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SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

Fifty-sixth session

SUMMARY RECORD OF THE 9th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 3 August 2004, at 10 a.m.

Chairperson: Mr. SORABJEE

later: Ms. MOTOC
(Vice-Chairperson)

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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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The meeting was called to order at 10.15 a.m.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 4) (E/CN.4/Sub.2/2004/13 and 14; E/CN.4/Sub.2/2004/16, 17, 18, 19 and 20; E/CN.4/Sub.2/2004/22 and Add.1; E/CN.4/Sub.2/2004/23 and 24; E/CN.4/Sub.2/2004/25 and Add.1; E/CN.4/Sub.2/2004/27 and Corr.1; E/CN.4/Sub.2/2004/44 and 45; E/CN.4/Sub.2/2004/NGO/2, 6, 10, 14, 20, 23 and 27)

1. Mr. GUISSÉ presented his final report on the promotion of the realization of the right to drinking water supply and sanitation (E/CN.4/Sub.2/2004/20). The report, a continuation of previous reports on the subject, contained information provided by several countries - Austria, Azerbaijan, Bolivia, Greece, Mexico and Switzerland - and by international organizations such as the United Nations Environment Programme (UNEP), the Division for Sustainable Development of the United Nations Department of Economic and Social Affairs, and the Organization for Economic Cooperation and Development (OECD). The Food and Agriculture Organization of the United Nations (FAO), whose legislative studies the Special Rapporteur had been pleased to receive, had emphasized that the right to water was part of the right to food. In that regard, ensuring the supply of water for agriculture should have the same level of priority as ensuring access to drinking water. UNEP had stressed the importance of reinforcing references to the environment in relation to water issues. Indeed, it was difficult to realize the right to water if the water was polluted. OECD had sent the Special Rapporteur a copy of its publication on the affordability of water for domestic uses in OECD countries and on the social measures aimed at solving the problem. The World Health Organization (WHO) had informed the Special Rapporteur that, together with the American Association for the Advancement of Science (AAAS) and the Centre on Housing Rights and Evictions (COHRE) Right to Water programme, it was currently preparing a manual on the right to water which was due to be finalized in 2004.

2. The interest shown by countries, international organizations and NGOs was encouraging and also confirmed the importance of the right to drinking water, a fundamental right which unfortunately still lacked structure, like all the so-called second generation of rights, otherwise known as economic, social and cultural rights. The report examined the legal basis of the right to water. Once a right was based on a legal standard, it could be demanded before a national, regional or international legal authority. The report also described several measures that States had taken to ensure the realization of the right to drinking water and sanitation. Those measures were still very tentative. Sometimes they were totally unacceptable, such as the privatization of water resources for the profit of transnational companies, a situation for which the Special Rapporteur had expressed concern in his previous reports. The right to drinking water was one of the rights that Mr. Bengoa, Mr. Yokota and Mr. Guissé himself had described, at the University of Tokyo, as the biological rights of humankind. Biological rights could not be ignored as they were fundamental to life, which every society had a duty to protect.

3. In his report, the Special Rapporteur had suggested that the United Nations authorities should draw up guidelines on the effective application of the right to drinking water and sanitation so that States, when submitting their reports to the Committee on Economic, Social and Cultural Rights, would provide information on the application of that right. It was also

important to establish indicators for monitoring progress as well as to review, revise and if necessary revoke the contracts under which developing countries had sold water resources to transnational companies. When such companies controlled a country's water and electricity supplies, as well as its means of communication, they had de facto control of its sovereignty. The right to drinking water should be linked to the right of peoples to sovereignty over their natural resources. Thought should also be given to developing model legislation and regulations on water so as to prevent discrimination in water usage and consumption within countries.

4. Mr. Guissé said he did not claim to have covered every aspect of the issue. Standards still had to be drawn up and mechanisms put in place to halt the depletion of water supplies, a fundamental resource for the survival of humanity. That was a task for the Sub-Commission.

5. Mr. KARTASHKIN congratulated Mr. Guissé on his report. He agreed that in certain parts of the world, the shortage of drinking water was so serious that it could trigger a worldwide conflict. Moreover, the situation was continuing to get worse, which was why he attached great significance to the section of Mr. Guissé's report dealing with the legal framework for the right to drinking water in various countries. However, he criticized the failure to mention in that section the legislation adopted by States concerning the responsibility of those who polluted water intended for consumption. He urged Mr. Guissé to include that fundamental element in his next report. If care was not taken, pollution was in danger of becoming a problem for the whole of humankind. For example, what would happen if Lake Baikal in Russia became polluted?

