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COMMISSION ON HUMAN RIGHTS

Sixty-first session

SUMMARY RECORD OF THE 43rd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 11 April 2005, at 3 p.m.

Chairperson: Mr. WIBISONO (Indonesia)

later: Mr. VASSYLENKO (Ukraine)

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The meeting was called to order at 3.10 p.m.

INDIGENOUS ISSUES (agenda item 15) (continued) (E/CN.4/2005/63, 87, 88 and Add.1-2, Add.3 and Corr.1 and Add.4, 89 and Add.1-2, and 133; E/CN.4/2005/G/24; E/CN.4/2005/NGO/14, 23, 103-104, 123, 137, 144-145, 177, 202, 209, 212, 214, 235, 246, 252, 271, 313, 341 and 351; E/CN.4/Sub.2/2004/28 and 30 and Add.1)

1. Ms. BETTANCOURT (Latin American Federation of Associations of Relatives of Disappeared Detainees) said that globalization had led to widespread destitution and exclusion, especially in regions rich in raw materials, freshwater and forests, which transnational corporations coveted and wanted to exploit without compensating the local population. The Guarani in Bolivia and the Amazonian Indians had been ousted from their land so that large corporations could appropriate the oil, gas and wood on or under it. Governments, spurred on by local businessmen and politicians, had often granted them concessions over vast areas, thereby depriving minorities of their sole means of sustenance - the land where they had always lived - and reducing them to penury.
2. She therefore called on the Commission to set up mechanisms which could visit land whose ownership by indigenous peoples was disputed, with a view to preventing their expulsion and the concomitant destruction of biodiversity by interests which cared nothing for rights, defenceless peoples or humanity.
3. Mr. ANTILEU RUIZ (International Association against Torture), also speaking on behalf of the Meli Wixan Mapu organization, said that the sole response of the Chilean Government to the Mapuche people's demands regarding their political rights had been a crescendo of brutal violence and repression. The Government had ignored the recommendations of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people in document E/CN.4/2004/80/Add.3. Chile had criminalized the just struggle of the Mapuche people and dubbed its protagonists "terrorists". On several occasions, the Supreme Court had quashed lower courts' findings that the Mapuche had not been connected with terrorist activities and it had ordered a retrial with a view to securing a conviction.
4. He therefore demanded the cessation of police violence against the Mapuche, the freeing of Mapuche political prisoners and an end to government interference in court cases involving the Mapuche. International human rights courts ought to be set up in South America so that its indigenous peoples could have genuine access to real justice and freely denounce their oppressors.
5. Mr. CHAKMA (Asian Indigenous and Tribal Peoples Network) welcomed the declaration of a second International Decade of the World's Indigenous People and said that the draft United Nations declaration on the rights of indigenous peoples should be adopted as soon as possible, for which purpose the mandate of the working group established under Commission resolution 1995/32 should be extended for one more session. Indigenous peoples still faced extinction and were systematically deprived of their rights. The adoption of the draft declaration was crucial, because it would set national, regional and international standards for the promotion and protection of indigenous peoples' rights.

6. Mr. VINCENTE (International Indian Treaty Council) said that the text of the draft United Nations declaration on the rights of indigenous peoples, as approved by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1994, should really be adopted at the current session, since it represented the minimum standard required in order to uphold and protect the rights and dignity of indigenous peoples. However, perhaps, in the light of failure to reach consensus on the text, the wisest course of action would be to allow the working group established under Commission resolution 1995/32 to go into recess, so as to give it time to reconsider and reorganize the whole procedure with a view to guaranteeing a more equitable process with the full participation of indigenous peoples. Indigenous peoples could never allow their rights to be whittled down in a process that was intended to advance the recognition of those very rights.

7. Mr. SARO PYAGBARA (Anti-Racism Information Service) said that the issue at stake in Nigeria was not statements made about human rights, but the manner in which the Government enforced the human rights standards laid down in instruments to which it had acceded, especially when they pertained to the Ogoni people and other ethnic groups in the Niger Delta. In the 10 years which had elapsed since the hanging of Ken Saro-Wiwa and eight fellow Ogoni activists, the Government had failed to protect the human rights of the Ogoni or to alleviate their plight. The recommendations of the fact-finding mission, which had visited the country in 1996 at the Secretary-General's behest, had been completely ignored and the Ogoni Nine remained convicted of a crime of which they been unjustly accused. The Ogoni and the peoples of the Niger Delta continued to suffer neglect and at least 5,000 of them had been evicted from shanty towns near Port Harcourt so that the land could be given to an oil company. In those circumstances, he requested the Commission to ask the Secretary-General to report to it on the Nigerian Government's progress in implementing the fact-finding mission's recommendations.

8. Ms. WIN (Asia Pacific Forum on Women, Law and Development) said that, every year, the policies of the Burmese military regime were leading to the deaths of thousands of women, particularly indigenous women. Maternal mortality rates in eastern Burma were over 1,000 per 100,000 live births owing to a lack of access to health service and the regime's deliberate policy of preventing health providers from reaching the women. The regime spent 1 per cent of GDP on health and education, compared with 40 per cent on military expenditure.

9. She therefore appealed to members of the Association of Southeast Asian Nations (ASEAN) not to overlook human rights issues in Burma, but to review their policies of non-interference and constructive engagement which were prolonging military rule and hence contributing to the demise of so many women. They must instead call on the regime to comply fully with all Commission resolutions on Myanmar adopted over the previous 13 years.

10. Ms. TUYUR (World Council of Churches), speaking on behalf of the Commission of Churches on International Affairs and the Coordinadora Nacional de Viudas de Guatemala (CONAVIGUA), said that, although the Government of Guatemala had ratified the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization (ILO), it pursued a policy of handing over indigenous land to mining companies, thereby causing a serious deterioration in indigenous communities' standard of living. The State's violent repression of their attempts to mount a legitimate defence was reminiscent of the genocide and atrocities committed by the military dictatorship in the past. The indigenous communities'

predicament was so serious that the Commission ought to call for the respect of the rights of organizations defending the identity of indigenous peoples and their right to their land. It was to be hoped that the Commission would express an opinion on a situation where the rights of the indigenous peoples of Guatemala were being systematically violated. The special procedures mechanisms should investigate a practice which affected other peoples in Latin America. Events in Guatemala should likewise be studied by the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

11. Mr. CONDORI (Indian Council of South America) said that the draft United Nations declaration on the rights of indigenous peoples was a valid text, even though it had proved impossible to arrive at a consensus on it. Although the situation of indigenous peoples in some countries had improved, in that their existence was recognized, serious abuses of their human rights were still being committed in Argentina, Bolivia, Brazil, Colombia, Ecuador and Paraguay, where they were being dispossessed of their land and, in some cases, reduced to near slavery. The transnational corporations which were exploiting the natural resources of their land were polluting the environment, especially the watercourses vital to the survival of those peoples.

