE CARLOTTA (International Movement for Fraternal Union among Races and Peoples) drew attention to the development of the situation concerning the plight of 30,000 persons who had disappeared and hundreds of children who had been abducted in Argentina between 1976 and 1983. The new President of the Republic, elected in 2003, had shown his desire finally to end impunity. On 12 August 2003, the Duty of Obedience Act and the Amnesty Act (*Punto final*) had been annulled, enabling those responsible to be brought to trial. On the President's proposal, a bill providing for compensation to be paid to the child victims had been submitted to Parliament. In addition, it had been officially decided to turn one of the most sinister concentration camps of the era of dictatorship into a Memorial Museum. The opening of the archives of the armed forces and security services would throw light on the aberrations of the dictatorship. That political springtime gave cause to hope that every disappeared person could be found and that every child who had been abducted could regain his rights.

30. Ms. CANEPA (Human Rights Advocates) said that the abolition of the death penalty for juvenile offenders had virtually become an essential norm of international law. In the past 10 years, there had been only eight executions of juveniles outside the United States. Iran had adopted a law prohibiting that practice in December 2003, although there had been a reported execution in January 2004. A minor, whose age had not been confirmed, also appeared to have been executed in China in 2003. The United States remained the country in which most juveniles had been executed – nine since 2000. However, the situation had improved recently, notably because of pressure from the international community and the Commission. Several states had already adopted laws prohibiting the death penalty for juveniles, and only one execution had occurred in 2003. There was increasing scientific evidence that the brains of juveniles under the age of 18 were not sufficiently developed to enable them to be fully responsible for their actions. Life imprisonment of a juvenile without the possibility of release was therefore also a violation of human rights, and the Commission should recognize it as such. Human Rights Advocates also requested the Commission to recognize the prohibition of the execution of juvenile offenders as an essential norm of international law (*jus cogens*) and recommended that States should take the necessary measures to enforce laws prohibiting the death penalty for juveniles, including effective procedures to determine the age of offenders.

31. Mr. de PATER (Jubilee Campaign) drew the Commission's attention to the tragic plight of street children in Brazil, four or five of whom were killed every day. Such carnage flourished in a climate of fear, silence and official collusion. It was encouraged by the general proliferation of small arms and made worse by the emergence of a drug culture, with its accompanying trafficking and armed rivalry. The conditions in which children were arrested and detained were particularly appalling. The abject poverty that prevailed in the favelas must be addressed by rethinking public housing and health and education programmes, and developing the entrepreneurial capacity of the individual. The Brazilian Government should be encouraged to learn the best practices for the protection of children and adolescents and the provision of security for witnesses, journalists and human rights organizations.

32. Ms. KONGBANYI (Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples – CIRAC) said that the serious crisis affecting the Democratic Republic of the Congo was having tragic consequences for children, many of which had been left to their own devices, were becoming easy prey for armed or mafia sects or groups and were particularly exposed to sexual violence, especially girls. Unfortunately, the programme for children's disarmament, demobilization, reintegration, rehabilitation and repatriation was not yet producing the results expected.

33. Consequently, CIRAC and the Congolese Human Rights Observatory recommended that the Government of the Democratic Republic of the Congo should prepare a national plan for children, establish rehabilitation centres for the victims of sexual abuse, especially persons infected by HIV/AIDS, monitor the compliance of the constitutions of churches and prayer groups with the law on non-profit organizations, provide all children with access to primary education and medical care and fully restore the authority of the State throughout the country. They recommended that the Commission on Human Rights should extend the mandate of the Special Rapporteur to cover the situation of children in the Democratic Republic of the Congo and that the international community should establish an international judicial mechanism for the Democratic Republic of the Congo that would take account of cases of sexual abuse deemed to be war crimes committed before July 2002 and should support the activities of NGOs.

34. Mr. MOHAMADI (Organization for Defending Victims of Violence) said that armed conflicts left deep scars in society that especially affected children. In Iraq, many child soldiers under five years of age were severely malnourished, and although the war had been unleashed to establish democracy it would not lessen their suffering. In a short period of time hundreds of children had been killed in the Israeli-Palestinian conflict. War also had lasting effects on the environment: 15 years after the end of the Iran-Iraq war, the highest rate of child cancer was to be found in the regions directly affected by the conflict. His organization expressed its deep concern at those tragic situations and, in the name of respect for the inherent dignity of human beings, called on all States to accede to the Optional Protocol to the Convention on the Rights of the Child on children and armed conflict. At a time when, in the age of technology, malnutrition was threatening the lives of millions of children and thousands of other children were being deprived of their civil rights because they had not been registered properly at birth, when the number of street children, epidemics, sale of organs and child prostitution were all increasing, States and international institutions must give priority attention to the rights and welfare of children and must assume their responsibilities.