6. The right to drinking water was implicit in the International Covenant on Economic, Social and Cultural Rights, for example in the provisions covering adequate food and an optimal level of health. However, there were no instruments formally recognizing the right to drinking water and sanitation as such. It was therefore time to draw up a declaration to establish that right. He suggested that Mr. Guissé might consider drawing up such an instrument, which would reiterate the provisions of the International Covenant on Economic, Social and Cultural Rights that implicitly cover the right to drinking water, as well as the provisions of customary law, and would therefore be the logical conclusion of the work so far accomplished.

7. Ms. CHUNG noted that the problem of pollution, which Mr. Kartashkin had rightly emphasized, concerned developed countries as well as developing countries. She therefore suggested that, in his future reports, Mr. Guissé should stress the criminal responsibility of those who polluted water resources.

8. Mr. SALAMA drew attention to the essential principles of the right to drinking water, namely, non-discrimination and accessibility, including provision at no cost for those in greatest need. The latter of course ran contrary to the commercial ideology based on profit. As Mr. Guissé had indicated, the conditions under which water sources had been privatized in certain countries posed a very serious problem. At a recent seminar on the right to development, specific evidence had been heard about the devastating effects of such privatization. The matter needed to be examined in more detail, using the examples provided by NGOs.

9. The assessment of the role of international cooperation in implementing the right to drinking water should also have been given more attention in the report.

10. Mr. ALFREDSSON raised the issue of the legal problems that arose when rivers or lakes were shared by two or more States.

11. Mr. BENGGOA recalled that the privatization of the water supply did not diminish the State's responsibility to guarantee that inhabitants had access to drinking water. In other words, the State must be able to exercise supervision over water companies. That was particularly important because the water supply had already been privatized in many countries.

12. Mr. SALAMA advised against taking Mr. Guissé's study too far. He was unsure whether the issue of international watercourses, raised by Mr. Alfredsson, fell within the Sub-Commission's mandate. The Sub-Commission should examine the matters put before it, which in the present instance meant the issue of drinking water and sanitation, strictly from a human rights perspective.

13. Mr. ALFONSO MARTÍNEZ said that the report should further emphasize the ever more serious water shortage that awaited humanity in the coming decades.

14. Paragraph 33 of the report referred to the right to drinking water as an individual right. However, stress should also be placed on the importance of that right for groups of people, indigenous communities in particular. In North America, the largest reserves of drinking water were reported to be on the ancestral land of indigenous groups, and it seemed that negotiations were under way to channel that water towards other countries. That would in fact be taking away another of their resources, drinking water, from the indigenous people. He suggested that Mr. Guissé look further into that extremely serious matter.

15. Ms. WADIBIA-ANYANWU supported Mr. Kartashkin's proposal to draw up a declaration on the right to drinking water. It was tragic that there was such a dearth of water-purification technology in regions where water was abundant. Every effort should be made to make the technology available to countries that needed it.

16. Mr. YOKOTA supported the idea of producing a declaration on the right to drinking water and fully supported Ms. Wadibia-Anyanwu's statement. It was indeed essential to help countries and communities to become self-sufficient in drinking water supply and sanitation. International aid agencies, particularly the World Bank and the United Nations Development Programme (UNDP), should be encouraged to focus their projects on achieving that goal.

17. Mr. GUISSÉ, presenting his working paper on the effects of debt on human rights (E/CN.4/Sub.2/2004/27), traced the evolution of third world debt since the countries concerned achieved independence. The debt was partly due to the unjust transfer of the colonizing countries' debt to the newly independent countries at exorbitant rates of interest. That transfer of the debt was totally contrary to certain legal principles, particularly inheritance law. Nowhere in the world was an unborn child already considered to be a debtor, but in 1959, third world States that were not yet independent were already in debt. A State's debt could only be passed on to a successor State if the latter formally agreed to take on the debt, which had obviously not been the

case during decolonization. The Malian Finance Minister, Louis Nègre, had used that argument at the time to contest the legal validity of third world debt at the second United Nations Conference on Trade and Development (UNCTAD) in New Delhi. In 1960, the third world's foreign public debt had stood at US\$ 59 billion. On the basis of the aforementioned argument, Louis Nègre had rightly called for the outright cancellation of all debts contracted during the colonial period. In addition, because the 14 per cent interest rate imposed was usurious, in other words higher than the normal rate, and payable immediately, the countries concerned had already paid off their debt several times over. However, the way the debt was managed meant that the more was paid, the more it grew, thus signing away the very existence of future generations.