12. His organization therefore supported the demand of the Teton Sioux Nation that the original draft United Nations declaration on the rights of indigenous peoples, passed in 1994, be adopted.

13. Ms. JASNIEWICZ-JAFFIOL (Association of World Citizens) said that most indigenous peoples demanded fairer access to all levels of education within a system that demonstrated greater respect for those peoples' cultural values and language. It was necessary to make a more determined effort to provide bilingual instruction in schools, since generally only half of the teachers were really fluent in local languages and in the Amazonian forest none of the teachers were bilingual. The lack of suitable teaching aids did not help matters either. It was important to develop indigenous universities where traditional wisdom could be linked to modern knowledge.

14. For that reason, her organization called on the United Nations, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other institutions to continue to support the efforts of indigenous peoples in the field of education by organizing forums and seminars on the subject.

15. Mr. SUTTON (National Association of Criminal Defense Lawyers), speaking also on behalf of the Chagos Refugee Group and the University of Central England Justice Project, said that between 1965 and 1973, the Government of the United Kingdom had systematically displaced the indigenous inhabitants of the Chagos Islands in order to lease the islands to the United States for military purposes. Despite successful legal challenges against the United Kingdom, the Chagossians had never received adequate compensation and had been abandoned to a life of poverty and marginalization on Mauritius and Seychelles. Furthermore, they had reportedly been denied access to the justice system and had been subjected to arbitrary arrests and detention without due process of law.

16. The United Kingdom Government claimed that the islands were not suitable for resettlement and that the British Indian Ocean Territory was not covered by the International Covenant on Civil and Political Rights. That semantic convenience left the United Kingdom with a pocket of colonialism shielded from the scrutiny of international human rights bodies. The United Kingdom was thus selectively dismissing international human rights law.

17. His organization therefore requested the Commission to seek assurances from the Governments of the United Kingdom, Mauritius and Seychelles that the protection of the Covenant would be extended to Chagossians and he also asked that the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people be instructed to investigate the issues just raised.

18. Ms. TRASK (Netherlands Centre for Indigenous Peoples) called attention to the new global platform for indigenous peoples' issues, the Speaking4Earth campaign and the related web site, www.speaking4earth.com. The campaign was circulating a petition calling for the extension of the mandate of the working group established under Commission resolution 1995/32.

19. Ms. RAJANDRAN (VIDES International), also speaking on behalf of the Black Hills Teton Sioux Treaty Council, urged the adoption of the draft United Nations declaration on the rights of indigenous peoples, because the Great Sioux Nation was rapidly becoming extinct owing to the forced assimilation tactics of the United States Government. The Sioux lived in extreme poverty in reservations resembling concentration camps where they were unemployed and had no proper food. Their places of prayer and burial were being destroyed for mining, logging and housing developments by American corporations.

20. Mr. HILL (Indian Law Resource Center), also speaking on behalf of the Haudenosaunee and Citizen Potawatomi Nation, said that indigenous peoples were still bereft of the legal instruments needed to protect their basic rights and freedoms. He therefore requested the Commission to extend the mandate of the working group established under its resolution 1995/32, because a strong declaration was needed to protect the health and well-being of those peoples, whose very survival was threatened by discriminatory laws and policies. He was confident that the declaration could be completed quickly and therefore endorsed the resolution that would be presented by Canada. He also strongly supported the proposal contained in the very useful study prepared by the Special Rapporteur on indigenous peoples' permanent sovereignty over natural resources (E/CN.4/Sub.2/2004/30 and Add.1) that an expert seminar be held in order to give further attention to the many matters that needed more research and consideration.

21. Mr. MALEZER (Foundation for Aboriginal and Islander Research Action) said that his organization was in favour of continuing work on the elaboration of a United Nations declaration on the rights of indigenous peoples, which would acknowledge indigenous peoples' right to self-determination and their right to own, control and use their lands and resources, as well as their collective rights. Moreover, he drew attention to his organization's position on such a declaration, which was set out in document E/CN.4/2005/NGO/341.

22. Emphasis should be placed on the important role of the High Commissioner for Human Rights in ensuring the success of the second International Decade of the World's Indigenous People. The Commissioner should participate effectively in the framing and implementation of human rights strategies in the programme of action and ensure that cooperation between human rights bodies and mechanisms continued with a view to ending abuses of indigenous peoples' rights.
23. He welcomed the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (E/CN.4/2005/88 and Add.1-4) and requested the Special Rapporteur to meet indigenous peoples' representatives at an early stage in the Commission's session the following year, so as to facilitate appropriate resolutions on the matters covered in his report.
24. He stated that his organization advocated the publication of the report on indigenous peoples' sovereignty over natural resources (E/CN.4/Sub.2/2004/30 and Add.1) for the reasons explained in document E/CN.4/2005/NGO/340. Lastly, he called on Australia and New Zealand to immediately repeal their discriminatory legislation against indigenous peoples' land and resource rights and their right to development and to negotiate a satisfactory arrangement with indigenous peoples.
25. Mr. McKENZIE (Innu Council of Nitassinan) expressed his Council's appreciation to the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people for having recognized in his report (E/CN.4/2005/88 and Add.1-4) that, despite the impressive number of projects, programmes and financial resources invested at all levels in indigenous issues in Canada, there had been several examples of obligations not having been met, which had led to an increase in poverty, ill-health and social conflicts among indigenous groups. The report called on Canada to make further efforts to bridge the gap between indigenous and non-indigenous peoples in respect of their enjoyment of human rights.
26. Across the world, indigenous peoples faced deep-rooted discrimination, particularly with regard to government policies and administration of justice. The Canadian Government must demonstrate true leadership and take swift action to implement the Special Rapporteur's recommendations. It must pay particular attention to further strengthening Canada's role in the adoption of the draft United Nations declaration on the rights of indigenous peoples, particularly regarding the arrival at an international consensus on the effective protection of land rights and rights to resources.
27. Mr. LITTLECHILD (International Organization of Indigenous Resource Development) welcomed the proclamation of the second International Decade of the World's Indigenous People and the fact that the twenty-third session of the Working Group on Indigenous Populations would focus on indigenous peoples and the international and domestic protection of traditional knowledge. His organization was concerned by the lack of progress in adopting a United Nations declaration on the rights of indigenous peoples. Further thought should be given as to how to encourage direct and meaningful participation of indigenous peoples in the Working Group's activities. He welcomed the proposal to hold a workshop to be hosted and co-sponsored by the Government of Mexico. His organization supported the work of the Special Rapporteur, in particular his recommendations to the Canadian Government, and welcomed the Special Rapporteur's plan to dedicate his next report to the issue of

constitutional reforms, legislation and implementation of laws on the protection of the rights of indigenous peoples. He supported the call for a United Nations seminar on the prevention and protection of indigenous peoples' permanent sovereignty over natural resources, and for a World Congress on sports and physical education to be co-hosted by the World Indigenous Nations.