35. Mr. NAVARRO MARTINEZ (World Federation of Democratic Youth) noted that only a small proportion of the children to whom the 1959 Declaration of the Rights of the Child had promised special protection to enable them to develop in a healthy and normal manner were able to exercise that right. Many had died without having the time to develop, while most were among the 854 million illiterates, the 842 million starving and the 1,200 million living in extreme poverty; some were seated in the room where the Commission on Human Rights was meeting and had the moral responsibility actually to defend the rights of children of past, present and future generations.

36. His organization condemned the violation by the United States of the rights of the young Cuban girl, Ivette Gonzalez, who was cruelly being prevented from seeing her father, a political prisoner. It deplored the situation of many Honduran children who were unable to attend school because of poverty. It strongly condemned all injustices committed against children who were, in the words of the Cuban poet José Martí, the hope of the world.

37. Ms. PHILPOT-NISSEN (World Vision International), speaking also on behalf of Human Rights Watch, urged the Commission to address the alarming escalation of child abductions in situations of armed conflict by adopting a strong, action-focused resolution to combat such abuses. Abductions of children had been reported in many African conflicts, including northern Uganda, the Democratic Republic of the Congo, Liberia, Burundi and Côte d'Ivoire. The escalating violence and constantly deteriorating humanitarian situation in northern Uganda were

extremely worrying, and following the example of the Secretary-General's Representative for Displaced Persons, she appealed for a national policy on internally displaced persons to be adopted and implemented without delay. The Office of the High Commissioner for Human Rights, together with UNICEF and other relevant United Nations agencies, should devote urgent attention to that region, as Mr. Vieira de Mello had done personally, and strengthen monitoring of other regions where children were victims of abduction.

38. World Vision International and Human Rights Watch recommended that the Secretary-General should use his good offices to intervene in the worst situations of child abduction, that the relevant special rapporteurs, special representatives and independent experts should pay particular attention to that phenomenon, that Member States should end financial or military aid to parties to an armed conflict which abducted children, and that the Commission should request that a report on progress made concerning the abduction of children should be submitted to its sixty-first session.

39. Ms. VUKOVIC (Permanent Assembly for Human Rights) said that, while she welcomed the incorporation of the Convention on Human Rights into the Constitution of Argentina, she was concerned about the non-conformity of its domestic legislation with the provisions of the Convention. For instance, Argentinian street children were systematically placed in institutions far from their families and deprived of their freedom, contrary to those provisions. In the circumstances of poverty, uncertainty, violence and social inequality currently prevailing in Argentina, it was of course impossible to implement the Convention. It was therefore important for Argentina to create economic and social conditions conducive to respect for the rights of the child. In accordance with the Vienna Declaration and Programme of Action, mechanisms and national and international programmes for the defence and protection of children, especially children in particular difficulty, should be strengthened. Her organization recalled the Commission's statement, in its resolution 2003/86, that "the family is the basic unit of society and as such should be strengthened".

40. Ms. DEHOY (Anti-Slavery International) drew the Commission's attention to the plight of Rohingya Muslim children in the Northern Rakhine state of Myanmar. The regime continued to subject those children to a policy of ethnic discrimination and exclusion through a series of measures designed to impede their development and family growth. They were confined to their villages, often deprived of health care and education, their access to food was restricted so as to make them leave, formalities relating to marriage, registration of births, house building and home repairs were becoming increasingly difficult, and many children were subjected to forced labour. That treatment was in blatant breach of Myanmar's obligations under the Convention on the Rights of the Child. Anti-Slavery International asked the Commission to address those discriminatory practices with the Government of Myanmar and urge it to ensure respect for the fundamental rights of those children.

41. Mr. CRISMO (Families of Victims of Involuntary Disappearance – FIND) said that since signing the Convention on the Rights of the Child in 1990 the Philippines had adopted some measures to protect and promote children's rights, but much remained to be done, especially to help children who were victims of involuntary disappearance. Those children were part of the category of children in armed conflict, as were those who had been arrested, detained, tortured and raped or who had witnessed the killing of their families. Most were poor and lived in complete destitution in war-torn areas. Some had seen their parents abducted or arrested and had gone through untold suffering searching for them or simply waiting for them to return.

Compelled to find work to survive, they often became victims of the worst forms of labour. Such experiences led to a culture of violence and prevented the healthy development of children. It was essential for governments to put in place systems and programmes to provide rehabilitation for those children and their families, care, appropriate educational assistance and the means of subsistence.