18. It was not enough to point the finger at the creditor countries: the leaders of the indebted countries were also to blame for misappropriating public funds for their own profit. The very negative role played by the Bretton Woods institutions, which had acted like debt collection agencies and imposed conditions which had had disastrous effects on the economies of developing countries, should also be condemned. Examples were the structural adjustment programmes, the devaluation of currencies and the deterioration of the terms of trade. The cumulative effect of debt was to push developing countries towards a situation of dependence, exploitation and extreme poverty. It was a new form of colonization, worse than the first as it was more harmful and was aggravated by globalization. For all the reasons mentioned, he urged that an audit of third world debt be carried out, to find out exactly how much debt there was, what had already been paid back, and what remained to be paid. He had no doubts that such an audit would lead to the obvious conclusion that the debt was without any legal grounds and was completely unjust although, as he had had the opportunity to discover, most inhabitants of the creditor countries were unaware of that fact.

19. Mr. SALAMA said he did not dispute Mr. Guissé's conclusions, but suggested that the issue of debt should be analysed solely from a human rights point of view, as other bodies were already dealing with the technical and legal aspects. For example, rather than considering the debt as a whole, the Sub-Commission might study the terms on which loans had been contracted, and particularly whether those terms complied with the international standards on economic, social and cultural rights. Its role could be to remind the aid agencies granting loans to countries of those standards, particularly if the terms on which the loans were granted were having a negative economic and social impact on the countries concerned.

20. When asking the financial institutions to cancel the debt, it was of course necessary to specify whether past or present debt was referred to. The approach to the matter would be more credible if it focused more on the fact that debt could also result from bad governance, although in that case it could be difficult to ask for it to be cancelled.

21. Iraq was a good example of the links between debt and human rights. Campaigns to cancel Iraq's debt were under way, on the grounds that the Iraqi people had nothing to do with the debt, which had been contracted by a completely antidemocratic regime. Was it fair to make the people pay back that debt? Some thought should be given to the standards to be applied in such cases.

22. Mr. CHÉRIF congratulated Mr. Guissé on the clarity with which his working paper had described the origin of third world debt and the consequences of the resulting burden, which for many countries was a serious hindrance to their development, an obstacle to the implementation of human rights and a source of social and political instability. It could not be denied that debt was a means of domination and exploitation. It even had a political effect; as a political analyst had said, the smaller the cake, the stricter the authority in charge of sharing it out had to be. As debt made the cake even smaller, it was not surprising that indebted countries also had authoritarian regimes. It was therefore ironic that the creditor countries, so keen to demand the repayment of debts from third world countries, were also so quick to encourage them to become democratic.

23. He agreed with the author of the working paper that inheritance law never made heirs take on the liabilities of the deceased, but gave them freedom of choice, something that had not been given to the newly-independent countries. Calls had already been made, if not to cancel the debt, then at least to spread out the repayments. A third solution could be to consider only the principal of the debt and disregard the interest. In that way, the rich countries would prove that they were genuinely concerned to promote both international security and human rights around the world.

24. Mr. KARTASHKIN agreed with Mr. Salama's observations on the need for political balance when examining the issue of debt. Contrary to what was stated in paragraph 39 of the working paper, globalization did not always have only negative effects, but could sometimes open new possibilities and create jobs. It was in fact a contradictory process which sometimes increased poverty and unemployment but in other cases encouraged economic growth. However, he agreed with the economists that the advantages of globalization far outweighed its disadvantages.

25. Mr. YOKOTA supported Mr. Kartashkin's view that the positive and negative effects of globalization should be clearly set apart.

26. Returning to the subject of drinking water, he stressed his belief that the international institutions that financed water supply projects should do so through donations rather than loans. That comment also applied to any project with a "human rights" angle, such as projects related to the administration of justice, education, health or the environment.