28. Ms. SAMBO DOROUGH (Inuit Circumpolar Conference, Grand Council of the Crees, Assembly of First Nations and National Association of Criminal Defense Lawyers) welcomed the work of the Special Rapporteurs on indigenous issues, particularly in the light of the dispossession and discrimination that indigenous peoples faced across the world in respect of resource rights. She supported the extension of the mandate of the Working Group to consider the draft United Nations declaration on the rights of indigenous peoples. However, States Members of the United Nations systematically discriminated against indigenous peoples on grounds of their race. During the current session of the Commission, all resolutions relating to the world's indigenous peoples contained discriminatory provisions. Thus, States that claimed to support policies of equality and non-discrimination were contributing to discrimination against indigenous peoples. It was of particular concern that no State Member of the United Nations had spoken out against that situation. Commission resolutions regularly referred to indigenous "people", rather than "peoples", which led to the exclusion of their collective rights from the international human rights system. Her organization urged all States to support the proposed resolution to extend the mandate of the Working Group for the adoption of the draft declaration. Any State that insisted on undermining the legal status and human rights of indigenous peoples within the United Nations was undermining the whole international human rights system. Discrimination must not be tolerated within the United Nations.

29. Mr. BARNES (Consejo India de Sud América, International Educational Development, Inc. and Asian Indigenous and Tribal Peoples Network) said that the failure to adopt a declaration on the rights of indigenous peoples during the first International Decade of the World's Indigenous People amounted to serious discrimination. It was a denial of basic principles for the recognition and protection of human rights, and of the recognition of the humanity of indigenous peoples. Some States that continued to exploit indigenous peoples demanded changes to the 1994 draft declaration adopted by the Sub-Commission on the Promotion and Protection of Human Rights, in an attempt to lower the standard of international law. He welcomed the work of the Special Rapporteur, Ms. Daes, and supported the draft resolution entitled "Protection of indigenous peoples in times of conflict". His organization fully supported the renewal of the mandate of the Working Group on the draft declaration.

30. Despite the fact that in 1935 the Crow Nation had voted overwhelmingly against the Indian Reorganization Act, the United States Government continued to deny the Crow Nation the free exercise of self-determination. Imposed United States authority had threatened its peace and security, and caused irreparable harm to its citizens, in respect of their relationship to their lands, water and resources, and thus jeopardized the security of future generations. The appropriate special procedures should review that case and situation. The Special Rapporteur, Mr. Stavenhagen, should be invited to include the case of Mr. Leonard Peltier, who had been imprisoned without a fair trial and denied parole, in his next report, and other relevant special procedures should be allowed to visit the United States penitentiary in Leavenworth, Kansas, to review his situation.

31. Mr. ATLEO (Assembly of First Nations) said that the Commission should take a more active and supervisory role in the finalization of the draft declaration on the rights of indigenous peoples. The Office of the United Nations High Commissioner for Human Rights (OHCHR) should be more directly involved in the process and substance of the work required to conclude the declaration. Any changes or additions to the Sub-Commission text must only serve to clarify, strengthen or improve it, and must not lower the standards contained in it. His organization appreciated the visits of the Special Rapporteur, Mr. Stavenhagen, to several First Nations communities in Canada, and welcomed his report and recommendations.

32. The recognition and effective implementation of the right to self-determination was fundamental to all aspects of the lives of indigenous peoples. The Assembly of First Nations invited the Government of Canada to engage in negotiations and implement empowering, progressive and effective policies for the peoples of First Nations to govern all aspects of their lives independently and for their own benefit. Policies and practices that prevented negotiation should be eliminated. The Special Rapporteur's recommendations in relation to access to land and resources, including surface and sub-surface rights, were greatly appreciated. Canada must acknowledge more affirmatively the tragedy and shame of the residential schools legacy.

33. Mr. GREEN (International Working Group for Indigenous Affairs) said that the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people had exposed the serious humanitarian crisis affecting indigenous peoples in Colombia. The rule of law in the country was precarious and undermined by consistent violations of the human rights of indigenous peoples and communities. There was a gap between apparently progressive legislation and the ineffectiveness of institutions responsible for the protection of indigenous peoples against a background of internal armed conflict. Various State social programmes for indigenous peoples had little impact due to lack of resources, trained staff and necessary institutional mechanisms. There was a lack of support for indigenous views on the internal armed conflict.

34. During the first two and a half years of the Alvaro Uribe Vélez administration, 589 indigenous leaders and figures of authority had been the victims of political assassinations, and there had been 74 enforced disappearances. Paramilitary groups had committed crimes against indigenous peoples, despite the Government's claim that those groups had declared a ceasefire. The current democratic security policy had compounded the humanitarian crisis of Colombia's indigenous peoples, rather than alleviating it. Colombia's indigenous peoples continued to attempt to engage in dialogue with civil society and other sectors for the defence of human rights, but did not receive support from the Government. His organization welcomed the Special Rapporteur's call for the international community to help build a peaceful and just society based on initiatives for indigenous peoples, and to protect peoples at risk during armed conflict. Colombia must immediately adopt special measures for the protection of its indigenous peoples, and the international community must increase its monitoring efforts in Colombia. Other Governments must insist that the Special Rapporteur's recommendations be implemented right away.

35. Mr. LLANQUILLEF (France Libertés) drew attention to the difficult situation of the Mapuches in Chile, many of whom had been imprisoned, some on the sole ground of having fought to protect their ancestral land. They had been ill-treated by police during raids and tortured in detention. One, Alex Lemun, had been murdered, a crime for which no one had been punished to date.