42. Ms. MU Hong (All-China Women's Federation) drew the Commission's attention to the situation of children in the United States. She noted that 10.4 per cent of minors in the United States were living in poverty, 400 persons had been charged over the past 18 months with making and spreading child pornography on the Internet, at least 5,000 children who had gone to the United States to join their families or because they were fleeing wars had been imprisoned for months or even years and had been subject to abuse. Although the United States claimed to be a free and democratic country, it had not ratified the Convention on the Rights of the Child, and child protection there fell far below international standards.

43. The All-China Women's federation therefore called upon United Nations agencies and the international community to continue to urge the United States to ratify the Convention, fulfil its commitments with respect to the rights of the child and substantially to improve assistance, rehabilitation and reintegration services for children who were victims of trafficking.

44. Mr. SHAEEN (International Institute for Peace) said that, in addition to the numerous child soldiers being used in armed conflicts, at least 2 million girls aged between 5 and 10 were sold every year as sexual slaves. Sexual exploitation of children was an important factor in the spread of HIV/AIDS. At the end of 2002, more than 3 million children under the age of 15 had been infected and more than 610,000 had died of AIDS. The number of children orphaned by the epidemic would more than double by 2010.

45. One of the worst ways of foreclosing the future prospects of children was to deprive them of a modern education that also taught them about hygiene and health. That was happening in Pakistan, where many children studied in madrassas, where they received a fundamental religious education and were even sometimes subjected to sexual exploitation. The Special Rapporteur on Torture had asked the Government of Pakistan to investigate several cases of the sale of children, child prostitution and child pornography, but had received no reply. The Committee on the Rights of the Child had expressed its concern at the use of corporal punishment in schools and the conditions of detention of children in Pakistan.

46. Ms. TOLEDO (Latin American Association of Relatives of Disappeared Detainees - FEDEFAM) said that under the dictatorships that had existed in Latin America, some children had disappeared with their parents, others had been born in captivity and still others had been conceived but it was not known whether they had ever been born. The children who had survived were now men and women who were seeking their identity, with the help of such organizations as Grandmothers of May Square in Argentina and the Prebúsquada association in El Salvador.

47. FEDEFAM was also concerned about the plight of children who were dying of hunger, especially as a result of adjustment plans, street children, who were an easy prey for drug traffickers and pimps, child soldiers (in Colombia, for instance, 1,000 children were being recruited by the army and the guerrilla forces) and children in conflict with the law who, in countries such as Colombia, were put in correctional institutions that were veritable crime schools. Lastly, FEDEFAM requested the Commission to invite States to take the necessary

measures to ensure respect for the rights of the child as set out in the Convention on the Rights of the Child.

48. Ms. RAHOELISON RAZAFIARISOA (World Alliance of Women's Christian Unions) deplored the violence resulting from the patriarchal system and globalization, of which children were the victims in their families, society and the street. That violence took various forms. Many children suffered from malnutrition and died from it, often very young, and had no access to drinking water or education. In addition, 150 million children were compelled to work in dangerous and unhealthy conditions, 1.5 million were drawn every year into the sex trade and 6 million became disabled in wars which now caused more deaths among children than among soldiers. Many children were abducted by armed groups to serve as cheap labour for drug traffickers or pimps or to work as domestic servants.

49. Her organization urged governments to assume their responsibilities for the protection of children's rights and to take the necessary measures, including legal measures, to ensure respect for those rights.

50. Mr. NETTER (B'nai B'rith International) said that in many parts of the world parents educated their children to hate and, in many cases, asked them to sacrifice their lives for a cause they were incapable of understanding fully. That was a flagrant violation of article 26 of the Universal Declaration of Human Rights, which stipulated that education should promote understanding, tolerance and friendship among all nations, racial and religious groups. The Commission should therefore address the matter urgently, since it affected the future of today's children and tomorrow's societies. Those manipulated children would perhaps be leaders one day. The Commission should include a specific reference to that issue in its resolution on the rights of the child and appoint a special rapporteur to investigate educational practices that encouraged suicide or martyrdom, for whatever political cause.

51. Ms. MILADI (National Union of Tunisian Women) said that Tunisia had been one of the first countries to ratify the Convention on the Rights of the Child and one of the few to have adopted a code of the rights of the child which took account of the country's aspirations to modernity while at the same time respecting its history and culture.