27. Ms. O'CONNOR noted that the idea of equality had been completely ignored in the agreements between developing countries and multilateral and bilateral financial institutions. From the disastrous consequences of those agreements, it was evident that the signatory Governments had had to accept their terms under duress. In some countries, including her own country Jamaica, 89 cents of every dollar earned went towards debt repayment. Under such financial arrangements the right to education, the right to health and the right to a good quality of life became meaningless. Like many who lived in her region, she found it difficult to believe the economists when they talked about the benefits of globalization. It was also very hard to see how competition from heavily subsidized farmers in developed countries could be regarded as fair to those in developing countries who received no such help.

28. Demands for the debt of developing countries to be reduced really amounted to demands for an end to the massive human rights violations that resulted from that debt. It was therefore necessary to review the agreements on repayment in the light of their effects, not only in economic terms but also and above all in terms of human rights. That would also be a way to curb the increase in the number of people falling into poverty.

29. Ms. MOTOC said she appreciated the vigour with which Mr. Guissé and Ms. O'Connor had defended the position of the countries of the South. On a matter of procedure, given that the Commission on Human Rights had a Special Rapporteur on the issue of debt, she asked how Mr. Guissé saw the future of his work on that subject. Would it involve drawing up a list of the violations resulting from the burden of debt, or did he intend to propose revisions to the repayment agreements?

30. Ms. WARZAZI thanked Mr. Guissé for his study. She recalled that several years previously, together with Mr. Louis Joinet, she had drafted a resolution proposing that the colonizing countries should compensate the African countries that had been victims of slavery by cancelling their debt. Some countries' debts had in fact been reduced. However, as the overall debt of developing countries had stood at US\$ 59 billion in 1959, with an interest rate of 14 per cent, it was safe to assume that since then it had easily been paid off and was currently serving to pay for the luxuries of developed countries.

31. Mr. BENGGOA presented the report of the ad hoc group of experts on the implementation of existing human rights norms and standards in the context of the fight against extreme poverty (E/CN.4/Sub.2/2004/25). In spite of the grand declarations that had been made on the subject, the President of the World Bank had recently stated that the issue of poverty was paid only lip service by the international community, even though poverty and the environment in which people lived were the real challenges for peace.

32. The ideas presented in the report had been developed during a meeting organized by an NGO in Pune, India, to which several members of the Sub-Commission had been invited. At the meeting, they had worked with representatives from local organizations and associations of people struggling to escape from poverty, and that direct experience had confirmed the validity of the approach adopted by the Sub-Commission since Mr. Leandro Despouy's work on the issue. Extreme poverty was indeed a human rights violation. That approach differed from that adopted by other bodies, and was proving very promising from an ethical point of view. However, it still needed to be worked on in more depth, especially in order to bring political, economic and social leaders of all levels behind the concept.

33. The documents submitted to the Sub-Commission showed the ground that had already been covered and could serve as a basis for future work on the issue. That was especially true of documents E/CN.4/Sub.2/2004/25/Add.1 and E/CN.4/Sub.2/2004/44, which treated poverty as a massive and permanent violation of human rights. That view had contributed to a change in attitudes towards poverty. The process that was taking place could in some ways be compared to the abolition of slavery, where abolition did not mean immediate eradication but rather condemnation and rejection.

34. He drew attention to the paper prepared by Professor Osmani (E/CN.4/Sub.2/2004/18) on the contribution of a human-rights-based approach to development. That concept fully conformed with the line adopted by the ad hoc group of experts. He also mentioned the note by the Secretariat (E/CN.4/Sub.2/2004/17) on mainstreaming the right to development into international trade law and policy at the World Trade Organization. He believed that the ad hoc group of experts' role was precisely to provide the link between the human rights perspective of the Sub-Commission and WTO's purely technical view of international trade relations.

35. Mr. DECAUX said he wished to make two comments about the report presented by Mr. Bengoa, one concerning the methodology and one about the content.