36. A community-based movement in Arauco was seeking to halt the encroachment of forest plantations on their ancestral land. The authorities were applying a counter-terrorist law enacted by the Pinochet military regime to contain the movement. One of the community leaders had been sentenced to five years' imprisonment under the legislation for a so-called terrorist offence. "Faceless" witnesses had testified against him during the proceedings.

37. The Commission should condemn the Chilean authorities and call on them to halt forthwith the application of legislation enacted by the Pinochet regime to the Mapuches and to refrain from applying codes of military justice in proceedings against civilians. The Commission should further urge the Chilean Government to comply with the recommendations of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people.

38. Ms. McKAY (Global Rights) called on the Commission to ensure the full and effective participation of indigenous women and the mainstreaming of indigenous gender issues throughout its work. Across the world, indigenous women suffered from the effects of discrimination based on race and gender, and their rights had yet to be realized on many levels. Indigenous women were the victims of extreme forms of violence, including sexual violence and trafficking. They also suffered from high rates of poverty and poor health, lack of education, low levels of employment and, often, homelessness. The sexual and reproductive health rights of indigenous women were not adequately protected. Lack of access to reproductive health services increased their vulnerability to HIV/AIDS and other sexually transmitted infections. Indigenous women's issues should be mainstreamed throughout the United Nations system, since indigenous women's rights could only be realized through their full participation in decision-making processes.

39. Mr. AHREN (Saami Council) said that the 2004 session of the Working Group on the draft declaration on the rights of indigenous peoples had attained new levels of constructive dialogue and understanding, which had led to widespread agreement on a substantial number of articles of the draft declaration and held out hope of a consensus. It was critical for the Group's mandate to be extended, in order for the declaration to be adopted by the General Assembly as swiftly as possible. His organization urged the Commission to adopt a resolution to that effect, and supported publication of the document on indigenous people's sovereignty over natural resources, and the proposal to hold a seminar on that subject.

40. Mr. DÍAZ de JESÚS (INCOMINDIOS) said that the ILO Committee set up to examine the representation alleging non-observance by Mexico of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) had recognized in its report (GB.289/17/3) that there had been serious, systematic and reiterated violations of the human rights and fundamental freedoms of indigenous peoples throughout the country, including killings, torture, enforced disappearances, involuntary sterilization, theft of land and natural resources, militarization of indigenous territory and other serious crimes.

41. With regard to the draft United Nations declaration on the rights of indigenous peoples, he urged the Commission to adopt a resolution requesting the Economic and Social Council to extend the mandate of the Working Group and authorize it to meet for six weeks over a period of two years; reaffirming that the text contained in Sub-Commission resolution 1994/95 should serve as the basis for the discussions; inviting the Working Group to establish a realistic timetable and a mechanism providing for broad and equitable participation of indigenous peoples and organizations; and calling on Governments, United Nations specialized agencies and other bodies to assist in financing activities related to the draft declaration.

42. Mr. LIGHTNING (American Indian Law Alliance) said that the indigenous peoples of the Treaty No. 6 Territory in Canada were motivated to petition the international community by optimism and hope for their future generations. The Indigenous Treaty Nations of International Treaties Nos. 6, 7 and 8 had been disappointed by the report of the Special Rapporteur, Mr. Stavenhagen, since it had failed to mention that the ill-health and dire situation of the majority of the First Nations peoples were directly linked to Canadian health-care policies. The leadership, elders and citizens of Indigenous Treaty Nations could not accept the pan-aboriginal approach to health care that was being promoted by the Canadian Government. He wished to invite the Special Rapporteur and experts of the World Health Organization (WHO) to visit the Indigenous Treaty Nations of western Canada, to witness first-hand the deplorable health-care conditions that were further marginalizing the indigenous peoples of those areas. Such experts would benefit from being hosted by the local indigenous peoples, rather than the Government, which would give a selective overview of the situation.

43. Ms. BRASIER (Liberation) said that the British Government was denying the people of the Chagos Islands their civil and political rights. The Chagossians, who 30 years previously had been removed from their island homes to make way for an American military base, had been denied justice and self-determination. Two Orders in Council had been issued in 2004, which had undermined a High Court ruling granting the Chagossians the right to return to the islands they considered their home. The British Government must be held accountable and should not be allowed to act above the law. The Commission must ensure that the United Kingdom recognized the applicability of the International Covenant on Civil and Political Rights in all its territories. Thousands of Chagossians were currently living a marginalized existence in Mauritius, in conditions of abject poverty, and their situation should be examined by the Special Rapporteur on indigenous people.

44. Mr. DEER (Indigenous World Association) said that his Association welcomed the work of the Special Rapporteurs and the efforts of the Working Group on Indigenous Populations and the Working Group to consider the draft declaration on the rights of indigenous peoples. The reform of the United Nations system should not simply involve the reorganization of bodies and offices, but must incorporate changes in the organization's attitude and approach to issues that affected all of humankind. The highest standards should be set for all peoples across the world, and the participation of indigenous peoples was integral to ensuring that the United Nations was a true representation of all sectors of the global community.

Statements in exercise of the right of reply

45. Mr. ANDRADE GUENCHOCOY (Observer for Chile) said, in response to several statements regarding his country's compliance with the Special Rapporteur's recommendations, that in the area of legislation, constitutional recognition of the indigenous peoples was to be discussed in the National Congress and it was hoped to ratify ILO Convention No. 169 during the current session. Such steps required a special quorum which had not been achieved to date owing to the attitude of right-wing parties.

46. With regard to the situation of Rapa Nui and its inhabitants, the President had established a group of eminent persons to draft a special statute which would soon be referred to the Congress for enactment. The authorities were also working with Lafkenche leaders to promote recognition of that people's ancestral rights in coastal areas in southern Chile.

47. The "Chile Solidario" Social Protection System provided special coverage for indigenous communities. To date, 11,264 indigenous families had benefited from the system.

48. The indigenous legislation enacted in Chile in 1993 had recognized the right of communities to land and the fact that they had been the victims of serious usurpation. From 2000 to 2004, a total of 230,000 hectares of land had been transferred to indigenous ownership.

49. The authorities had appropriated a large sum for indigenous study grants in 2005, resulting in an 83 per cent increase in coverage. The budget for the bilingual intercultural education programme had been increased by 40 per cent.