52. The Tunisian Government had established an information, training, documentation and study observatory on protection of the rights of the child and was planning to set up a family court. In addition, the Personal Status Code had been revised in 1993: a child born of a Tunisian mother and non-Tunisian or unknown father could now obtain Tunisian citizenship, and all children born out of wedlock had the right to a name. A care centre for women and children in distress had been opened and posts of regional child protection commissioner had been established in each governorship. A higher national council for the disabled was studying measures to protect the rights of the disabled. As to education and health, school enrolment of children aged between 6 and 16 was 99.4 per cent and the rate of child mortality was 24 per thousand. It was also planned to connect all schools to the Internet by 2005. Children were initiated into the management of public affairs in the Children's Parliament and children's municipal councils. Lastly, the National Union of Tunisian Women assured Palestinian children of its unflinching support.

53. Mr. CHOEPHEL (International Union of Socialist Youth) said that the Special Rapporteur on Education portrayed a grim picture of the educational situation of Tibetan children in her

report (E/CN.4/2004/45/Add.1). For the purpose of “civilizing” them, the Chinese authorities were imposing on those children an educational system that totally ignored Tibet’s history, culture, language and religion. That was why hundreds of Tibetan children fled the country every year to go to India, where Tibetan schools provided modern and traditional education. In 1996 the Committee on the Rights of the Child had expressed concern about the inadequacy of the education provided to Tibetan pupils by the Chinese authorities (CRC/C/15/Add.56, para. 19).

54. Another matter of concern to his organization was the education being received by the young Panchen Lama of Tibet in China, where he had been detained since May 1995. It urged the Chinese authorities to authorize the Committee on the Rights of the Child to visit him. In addition, it wished to inform the Commission that three of its young Tibetan members had started an indefinite hunger strike at the United Nations Headquarters in New York on 2 April 2004 and urged it to adopt a resolution condemning China’s grave violation of human rights in Tibet.

55. Mr. DIKE (Center for Economic and Social Rights) said that the United States and Somalia were the only two countries that had not yet ratified the Convention on the Right of the Child. The United States claimed that its laws provided sufficient protection for children, but the reality was quite different. About 12 million children were living in poverty in that country and about 1.35 million children were homeless at one time or another over the course of a year. Huge educational disparities based on race continued to exist. In New York, 97 per cent of children in foster care were black or Hispanic. Black children were twice as likely as white children to be taken away from their parents because of ill-treatment. In the criminal justice system, many more black and Hispanic children than white children were in conflict with the law and were often tried as adults.

56. The Center for Economic and Social Rights therefore urged the United States to ratify the Convention on the Rights of the Child. While commending its decision to ratify the Optional Protocol on children and armed conflict, his organization reminded it of the disastrous consequences of war and foreign occupation for children who, when they faced them, grew up in hatred for those they believed responsible for their situation. The Center for Economic and Social Rights urged the United States to put the welfare of children at the heart of its policies, and asked the Commission to hold the United States accountable for the violations of human rights it committed on its territory and abroad.

57. Ms. AL-ARAFI (Interfaith International) said she felt honoured to be able to address the Commission without being harassed by agents of the previous Iraqi régime. Over the past three decades many Iraqi children had had to face poverty, inadequate health services and poor-quality education. One child in four under the age of 5 was chronically malnourished and one in eight died before the age of 5. The new Government should therefore devote special attention to children and, in particular, take vigorous measures to achieve a drop in child mortality, eliminate child labour, increase the enrolment rate in primary schools and provide special assistance to the many children who had been traumatized by wars, poverty and human rights abuses, including the assassination of their fathers.

58. One year after the end of the war, Iraqi women and children were witnessing bloody attacks perpetrated daily by terrorists. Interfaith International was very concerned about the way in which the coalition provisional authorities were handling the issue of security in Iraq, where many innocent people, including children, were victims of terrorism and landmines.

59. Interfaith International urged the international community in general and the Commission on Human Rights in particular to continue to work for the protection and promotion of the rights of women and children.

60. Ms. JEONG (A Woman's Voice International) drew the Commission's attention to the systematic violations of children's rights in the Democratic People's Republic of Korea. According to many Western NGOs, the food aid provided to North Korea did not reach the most vulnerable population group, children, and especially homeless children who had been placed in "detention camps", where many died of malnutrition. In addition, children in North Korea were compelled to attend public executions, which traumatized them for life. In health and education, there were serious discrepancies based on political opinions or the social class of parents.

61. In view of those circumstances, A Woman's Voice International requested the Commission to appoint a special rapporteur to investigate violations of the rights of the child in North Korea.