36. Regarding the methodology, he stressed the importance of consistency and continuity in addressing the issue of extreme poverty. He recalled the pioneering work of Mr. Leandro Despouy and expressed dismay that his report, which ought to be a reference document on the subject, had still not been published in all working languages. Its publication was especially necessary because recent initiatives had tended to question the rights of the poor and reduce them to "a minimum of dignity", as could be seen in the recent study carried out by three eminent experts on human rights and the fight against extreme poverty. The recent appointment by the Commission on Human Rights of Mr. Arjun Sengupta as Independent Expert on human rights and extreme poverty could legitimately lead to fears that, unlike his predecessor Ms. Lizin, whose efforts had been in keeping with Mr. Despouy's work, the new Independent Expert would tackle the issue of extreme poverty from an economic angle rather than from a human rights angle.

37. Regarding the content, it needed to be stressed that poverty was not a "concept" but a scandal and any trivialization of the subject should be avoided. Extreme poverty led to exclusion and was the denial of all human rights, primarily the "right to be human". Of course, efforts must be redoubled to put in place the poverty reduction programmes that were part of the Millennium goals, but it was especially important to make sure that desperate cases were not abandoned to their fate by concentrating on the not-so-poor.

38. Every effort must be made to make the right to development the driving force for effective solidarity between all countries, on the understanding that it must go hand in hand with progress in the two categories of human rights: civil and political rights and economic, social and cultural rights. With the conceptual framework clearly defined in that way, the rights under discussion would no longer be third-rate rights, but real, inalienable and binding rights which could be upheld by law.

39. Drawing attention to document E/CN.4/Sub.2/2004/25/Add.1, he questioned the cogency of certain terms used in the document. The expression "essential rights", used at the bottom of page 9, could be misinterpreted, for there was no hierarchy of rights. In addition, more emphasis should be placed on the participation of the poorest people in the decision-making process and on accountability in the fight against poverty.

40. Ms. MOTOC agreed with the views expressed by Mr. Decaux. She wondered why the Office of the High Commissioner had appointed three experts to study the conceptual framework of the fight against extreme poverty when that was precisely the task of the

Sub-Commission. As a result, the issue was being approached in a variety of ways, which created some confusion. The final report of the ad hoc group of experts, of which she was a part, should, as Mr. Decaux had suggested, take the same line as Mr. Leandro Despouy had adopted and lead to a declaration setting out a number of guiding principles. That task could be carried out in collaboration with NGOs and specialized agencies such as ILO. It was very difficult to involve the main beneficiaries, people living in extreme poverty, except perhaps in regional consultations.

41. Ms. HAMPSON expressed complete agreement with Ms. O'Connor's views on Mr. Guissé's report about debt. She also supported the remarks made by Mr. Decaux about Mr. Bengoa's presentation.

42. Ms. Motoc, Vice-Chairperson, took the Chair.

43. Mr. GUISSÉ recalled that several years previously, the Office of the High Commissioner for Human Rights had gathered a group of experts to look at the issue of poverty. He had been part of that group, and he was also a member of the ad hoc group of experts whose report Mr. Bengoa had presented. Both groups had focused on the concept of poverty, which some people wanted to drown in theoretical considerations, particularly by affirming that all rights had the same value. However, they had realized that, in everyday life, all human rights did not have the same value and that some could be considered as "core" rights. Those were rights whose denial left people on the verge of death, in a state of extreme poverty. They were what the experts had called biological rights, without which human beings could not survive: the right to water, the right to food, the right to health and the right to adequate shelter. Deprivation of any one of those rights was a denial of the right to life. That was why the experts had wanted to confer upon those rights a primordial and obligatory status, in legal terms, in all States and in the international community. When people had nothing to eat or drink, there was no point in giving them the right to participate in elections. In his native Africa, in discussions about eliminating extreme poverty, it was realized that those fundamental rights must be upheld first. He called them the "rights of survival".

44. Mr. CHEN noted that extreme poverty, apart from pushing those it affected to the very brink of survival, provided a breeding ground for crime and internal conflict, indeed even terrorism. Moreover, it was on the increase, particularly in sub-Saharan Africa. Those considerations highlighted the urgency of the fight against extreme poverty. He was therefore in favour of drawing up guiding principles on specific ways to deal with the issue, as proposed in the report presented by Mr. Bengoa.

45. Ms. CHUNG underscored the importance of the Social Forum, which could provide a framework for the poorest and most marginalized to make their voices heard. That would not rule out the holding of regional consultations for the same purpose.