50. As a democratic State, Chile could not accept the use of violence to achieve the aims of any of its citizens, indigenous or non-indigenous. It had therefore established institutional mechanisms and channels for responding to all demands. The counter-terrorist legislation had been invoked on 14 occasions since 1992 because of the extremely serious situation confronting the authorities. It had last been applied in July 2003 in the case of a violent assault on a Mapuche witness. The purpose of the judicial proceedings had been to punish the perpetrators of crime and on no account to "criminalize" the indigenous movement.

51. Mr. LATONA (Observer for Mauritius), responding to issues raised by the National Association of Criminal Defense Lawyers and Liberation, said that the Chagossians were full-fledged citizens of Mauritius. The Chagos Archipelago, including Diego Garcia, had always been an integral part of the territory of Mauritius. He further reaffirmed that there were no "indigenous" peoples on the Chagos Archipelago and that all those who had gone to the Chagos Archipelago to live and work had come from Mauritius. Mauritius had always expressed concern at the manner in which they had been displaced from the Archipelago. The Government had taken numerous initiatives to safeguard their welfare and support their right of return to the Archipelago. It would continue to do everything in its power to exercise its sovereignty over the Chagos Islands.

RIGHTS OF THE CHILD (agenda item 13) (continued) (E/CN.4/2005/63, 73-77, 78 and Corr.1-2 and Add.1 and Corr.1 and Add.2-3, and 129, E/CN.4/2005/G/7; E/CN.4/2005/NGO/18, 29, 51, 73, 98, 124, 126, 194, 206, 222, 229, 251, 269, 319, 326 and 337; E/CN.4/Sub.2/2004/34)

52. Ms. PARKER (International Educational Development Inc.) said that her organization welcomed the work of the Secretary-General's Special Representative for Children and Armed Conflict, and his report to the Commission (E/CN.4/2005/77). The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict contained provisions that unfairly discriminated between national armed forces and insurgent armed groups, many of which functioned in defence of self-determination. Such provisions contravened the right to equal rights and equality under the law. Under the Geneva Conventions, full combatant rights must be granted to soldiers from the age of 15.

53. Discussions on the employment of child soldiers were often motivated by politics, rather than concern for the children themselves. Although there were many accusations that the opposition forces in Sri Lanka had recruited minors under the age of 18, no mention had been made of child recruitment by Sri Lankan government forces. Those who accused the Liberation Tigers of Tamil Eelam (LTTE) of recruiting combatants below the legal age should also address the issue of the thousands of Tamil child victims of war who had been killed, or had lost their parents and were homeless or displaced, and often fled Tamil-controlled areas in fear of abuse. For the sake of such children, the Commission must give its full support to the peace process in Sri Lanka.

54. Ms. TROXLER (Society for Threatened Peoples) said that the situation in the eastern part of the Democratic Republic of the Congo was the biggest and most neglected humanitarian emergency in the world. Some 3 million Congolese were in acute need of assistance and about 1,000 people died each day, half of them children under 6 years old. Children were both victims and perpetrators of human rights violations, since they were used by militias and the regular army as child soldiers. They were also among the most vulnerable victims of internal displacement and disease.

55. Armed militia groups kidnapped hundreds of rival tribe members, torturing, mutilating, raping and decapitating their victims. Only a handful of perpetrators had been brought to justice for raping girls. Prosecutors were sometimes unwilling to investigate crimes of rape, witnesses were intimidated and the military authorities often refused to cooperate.

56. Despite regional and Congolese peace agreements, clashes between militias continued to undermine humanitarian aid efforts. More than 100,000 Congolese had fled renewed fighting in the Ituri region since December 2004. Children, in particular, lacked access to basic services and were increasingly affected by malaria, diarrhoeal diseases, respiratory infections, sexually transmitted infections and trauma. Child prostitution was rife.

57. The Commission should urge all parties to the conflict to honour the peace agreements signed since 2002; appoint a special rapporteur on human rights in the Great Lakes region; and call on States in the region, especially Rwanda, to refrain from inciting violence in the Democratic Republic of the Congo.

58. Ms. SRIVASTAVA (International Institute for Non-Aligned Studies) said that child labour was one of the worst forms of violation of children's rights. According to ILO figures for 2000, some 200 million children aged 5 to 14 were economically active, a large proportion of them in full-time jobs. The worst-affected regions were sub-Saharan Africa and Asia, followed by Latin America.

59. Child labourers were denied most of the rights for which the family and school were responsible: nutrition, shelter, a secure environment, socialization and preparation for the world of work. The mere enactment of laws banning child labour was not enough. Laws to protect the rights of marginalized and forgotten children to a safe home, education, health care and a loving environment must be implemented through a partnership involving the whole of society.

60. Mr. GERON (Consultative Council of Jewish Organizations) said that for many people the outward manifestation of religious dress and symbols was a core component of the exercise of their faith. Restrictions within educational establishments could impinge on children's religious rights and have severe repercussions on their right to education. Such restrictions must be necessary, according to the Convention on the Rights of the Child, to protect public safety, order, health or morals, or the fundamental rights and freedoms of others. They must also be proportionate. Sweeping restrictions on all religious dress and symbols were unlikely to be strictly necessary.

61. While children, especially girl children, might be at risk of coercion by religious groups, it was wrong to assume that such coercion was occurring. Exclusion of children from educational establishments could lead to broader social exclusion and loss of opportunities for future participation in wider public life. Religion and its expression did not constitute an automatic threat to a tolerant and rights-respecting political order. While States might fear politicization of religious dress and symbols, the stigmatization of such dress and symbols could exacerbate communal tensions and create genuine grievances for law-abiding citizens of all ages.

62. The Commission should request the Special Rapporteurs on the right to education and on freedom of religion or belief to investigate the issue of restrictions on religious dress and symbols in educational establishments.

63. Mr. ANWAR (International Islamic Federation of Student Organizations) said that in many parts of the world children were subjected to the worst kinds of forced and unethical labour and denied access to health and education. In India, for example, over 120 million children were forced to work under inhuman conditions. They earned little and were much abused. Most started working at the age of 4 or 5 and their health was irrevocably damaged by the time they reached adulthood. The children of untouchables and Dalits in India were systematically denied the opportunity to improve their lot. The State had failed miserably to address the tribulations of Dalits in general and Dalit children in particular.

64. The Commission's credibility would be enhanced if it appointed a special rapporteur to investigate such crimes and recommend effective remedial action.