62. Mr. FRANK (Liberal International) condemned the lack of any measures by the Cuban Government to ensure the well-being of Cuban children and guarantee their rights. After their seventh birthday, children in Cuba were no longer entitled to receive milk rations, while adolescents continued to be sent to country schools where they spent long hours working in the fields without supervision and lived in promiscuity. In addition, there was a shortage of medicines for sick children, the problem of child prostitution was assuming alarming proportions, children were being subjected to political indoctrination and the Government promoted abortion. That was why the Cuban Government refused to allow visits by representatives of the Commission, Amnesty International or Human Rights Watch and had still not authorized the International Committee of the Red Cross to visit political prisoners. It was time for all Cubans in the country and abroad to react so as to give Cuban children hope for a better future.

63. Ms. ESPINOZA (Research Center for Feminist Action- CIPAF) said that two months previously an adolescent had been murdered with sticks and knives by three schoolmates in a school in Santo Domingo because he was gay. It was incumbent on the international community and governments to take measures to prevent crimes based on sexual orientation. For its part, the Commission should recognize the right of children and adolescents to full education on those matters and the right of adults to express their sexuality according to their own inner being. Refusing to acknowledge the existence of various forms of sexuality contributed neither to the struggle for peace nor to respect for diversity. The lack of an integrated and non-prejudicial sexual education led to confusion, loneliness, isolation, anxiety and stress for adolescents who discovered that they were homosexual, bisexual or transsexual. In some cases they even committed suicide.

64. CIPAF recalled that in ratifying the Convention on Human Rights States parties undertook to prepare children for responsible life in a free society, in a spirit of understanding, peace, tolerance, equality of sexes and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.

65. Ms. van HAREN (Association of World Citizens) drew the Commission's attention to the increasing difficulties facing asylum seekers in many countries of Western Europe and the consequences for the health and well-being of the children who were directly or indirectly victims of that policy of rejection. In the Netherlands, for example, many asylum seekers whose

applications had been rejected were deprived of all aid and, when they decided to remain in the country illegally, lived in extremely difficult conditions which seriously, and sometimes irreversibly, affected the psychological and physical well-being of their children. Those children were deprived of housing, adequate food, health care and often also education. In some cases, entire families who been in the country for decades were expelled, and their children born and raised in the Netherlands were thus returned to countries they did not know, whose language they did not speak and where girls were sometimes subjected to forced marriages.

66. The Association of World Citizens therefore asked governments to acknowledge that their immigration policies were a deliberate violation of the human rights of children in their countries of origin or in the country not granting asylum, and urged the Special Rapporteur to devote special attention to the situation of children of immigrants and asylum seekers who had been expelled or refused entry.

67. Mr. BROWN (International Humanist and Ethical Union) said that his organization was concerned about the many violations of children's rights committed in the name of religion. In India and Africa, children were married against their will. In Nepal, girls aged 4 were made "living goddesses" or "*kumaris*". In Bhutan and Pakistan, young children were sent to monasteries and madrassas. In many African countries, genital mutilation was practised on girls. Elsewhere, children were recruited to take part in "holy" wars. Members of the Catholic clergy engaged in acts of paedophilia. In India, a very influential self-proclaimed sage, Satya Sai Baba, reportedly committed indecent assault against minors brought to him. UNESCO and the United Kingdom and United States authorities had expressed indignation at those accusations, which should be thoroughly investigated. The International Humanist and Ethical Union urged the Commission and States parties to the Convention to deal with the cruelty inflicted on children in the name of religion in the same way as other forms of cruelty.

68. The CHAIRPERSON declared the general debate on agenda item 13 closed.

SPECIFIC GROUPS AND INDIVIDUALS: (a) MIGRANT WORKERS; (b) MINORITIES; (c) MASS EXODUSES AND DISPLACED PERSONS; (d) OTHER VULNERABLE GROUPS AND INDIVIDUALS (agenda item 14) (E/CN.4/2004/71-75, 76 and Add.1-4, 77 and Add.1-4, 78 and Add.1, 119, 122; E/CN.4/2004/G/15, 17, 32; E/CN.4/2004/NGO/20, 22, 23, 61, 63, 67, 75, 87, 90, 97, 115, 137, 148, 178, 188, 209, 215, 216, 233, 234, 235, 242, 249, 250, 251, 252; A/58/118 and Corr.1, 161, 255)

69. Mr. DENG (Representative of the Secretary-General on Internally Displaced Persons), introducing his report (E/CN.4/2004/77 and Add.1-4), said that, despite the efforts of the international community, the number of internally displaced persons remained at 25 million. In 2003, although 3 million persons had been able to return home, 3 million had also been displaced.

