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Editorial

Since the establishment of the working group on transnational corporations in 1998 by the SCDH, the CETIM and the American Association of Jurists (AAJ) have been closely following the question of legal monitoring of TNC activities. In their relentless pursuit of profit, TNCs have repeatedly violated human rights.

Our objective has always been to make the control of TNCs effective in line with existing national and international norms in terms of human rights and to design, within UN structures, control mechanisms and sanctions in cases of violation.

Initially set up for three years, the mandate of the group was amended and extended for a further three years in 2001. But despite the time that was granted, discussions immediately focused on recommendations and proposals relating to the control of TNCs without first examining the specificities or the scope of the violations committed by TNCs.

Mr David Weissbrodt presented - for the third year running - a project for a voluntary code of conduct[1] for TNCs. This latest version relating to TNCs and to « other business enterprises », only dilutes the scope of the text and in this way denies the specificity of the violations committed by the TNCs. Furthermore, and despite Mr Weissbrodt's protestations, this project for a code of conduct is not in any way binding. It is full of « shall », which gives it an appearance of something imperative. But it contains no plan of action, or sanctions in case of human rights violations. In fact the implementation of the code is left entirely up to the TNCs.

In order to denounce the diversion of the mandate of the working group, the CETIM and the AAJ launched a campaign consisting of a petition[2], a publication (in French, English and Spanish) that was widely distributed at the UN, and a parallel conference. The result of our action was the delay for a year of the adoption of the Mr Weissbrodt's project but also and above all, the enlargement of the alliance of NGOs and social movements against the risk of a blank check handed by the UN to multinationals in relation to respect for human rights.

You will find in this bulletin, long extracts of declarations that we presented to the SCDH at the working group on TNCs. In parallel, we protested against the fate of migrants and refugees in Europe, victims of the war against terrorism, a question which has been discussed in depth by experts as the next article demonstrates.

[1] In Bulletins n°11 and n°13, we printed various critiques of the projects for codes of conduct submitted by the Working Group expert cf.: www.cetim.ch/bul/bul/htm.

[2] The text of the petition and the list of 72 signatories are available on our website: www.cetim.ch/stn/02petition_en.htm

54th Session of the Sub-Commission on the Promotion and Protection of Human Rights (29 July to 16 August 2002)

The work of the Sub-Commission focused on regulating the activities of transnational corporations (TNCs), on the Social Forum, and on terrorism and human rights.

Regulation of TNCs

The Sub-Commission Working Group on TNCs met for the fourth time this year. Once again, debate centred on a research document, drafted by Mr David Weissbrodt (US expert), whose most recent version is entitled « Principles and responsibilities pertaining to human rights as applied to transnational corporations and other industrial or commercial enterprises ».

Like the CETIM and the AAJ, most NGOs requested that the document embody enforceable legal norms, that it establish a mechanism to monitor compliance, and that it contain a provision for punitive sanctions against TNCs that violate human rights. Some NGOs, however, were unaware that the Weissbrodt text, as presented to the Sub-Commission, corrupts and dilutes the Working Group's mandate, and they seemed to have no qualms at the prospect of extending the instrument's remit to cover « other commercial enterprises ». M. Weissbrodt defines « other commercial enterprises » as « any industrial or commercial entity, regardless of the international or national nature of its activities, the legal form – capital- or persons-based – according to which it was formed, and whether its capital is privately or publicly owned. »[1]

Such a definition can in no way be construed as applying only to TNC branches or sub-contractors (which are, of course, a focus of the Working Group study). On the contrary, it can obviously refer to all sorts of enterprises, including those operating within a strictly national framework, irrespective of size. According to this definition, the shoemaker or local baker could be targeted, although the instrument's intended target is not just any sort of company, but specifically TNCs, these being a worldwide phenomenon of enormous economic, social and political power, with obvious effects on the enjoyment of human rights worldwide.

According to the UN Research Institute for Social Development (UNRISD), there is confusion as to the voluntary or compulsory nature of the Weissbrodt measures. Foreseeing the possibility of complaints against TNCs that violate human rights, the UNRISD has come out in favour of a monitoring mechanism. The Institute also stated that the measures ought to be applied to big companies only (national or transnational) and to their suppliers, and that small companies should be exempted.

As far as the experts are concerned, all favour the creation of an enforceable legal instrument and the adoption of a monitoring mechanism. Some, however, consider that the standards developed should apply equally to « other enterprises ».

Employers refuse any kind of enforceable instrument.

The resolution adopted by the Sub-Commission at the end of its session puts the study of the instrument off until next year, and requests investigation of possible enforcement mechanisms.[2] Mr Weissbrodt's document has been renamed « Standards for TNC and other enterprises' responsibility for human rights », and it was presented as a Working Group official document.

The Social Forum

Created within the framework of the Sub-Commission, the Social Forum held its first session in Geneva on 26 July and 2 August 2002. Sub-Commission experts and about one hundred NGO representatives attended. Its mandate was to discuss issues related to economic, social and cultural rights in the context of globalisation, and to « propose legal standards and initiatives, and formulate directives and other recommendations to be examined by the Human Rights Commission, the Working Group on the Right to Development, the Committee on Economic, Social and Cultural Rights, etc. »[3]

The discussions focussed on globalisation and human rights as well as the right to food and the reduction of poverty. Several participants, including representatives of *Vía Campesina* (from Thailand, Indonesia and Latin America) highlighted the catastrophic consequences for farmers in the South of both WTO agreements and IMF and World Bank policies.