65. Ms. ADRINASOLO (International Young Catholic Students) drew attention to the case of children deported by the Polisario Front to Cuba without the consent of their parents. For years the children were separated from their parents, subjected to indoctrination and military instruction, and forced to work in the fields and in tobacco factories. Their parents were thus also forced to stay in the Tindouf camps in the hope of being reunited with their children.

66. She recommended that States should provide free medical care for street children and invest more in their social reintegration; afford children greater freedom of expression; and develop local networks to monitor human rights violations and report them to the competent bodies. She also suggested that the Commission should send an expert or special team to the Tindouf camps and to Cuba to investigate the circumstances of deported children and their families; and appoint a special rapporteur on violations of children's rights in areas not covered by existing mechanisms.

67. Mr. CABRAL (Madre) said that when a child was born whose sexual and reproductive anatomy differed from both male and female bodily standards, his or her genitals were surgically and medically modified, without the child's consent, to conform with those standards. Cases of intersexuality accounted for 1 in every 2,500 births. The vast majority of intersex children suffered invasive and mutilating procedures, practices motivated by fear of difference, sexism and homophobia. He himself carried in his flesh and experience the marks of such mutilation.

68. A radical change of approach to bodily diversity was required. Decision-making autonomy and bodily integrity must be recognized as rights of the child. Stopping intersex infant genital mutilation was an ethical and political imperative. The Commission should join efforts to eradicate it.

69. Ms. ZAIN (Netherlands Organization for International Development Cooperation) said that the situation of children in Aceh, who had already suffered the consequences of the armed conflict, had been exacerbated by the recent tsunami. Inadequate protection, health care, education and sanitation were compounded by severe food shortages. An estimated 100,000 had been separated from their families, leaving them traumatized and vulnerable to exploitation by international trafficking and illegal adoption networks. The State made no attempt to control the situation or offer protection to those children. The situation of children in camps for internally displaced persons (IDPs) was particular cause for concern.

70. Her organization appealed to the Commission to urge the Indonesian Government to lift the state of emergency in Aceh; implement the concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.223); investigate all human rights violations committed by military or police forces; bring an end to the violations of children's economic, social and cultural rights; and develop a programme to restore children's rights in Aceh.

71. Mr. GLENN (Human Rights Council of Australia) drew the Commission's attention to the plight of six Afghan refugee children who remained in detention on Nauru; most of the refugees held on Nauru following the interception of the Norwegian vessel Tampa in 2001 had since been placed in host countries. The children's asylum claims had never been heard in Australia. The Australian Government had financed the establishment of the camp on Nauru to keep the refugees off Australian territory; hence Australia's international obligations as a

signatory to, inter alia, the Convention on the Rights of the Child did not apply. Human rights treaty monitoring had proved ineffectual and, as a result, six Afghan children had spent four years of their lives in detention. The Commission might prove effective in pressuring Australia into rectifying that situation.

72. Mr. MAEDA (Japanese Workers' Committee for Human Rights) said that ongoing and sometimes extremely violent attacks on Korean students in Japan were cause for grave concern. Although the issue had been brought to the attention of United Nations human rights bodies since 1994, the Japanese Government had taken no effective measures to prevent such incidents.

73. The Japanese Government persistently refused to formally recognize the systematic rape of girls and women by Japanese soldiers during the Second World War, thus evading its legal responsibility for "State-sponsored genocidal rape".

74. Attempts by the Tokyo Metropolitan Government to expropriate and sell the land on which the Korean elementary school in the Edagawa district was located were also cause for concern. The Korean community had been forcibly relocated to the district in 1940 in the framework of a redevelopment project, and the school was of considerable historical and cultural significance. Local residents had repeatedly appealed to the authorities in Tokyo to take that circumstance into consideration.

75. Ms. BUKHARI (International Human Rights Association of American Minorities) said that situations of armed conflict destroyed family and community support structures for the protection of children. The situation of children in Indian-occupied Jammu and Kashmir was particularly serious; an entire generation was growing up in an atmosphere of State terrorism and repression. The atrocities committed by the Indian occupying forces had caused the death of more than 89,000 persons and had left over 100,000 children orphaned. That situation affected all aspects of children's development and constituted an affront to the guiding principles of the Convention on the Rights of the Child. The protection of children in situations of armed conflict required the full implementation of all relevant international instruments.

76. It would be useful for the independent expert leading the study on violence against children to grant special attention to the situation of children in armed conflict or foreign occupation and to formulate recommendations on effective measures to address those issues. The international community should urge the Indian Government to halt the atrocities and desist from excessive use of force against children in Jammu and Kashmir.

77. Mr. MAEDA (Asia-Japan Women's Resource Center) said that the Japanese Government condoned the censorship of history textbooks, thus denying Japanese children the right to learn the truth about their own history. Most contemporary Japanese history books misrepresented Japanese military aggression during the Second World War and contained no reference to military sexual slavery. Such educational strategies made reconciliation and peaceful coexistence between Japan and its neighbours impossible. Civil society organizations in China, Korea and Japan had undertaken to compile a common history textbook on the war in the Asia-Pacific region in an attempt to rectify past wrongs and become full members of the global community.

78. Mr. YING Chen (United Nations Association of San Diego) said that the plight of children in China deserved particular attention. Child-friendly legislation remained a dead letter when law enforcement was instructed to ignore and contravene those regulations.

79. The killing, abduction, arbitrary detention and labour exploitation of Falun Gong practitioners had serious consequences for the lives of their children, who themselves were increasingly victims of police violence. At least five children had died from the effects of ill-treatment and dozens had been imprisoned, tortured, forced into labour and expelled from school. Various Special Rapporteurs had reported such incidents to the Commission, and he called on OHCHR to take concrete action, including the creation of a mandate of a Special Rapporteur on the situation of human rights in China.

80. Ms. MIRIMO (World Young Women's Christian Association and Women's International League for Peace and Freedom) said that 640 million children worldwide were deprived of adequate housing, 500 million lacked access to health care, 400 million had no access to safe drinking water and 90 million were suffering from malnutrition. Each day, 35,000 children in the world died from preventable causes and many in conditions that hindered their physical, intellectual, spiritual and social development. The use of children as child soldiers and for the purpose of sexual or labour exploitation was rampant, and in sub-Saharan Africa children were unjustly accused of sorcery and abandoned to live in the street. Although the Convention on the Rights of the Child prohibited the imposition of capital punishment on children, several countries continued that practice.