70. In discharging his mandate, he had from the outset tried to find a balance between the legitimate concerns of governments about State sovereignty and the needs of displaced persons for protection and assistance. That required a constructive dialogue based on the recognition that displacement was by definition a problem that related to State sovereignty, which must be respected, but the concept of responsibility also required the State to provide to those under its jurisdiction the protection they needed, if necessary in cooperation with the international community.

71. Over the years, he had established six major areas or pillars of activity pursuant to the guidelines of the Commission and the General Assembly. The first was advocacy and awareness-raising. Progress had been made in that area, but much remained to be done to raise awareness among the public and authorities that an effective and comprehensive response to internal displacement was urgently needed. The second had been the development and application of the Guiding Principles on Internal Displacement. He had been gratified by the acceptance the Guiding Principles had received at the national, regional and international levels. The third pillar related to institutional arrangements. In that area, the international community had opted for the approach of inter-agency collaboration. However, studies had revealed gaps in that form of response. To make it more efficient, the leading role of the Emergency Relief Coordinator in the coordination of the efforts of operational agencies and organizations should be strengthened. Donor countries should also provide adequate financial support.

72. Country missions and dialogue with governments constituted the fourth area of activity. He had undertaken missions to Uganda and Russia, which were described in addenda 1 and 2 to his report. He was gratified by the Ugandan Government's desire to put in place a comprehensive national policy on internal displacement and also noted with satisfaction the Russian Government's statements affirming that it wished to guarantee the right of displaced persons to voluntary return and to provide adequate alternative housing in Ingushetia or elsewhere for those who did not wish to return to Chechnya. He thanked the Governments of those two countries for their invitations and the cooperation they had extended to him. With respect to regional activities, he drew the Commission's attention to the conference which he had organized in Sudan in September 2003, in conjunction with the Inter-governmental Authority on Development and the Internal Displacement Unit of the Office for the Coordination of Humanitarian Affairs. The conference had resulted in a ministerial declaration recognizing the gravity of the problem of displacement in the sub-region, the need for cooperation and the usefulness of the Guiding Principles. The conference on internal displacement in Latin America, held in Mexico City in February 2004 in cooperation with the Brookings-SAIS Project, had developed a framework for action intended to provide guidance and assistance to governments, civil society and international and regional actors in addressing internal displacement in the Americas.

73. The fifth pillar was local capacity-building through cooperation with national and local entities. Over the years he had cooperated, through the Brookings-SAIS Project, with NGOs, academic institutions, associations of internally displaced persons, lawyers' associations and human rights institutions to develop projects to assist displaced persons in a local context. The sixth pillar was research to achieve practical results that could be applied in the field. That research had been carried out with the assistance of the dedicated staff of the Brookings-SAIS Project and had covered such issues as national responsibility, peacekeeping, protection of displaced persons, the application of the Guiding Principles and the question of when displacement ended.

74. In conclusion, he wished to thank all those who had helped him to carry out his work and, in particular, the co-director of the Brookings-SAIS Project, Roberta Cohen, the Governments and foundations that had funded the Project, the Commission on Human Rights, the General Assembly, the Secretary-General, the Emergency Relief Coordinators, the Office of the High Commissioner for Human Rights and all international humanitarian and human rights organizations. He appealed to the international community to continue working for displaced

persons, in the light of the Guiding Principles and in the framework of the approach based on cooperation, avoiding the twin pitfalls of complacency and pessimism.

75. Mr. LANCHIKOV (Russian Federation) thanked the Secretary-General's Representative on Internally Displaced Persons for the report on his mission to Russia (E/CN.4/2004/77/Add.2) and assured him that his comments and recommendations would be carefully studied by the Russian Government.

76. Mr. IRUMBA (Uganda) thanked the Representative of the Secretary-General for the objective manner in which he had recorded his findings following his mission to Uganda, which was described in his report (E/CN.4/2004/77/Add.1). Referring to some of his conclusions and recommendations, he noted that the Ugandan Government had always encouraged initiatives such as that proposed for the appointment of a mediator to bring the Government and the Lord's Resistance Army (LRA) together for peace talks. The Carter Center, Ugandan religious leaders and Father Egidio Mateo had acted as such in Uganda, but the LRA had never responded to their proposals, probably because it had no known political agenda. The Ugandan Government was therefore in favour of that proposal if a mediator could be found who could convince the rebel movement to end its demands. That was the only way to achieve a final and lasting solution to the problem of displaced persons in Uganda. Substantial progress had been made to prevent rebel activity, a peace process had started in southern Sudan, the Government had established a national policy for displaced persons and greater security was also to be provided to protected villages. The Ugandan Defence Forces had managed to save a large number of kidnapped children and return them to their families or to the local authorities. The Government was also trying to provide protection and assistance to "night commuters", mostly children, who left their villages every evening to sleep in towns to escape being abducted, and he thanked NGOs and other donors who had provided them with tents and blankets.