46. She proposed that the right to self-determination be included as one of the elements to be taken into consideration in the fight against extreme poverty (E/CN.4/Sub.2/2004/25/Add.1). It was necessary to recognize that people living in extreme poverty were free and not simply objects of charity.

47. The report of the ad hoc group of experts did not contain an analysis of the underlying causes of poverty, yet that was an important issue that the group should study in detail. Lastly, the feminization of poverty should also feature more prominently in the report as it was a worldwide phenomenon.

48. Mr. DECAUX presented document E/CN.4/Sub.2/2004/24 entitled Study on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights. He recalled the numerous studies already made by the Sub-Commission on the issue of non-discrimination, including the report of Mr. Marc Bossuyt on the concept and the practice of affirmative action, the report of Mr. David Weissbrodt on the rights of non-citizens, the excellent study by Ms. Leila Zerrougui on discrimination in the criminal justice system and Mr. Eide's and Mr. Yokota's study of discrimination based on work and descent. The Committee on Economic, Social and Cultural Rights had adopted a series of general comments that had a direct or indirect bearing on the subject of the working paper under discussion.

49. At the present exploratory stage of the study, he had addressed a number of questions. The first set of questions dealt with the source of discrimination. The term "source", which was deliberately vague, had been chosen in preference to "cause", which could have an intentional connotation. The sources of discrimination were listed in article 2 of the Covenant: race, colour, sex, language, religion, etc ... "or other status". That wording allowed the field of study to be widened considerably to include vulnerable groups - foreigners, migrant workers, minorities, indigenous peoples - as well as older people, who were often neglected. The second set of questions dealt with the rights listed in the Covenant to which distinctions were sometimes applied, not necessarily discriminatory. The difficulty lay in linking the rights enshrined in the Covenant with the issue of discrimination, particularly regarding economic, social and cultural rights. Equality in taxation was a case in point.

50. The preliminary study concluded with a list of possible areas of work that would need to be specified more clearly on the basis of national practice and legal precedent. At a later stage, it would therefore be necessary to consult with States, NGOs and national organizations defending human rights.

51. Lastly, Mr. Decaux said he wanted to hand over to another Special Rapporteur, by virtue of the "one expert, one report" principle. He believed that Mr. Bossuyt was the person most qualified to continue the study, as he knew the issue very well and had recently gained further knowledge and experience through his involvement with the Committee on the Elimination of Racial Discrimination.

52. Ms. KOUFA congratulated Mr. Decaux on his effort to focus his study by referring to the related work that had already been done, so as to avoid duplication. She also appreciated the fact that Mr. Decaux's report dealt with groups of people who were often neglected, such as people with disabilities and older people. She noted that the study referred to a legal instrument - the International Covenant on Economic, Social and Cultural Rights - that a number of States had not ratified. She therefore suggested that Mr. Decaux should identify the principles involving

non-discrimination that featured in international customary law, so as to prevent a situation in which only countries that had ratified the Covenant were considered bound by the provisions on non-discrimination.

53. Ms. HAMPSON supported Ms. Koufa's suggestion about the need to take customary law into account.

54. She commented that it was unclear as to how far article 2, paragraph 2, of the Covenant concerned both direct and indirect discrimination, a distinction that was frequently made by national and regional authorities.

55. Like Ms. Koufa, she was grateful to Mr. Decaux for taking age discrimination into account. The matter was not simple, particularly in the field of employment. Eliminating all age-limits for work could prevent young people from getting jobs and create tensions.

56. Another issue was the burden of proof: establishing whose task it was to prove that discrimination had taken place. The European Court had recently decided to reverse the burden of proof.

57. Mr. GUISSÉ asked that whoever continued Mr. Decaux's study should take Ms. Hampson's report on States threatened with extinction for environmental reasons into account in their work, as people from those States could face discrimination.

58. Ms. WARZAZI, while congratulating Mr. Decaux on his report, declared that she disagreed entirely with the statements in paragraph 22 about non-discrimination on the grounds of sexual orientation. The right to sexual preference was not included in the Covenant. She believed that the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, which had included such a right in their practice, had gone beyond their mandate. In some cultures, certain behaviour was unacceptable.

59. Ms. WADIBIA-ANYANWU supported Ms. Warzazi's statement.

The meeting rose at 1 p.m.