81. Her organization called on parents and society to ensure that children grew up to respect others and to assume their rights and responsibilities. Children must be guaranteed a life in dignity and Governments should work towards the demobilization and effective reinsertion of child soldiers; allocate a greater share of the budget for education and the social sector; establish mechanisms to enforce respect for children's rights; and take effective measures to prevent rape, violence and torture in childcare institutions.

82. Ms. SCHOLZ (Centre on Housing Rights and Evictions) said that the denial of equal inheritance rights increased girls' vulnerability to poverty, homelessness and violence. In sub-Saharan Africa and the Middle East, existing statutory, customary and religious laws prevented women and girls from inheriting land, housing or property, leaving them entirely dependent on their relationship to male relatives. Forced marriage or engagement in sexual relations were often the only way for women and girls to access land or property. Increasing mortality rates resulting from conflict, hunger and HIV/AIDS brought the issue of inheritance rights for women and girls to the top of the international agenda. Her organization appealed to the Commission to consider the plight of millions of disinherited, homeless and destitute girls and women worldwide and to make inheritance, housing and land rights a priority in its work.

83. Mr. CALZÓN (Liberal International) said that children were the future of human society and as such warranted special protection. In China, boy preference and the one-child policy had led to the killing of baby girls and a shortage of women and girls in rural areas. As a result, trafficking in young women and girls for the purpose of sexual exploitation or forced marriage was rampant. In the Sudan, tens of thousands of children were forced into slave labour and exposed to severe beating, hunger, sexual violence, forced religious conversion and ritual female

genital mutilation. In Cuba, adolescents were forced to work in the fields to pay for an allegedly free education, and higher education was restricted to those who shared the official ideology. The Cuban Government's claims that Cuban children were deprived of food and medicine as a result of the United States embargo were untrue. For years, Cuba had been allowed to purchase United States food and medicines. The State-owned international pharmacy near Havana supplied foreigners with medicine that was off-limits to Cubans themselves. Child prostitution in the context of a growing sex tourism industry in Cuba was also cause for grave concern. He called on the Commission to ensure that the Governments of China, the Sudan and Cuba were held accountable.

84. Mr. NEUER (United Nations Watch) said that children in the Sudan had been victims of grave human rights violations, including killings, attacks, sexual violence, abduction, forcible recruitment as child soldiers, harassment and intimidation. One of the most odious of those crimes was rape, which constituted a war crime and a crime against humanity. In Darfur, rape had been part of the systematic atrocities committed against the civilian population.

85. His delegation welcomed the decision to refer the situation in Darfur to the International Criminal Court. However, prosecution must be complemented by prevention. The Commission could be the mouthpiece for world public opinion by stating its unequivocal condemnation of those crimes. The Sudanese Government's persistent resistance to such a condemnation testified to its significance. In 2004, the Commission had signalled indifference by withdrawing the resolution on the situation in Darfur and adopting instead a decision devoid of any substance; as a result, the crimes had continued. In 2005, the world's foremost human rights body must take a clear stance and condemn the world's foremost human rights violation.

Statements in exercise of the right of reply

86. Mr. XIA Jingge (China) said that the issue of history textbooks in Japan illustrated that country's persistent refusal to come to terms with its own history. As a result, Japanese children were deprived of a truthful account of that history. The State-sponsored elimination of references to certain aspects of Japanese history from textbooks was an attempt on the part of the Government to deny the full nature and extent of its responsibility. That attitude constituted an affront to justice and human conscience. His delegation strongly condemned such distortion of historical facts, which showed a lack of respect for the victims and undermined reconciliation with the countries that had suffered Japanese repression.

87. Mr. Vassilenko (Ukraine) took the Chair.

88. Ms. FORERO UCROS (Observer for Colombia) said it was important to bear in mind that guerrilla groups were the largest recruiter of child soldiers in Colombia. Her Government by no means wished to deny its responsibility in preventing the forcible recruitment of children. However, children's involvement in terrorist activities was a very serious issue and attribution of responsibility must be consistent with the facts. The recruitment of minors into the Colombian armed forces was prohibited by law. Programmes conducted by the Colombian Family Welfare Institute for former child combatants placed particular emphasis on social reintegration.

89. With regard to references made to draft legislation on children and adolescents, her delegation wished to make it clear that the text did not provide for the imposition of prison sentences for former child soldiers. Consistent with international norms, those children themselves were considered victims.

90. Action taken with regard to members of the illegal self-defence groups aimed at their demobilization, and not their legalization. The process was open to public scrutiny. Her Government encouraged civil society to cooperate actively in assisting former child soldiers and strengthening preventive measures.

91. Mr. GUNARATNA (Sri Lanka) said it was surprising that International Educational Development, Inc. should have tried to whitewash the use of child soldiers by the LTTE. Reports by United Nations agencies and international human rights organizations confirmed that 60 per cent of LTTE ceasefire violations concerned the use of child soldiers. It would be advisable for that NGO to refrain from slander and misrepresentation and from using an international human rights forum to justify human rights violations.

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.4/2005/8, 63, 79, 80 and Add.1, 81-83, 84 and Add.1, 85 and Corr.1 and Add.1 and Add.2-4, 86 and Corr.1 and Add.1, 124, 128 and 133; E/CN.4/2005/G/7, 19, 31 and 33; E/CN.4/2005/NGO/13, 25, 52, 65, 74, 82, 106, 120, 129-130, 143, 180, 186, 195, 199, 232, 234, 270, 289, 302 and 320-321; E/CN.4/Sub.2/2004/29, 36 and Corr.1; E/CN.5/2005/5; A/59/360)

92. The CHAIRPERSON invited the Representative of the Secretary-General on the human rights of internally displaced persons to address the Commission.

93. Mr. KÄLIN (Representative of the Secretary-General on human rights of internally displaced persons) said that the primary purpose of his mandate was to act as the voice of internally displaced persons (IDPs) and to ensure that their human rights were respected, protected and fulfilled. Dialogue with Governments was an important element of that task, and the Guiding Principles on Internal Displacement provided the normative framework.

94. IDPs shared a common vulnerability caused by their displacement and the need for a durable solution. The loss of one's home often entailed increased vulnerability to, inter alia, physical violence; lack of access to the basic necessities of life; and disease and impoverishment. The importance of protecting displaced persons was thus evident.

95. The situation of the approximately 25 million IDPs around the world was cause for grave concern. While some had been able to return to their homes, others had been driven out and the majority were trapped in protracted situations of displacement.