77. Lastly, the Ugandan Government was ready to continue the dialogue it had started with the Representative of the Secretary-General through his visits or the exchange of information on the situation of displaced persons. It asked the Secretary-General to use his good offices to mobilize resources for rehabilitation of the war-ravaged districts of northern Uganda.

78. Mr. NOONAN (Ireland), speaking on behalf of the European Union, thanked the Representative of the Secretary-General for his efforts over recent years to improve the situation of displaced persons in many countries. He would like to know what gaps needed to be addressed and measures taken for the collaborative approach which he recommended to produce an effective international response to the crisis of displaced persons. While noting the encouraging trend for an increasing number of countries to follow the Guiding Principles on Internal Displacement, he wondered whether those who worked with displaced persons were sufficiently familiar with the standards relating to their protection and what measures the Representative of the Secretary-General had in mind to inform them and make displaced persons themselves aware of their rights. Also, as the Representative of the Secretary-General continually stressed in his reports the need to address the root causes of displacement, it would be useful if he could elaborate on what that entailed. Lastly, the European Union would like to know what the priority areas were for his future research on displaced persons.

79. Ms. DESMARAIS (Canada) expressed appreciation for the outstanding work of the Representative of the Secretary-General, particularly during his missions to certain countries, and his valuable contribution to ongoing normative development. Canada, which had had the

pleasure of welcoming Mr. Deng in November 2003 as part of the launch of the Consolidated Appeal, wished to know whether he felt that the activities of governments and United Nations agencies was tending to improve the protection of internally displaced persons.

80. Mr. VIGNY (Observer for Switzerland) asked what was the real impact of the incorporation of the Guiding Principles on Internal Displacement into the elaboration of national, regional and international policies, and how the Representative of the Secretary-General intended to support national measures. The Swiss delegation would also like to know what were the most serious difficulties that he faced during his visits to countries and what opportunities he had to resolve them.

81. With respect to the recommendations contained in his reports on his missions to Uganda and the Russian Federation, the Swiss delegation would like to know how Mr. Deng intended to verify how they had been followed up and the extent to which the relevant United Nations bodies and mechanisms could participate in their implementation.

82. Mr. DENG (Representative of the Secretary-General on Internally Displaced Persons), replying to the questions asked, said that intensive work had been carried out to identify the gaps in the collaborative approach and determine ways of addressing them. The most important one concerned protection, an issue that was regarded as being particularly sensitive and political, so that most humanitarian and development organizations had not really encouraged governments to attach as much importance to it as to assistance. The situation was, however, beginning to improve because they were aware of the link between protection and assistance and the impossibility of providing assistance to people without at the same time trying to assist them. After studying the problem, the Emergency Relief Coordinator had made some recommendations to solve the problem.

83. It should be pointed out that the Guiding Principles had been widely accepted, the necessary institutional arrangements had been put in place and the efficiency of the system had now to be ensured by resident representatives and, more particularly, by the National Team. Measures had been adopted to disseminate the Guiding Principles and governments had amended their laws and policies as a result. Since they were based on international human rights law, international humanitarian law and refugee law, whether or not the Principles were binding was secondary. The most important thing was that they should be authoritative, that their value should be recognized and that they should therefore be effectively applied.

84. Since internal displacement was caused by other human rights abuses which were themselves indicative in many countries of problems that were more structural in nature, it was essential in each case of displacement to try and determine the fundamental causes and the deeper latent problems which resurfaced in that way.

85. The problems encountered during missions were caused by the fact that governments changed and were increasingly receptive, and that United Nations agencies and humanitarian and development organizations must adapt to those changes if they were to provide appropriate assistance to the countries concerned.

86. Lastly, the implementation of the recommendations that had been made was monitored by the National Team and the Emergency Relief Coordinator, on the one hand, and during further evaluation visits to the country concerned, on the other. Those visits had sometimes proved highly effective.

87. Mr. RAMCHARAN (Acting High Commissioner for Human Rights) joined those who had thanked Mr. Deng, who had been the spokesman for internally displaced persons since his appointment in 1992. Throughout his mandate he had succeeded most effectively in making the international community aware of the problem of internally displaced persons, which affected more than 25 million persons in the world. His main achievement had been the preparation of the Guiding Principles, based on existing principles of international humanitarian law, international human rights law and refugee law, which formed an overall framework for the protection of displaced persons. Over the years, the General Assembly and the Commission on Human Rights, as well as many of their partners, had acknowledged the value of those Principles as an appropriate tool and standard for resolving the question of internal displacement. United Nations bodies and programmes had also adopted them widely and were implementing them in their activities to help displaced persons. The work done by Francis Deng had played a part in the development of positive cooperation with States affected by that problem and in enhancing the activities of international institutions to resolve it, and had made a better understanding of the phenomenon of internal displacement possible. He thanked Mr. Deng warmly and also associated himself with the tribute which he had paid to Roberta Cohen, who had been a real pioneer in the field.