96. The year 2004 had seen a dramatic escalation in the conflict in Darfur, which had uprooted nearly 2 million persons. The plight of the displaced in that region had been the continuous concern of successive mandate-holders, and he had sought to engage the Sudanese Government concerning the continuing allegations of forcible displacement and other abuses. He urged the Sudanese authorities to give serious consideration to his predecessor's report (E/CN.4/2005/8) and recommendations; to implement the Guiding Principles on Internal Displacement; and to cooperate with the international community in improving the situation of IDPs and bringing those responsible for arbitrary displacement to justice.

97. The tsunami that had struck South Asia in 2004 had caused the displacement of over 1 million persons. In March 2005, he had undertaken a brief working visit to Sri Lanka and Thailand, to which the Governments of those two countries had kindly consented. The humanitarian response to the tsunami by Governments, NGOs, national human rights institutions and international agencies was impressive; a human rights-based approach to the reconstruction and recovery phase would greatly enhance the prevention of future difficulties or violations.

98. In his report to the Commission (E/CN.4/2005/84 and Add.1), he had outlined ways to address the specific needs of displaced persons and improve the protection of their human rights. In pursuit of his mandate, he intended to engage in dialogue with national authorities; promote the development of domestic legislation and policies on IDPs in accordance with the Guiding Principles on Internal Displacement; prepare a handbook on domestic IDP policy-making and legislation; and support the work of national civil societies and human rights institutions in the field of IDPs.

99. Another important aspect of his mandate was to promote the incorporation of the human rights of IDPs into all relevant parts of the United Nations system. In that connection, he had signed a memorandum of understanding with the Inter-Agency Internal Displacement Division and the Global IDP Project to avoid duplication of effort. He would continue cooperation with the Brookings-Bern Project on Internal Displacement.

100. Consistent with the principle that States bore the primary responsibility for the protection of displaced persons, country missions would remain a central part of his activities. The Governments of Nepal and Serbia and Montenegro had agreed to visits, and there were positive indications that the Governments of Croatia and Bosnia and Herzegovina would follow suit.

101. Mr. ABDULRAHMAN (Sudan), speaking as the representative of a concerned country, welcomed the constructive comments and recommendations made by the former Representative of the Secretary-General on internally displaced persons in the report on his mission to the Darfur region of the Sudan from 25 July to 1 August 2004 (E/CN.4/2005/8). He had been invited by the Sudanese Government, which had provided him with every facility. He had met with cooperation among all ranks, at both the central and state level.

102. The Representative had stressed that the roots of the Darfur conflict were varied and complex. In the past, inter-tribal competition for scarce resources, exacerbated by drought and desertification, had been resolved by means of traditional community mechanisms. The recent crisis had erupted when, in early 2003, two rebel movements, the Justice and Equality Movement (JEM) and the Sudan Liberation Movement (SLM), had attacked police stations, civilian government institutions and Al-Fashir airport.

103. In paragraph 24 of his report, the Representative had described as a positive development the Government's agreement to place eight human rights monitors in Darfur to protect the displaced. In paragraph 18, he referred to the joint communiqué issued by the Government and the United Nations following the Secretary-General's visit to the country in July 2004, and to the Joint Implementation Mechanism (JIM). In paragraph 19, he mentioned the role of the African Union in facilitating negotiations and monitoring the ceasefire in cooperation with the international community and the European Community. According to the Representative, the security situation had improved, so that displaced persons had been able to return home to their villages voluntarily. The camps were also secure. He referred in paragraph 25 to the decision by the Minister of Justice to fight impunity and bring those suspected of criminal offences to justice, and to the setting up of the national commission of inquiry into human rights violations. In paragraph 27 he noted that the humanitarian situation had improved and that the Government was providing facilities for humanitarian workers.

104. The Rapporteur recommended, *inter alia*, that the militias and the rebels should be disarmed simultaneously and that a political solution should be sought.

105. He explained that the term "Janjaweed" was ambiguous but mostly applied to outlaws who engaged in looting and plunder. The description of the conflict as ethnic or racial was misleading, as was the use of the terms "African tribes" and "Arab tribes". Not all members of the Fur, Masalit and Zaghawa tribes in Darfur belonged to the rebel groups. On the other hand, some members of the groups were from Arab tribes. The report made no mention of the abuses committed by the rebels or the more than 200 ceasefire violations that had claimed the lives of humanitarian workers. They had also blocked roads and held up relief convoys. The figures given in the report for the number of persons killed in the conflict were inaccurate.

106. With regard to the claim in paragraph 12 of the report that the conflict was rooted in Arab-Islamic culture, he stressed that the Sudan was a multi-ethnic, multicultural and multidenominational society based on tolerance and peaceful coexistence.

107. The Government had assisted humanitarian workers and organizations by introducing a fast-track visa system. There were now more than 100 international humanitarian bodies and more than 1,200 humanitarian workers in the region.

108. The Government had signed humanitarian and security protocols in N'djamena and Chad. It had drawn up a comprehensive security programme for the displaced people's camps, main roads and return routes, deploying more than 12,000 police officers. The Government, the United Nations and the International Organization for Migration (IOM) had set up protection committees in each state.

109. The restoration of stability called for social reconciliation and confidence-building. Unfortunately, however, the rebel movements were trying to involve the tribes in the conflict in order to complicate the situation. The Government, on the other hand, had sought to repair the social fabric, and more than 25 of the main tribes had thus far opted for reconciliation.

110. The Government had signed an agreement with the IOM on assistance for voluntary return. The IOM had organized training courses in Darfur and set up joint monitoring bodies composed of representatives of the Government, the IOM, the United Nations and local bodies. The Government had also signed an agreement with the Office of the United Nations High Commissioner for Refugees (UNHCR) on the reception of voluntary returnees from Chad and internally displaced persons. A joint committee would monitor the process as well as the rebuilding of villages. The reconstruction programme would serve 50 villages in each of the three states of Darfur.

111. The Sudanese Government had wide experience in dealing with displaced persons and refugees, having worked out a framework policy and programmes with the Sudan People's Liberation Movement based on the principle that all citizens should enjoy freedom of movement, protection and dignity. The United Nations, the IOM, the Norwegian Refugee Council and other organizations participated in a national centre for displaced persons and voluntary return.

112. He called on the international community to assist in implementing the peace agreement; to resolve the Darfur problem through peaceful dialogue aimed at addressing the root causes; and to focus on supporting social reconciliation and confidence-building in Darfur.

The meeting rose at 6.10 p.m.