88. Ms. KHALIFA BIN-AHMED AL-THANI (Special Rapporteur on Disability of the Commission for Social Development) said that increased awareness of the link between disability and human rights had led United Nations agencies, governments and civil society to make greater efforts to promote the rights of the disabled. The Standard Rules for Equalization of Opportunities for People with Disabilities, adopted by the General Assembly in 1993, had served as a guide for States members in the preparation of national plans and programmes aimed at ensuring that disabled people could participate in social life at all levels. The first Special Rapporteur appointed to monitor implementation of the Rules, Mr. Bengt Lindquist, had tried to accomplish his task through direct dialogue with States and NGOs and with the support of a group of experts made up of representatives of NGOs in consultative status with the Economic and Social Council. In his last report, he had stressed the need to develop the Rules further so as to emphasize the question of disabled children and women and the integration into society of, for example, those suffering psychiatric problems.

89. Following her appointment in June 2003, she had herself begun by setting up an office in Doha (Qatar) and had taken part in the second meeting of the Ad Hoc Committee of the General Assembly to prepare a convention on the rights of the disabled; subsequently, in October 2003, at the invitation of the World Blind Union, she had attended a subregional meeting concerned with eliminating the obstacles facing poorly-sighted women and girls in education and employment. She listed several seminars and meetings which she had attended in various countries, including the January 2004 meeting of the Working Group to prepare a draft convention for submission to the Ad Hoc Committee of the General Assembly in May/June 2004. It had been extremely useful to meet representatives of United Nations agencies, governments and organizations for the disabled so as to become acquainted with their work and seek their views and ideas on ways of promoting the Rules and the human rights of the disabled in general.

90. During the past 10 years, the implementation of the principles set out in the Rules had greatly contributed to the dissemination of better practices, but it had also made it possible to identify their limits and certain shortcomings. The supplement proposed to the Rules put forward by the previous Rapporteur placed greater emphasis on issues which had not been sufficiently developed earlier, for example an adequate standard of living and poverty reduction, housing,

including the question of being placed in an institution, medical care, access and communication matters, staff training, abuse and ill-treatment of the disabled and invisible disablement, and it suggested new legislative and national policy initiatives.

91. However, since the process of considering and preparing a convention on the rights and dignity of the disabled had been continuing since 2001, she recalled that, as her predecessor had stated, the preparation of new standards should not obscure the need to integrate disability into the monitoring activities of existing human rights agencies and mechanisms, as the Commission on Human Rights had recommended in its resolution 2000/51.

92. Mr. SELIM LABAB (Egypt) emphasized the need to guarantee and protect the rights of migrant workers, since they very often made a remarkable economic, social and cultural contribution to the progress and development of their host country. It was therefore in the interest of those countries to facilitate their integration. The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families was an appropriate legal framework for protection, and it was therefore essential to encourage its worldwide ratification and ensure that its provisions were respected. The Egyptian delegation congratulated the Special Rapporteur on the rights of migrants for having based her report (E/CN.4/2004/76) on the special – and often alarming – situation of migrants, and especially migrants employed as domestic workers. Everything must be done to guarantee their rights and their physical safety. Host countries should do everything to prevent any discrimination against migrants on grounds of nationality, religion or status with respect to the immigration services, and should respect humanitarian principles if those workers were not a threat to national security.

93. The Egyptian delegation supported the adoption of a global approach to the rights of migrant workers and the interaction of all regional and international agencies dealing with migrant workers and mechanisms for the protection of human rights, so that the causes of migration phenomena could be properly understood, the rights and dignity of migrant workers respected and their contribution to the economic and social development of the host country appreciated.

Statements in exercise of the right of reply

94. Mr. CHOE MYONG NAM (Observer for the Democratic People's Republic of Korea) said that the naïve allegations made by the representative of A Woman's Voice were nothing but a complete fabrication used by certain groups hostile to the Democratic People's Republic of Korea with the aim of defaming it. That young student belonged not in the Commission but in school, and those listening to her realized the heavy responsibility borne by adults for the education of children.

The meeting rose at 6 p.m.