The responsibility of states to guarantee socio-economic conditions favourable to development and the related issue of the increase of privatisations of public services were mentioned on several occasions. The Forum advocates the adoption of national policies designed to implement the right to an adequate food supply, and suggests the implementation of measures designed to ensure harmonization between, on the one hand, economic rights and policies and, on the other, human rights, particularly with regard to the international right to work.

In a resolution adopted at this session[4], the Sub-Commission decided that the next session of the Forum would focus on « the links between globalisation, rural poverty and farmers', cattle raisers' and other rural communities' rights », and asked its president, Mr José Bengoa, « to prepare a working document on rural poverty and related issues ».

The « Fight against Terrorism »

In their Sub-Commission plenary statements, the experts unanimously condemned state violations of human rights committed under the banner of the « fight against terrorism ». In her report on this issue, the Special Rapporteur Mrs Kalliopi Koufa also denounced this tendency.[5]

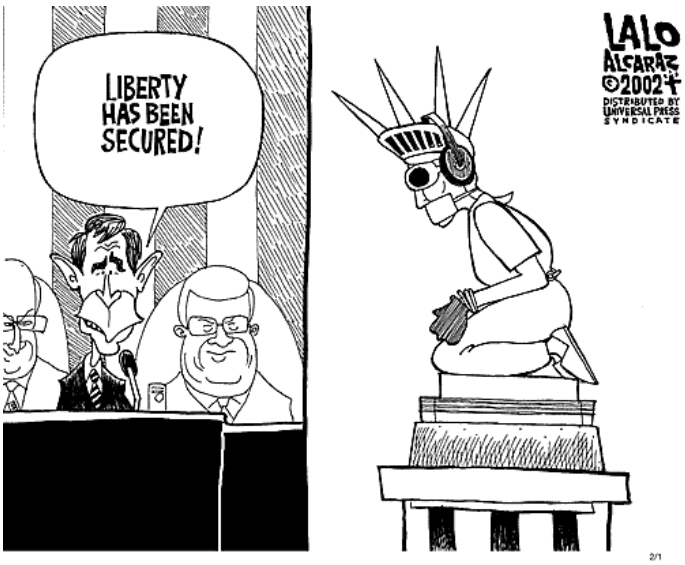
The chairperson of the session, Mr Sergio Pinheiro (Brazil expert) said he feared that the world might be entering an era that could be qualified as a « new Cold War » – an era in which a tendency towards a dangerous return to polarization around the notions of terrorism and methods to combat it would dominate. It would be a terrible pity, he said, if the fight against terrorism upset the priority of cooperation between countries, or replaced other issues of global importance.

Mrs Halima Warzazi (Morocco expert), Mr Yozo Yokota (Japan expert) and Mr José Bengoa (Chile expert) stressed the need to examine the causes of terrorism.

Mr Emmanuel Decaux (France expert) said that seeking the causes of terrorism might lead to mistakes, for arguments put forward by terrorist groups are generally excessive, as when they demand reparation for injustices suffered.

But Mr Hadji Guissé (Senegal expert) in opposition to Mr Decaux, said that understanding the causes of terrorism could make it possible to deal with its root causes, which in turn could prevent the events we all deplore. For Guissé, it is necessary to distinguish between terrorism for its own sake and acts taking place in the context of liberation struggles: « When a people is oppressed, resistance is a duty, as history has shown » he said.

On this issue, the CETIM stated that the fight against terrorism, in the form taken following the 11 September 2001 attacks, raises the question of respect for human rights as defined by the role and charter of the UN. The CETIM particularly criticized two resolutions (1373 and 1422) adopted by the Security Council as running counter to the Charter and violating human rights. The CETIM further enjoined the Special Rapporteur on Terrorism and Human Rights to study the underlying causes of terrorism.



Cartoon appears courtesy of Lalo Alcaraz, www.cartoonista.com and Universal Press Syndicate, Image ©2002 Lalo Alcaraz.

Two Sub-Commission resolutions regarding terrorism, one of which is entitled « Present and future human rights situation », cautions governments against using the fight against terrorism as an excuse to abuse their power and violate human rights (see box). The second resolution, entitled « Armed intervention and peoples' rights to self-determination »[6] condemns any foreign armed intervention attempt that infringes upon current international law, and calls on states «engaged in such military action or which are threatening such action to immediately cease such internationally illegal conduct ». Although not expressly mentioned, it is obvious that this Sub-Commission resolution alludes to US preparations for war against Iraq.

[1] Cf. paragraph 20 of Mr Weissbrodt's document: E/CN.4/Sub./2002/WG.2/WP.1 of 29 May 2002.
[2] Cf. E/CN.4/Sub.2/RES/2002/8.
[3] Cf. E/CN.4/Sub.2/RES/2001/24 et E/CN.4/Sub.2/RES/2002/12.
[4] Cf. E/CN.4/Sub.2/RES/2002/12.
[5] Cf. E/CN.4/Sub.2/2002/35.
[6] Cf. E/CN.4/Sub.2/RES/2002/1.

THIS BULLETIN IS ON OUR WEBSITE: www.cetim.ch

Extracts from the HRSC Resolution on Terrorism:

Current Situation and Future of Human Rights[1]

The HRSC emphasizes that « that all measures adopted against terrorism should be strictly in keeping with international law, and particularly with international norms and obligations in the sphere of human rights »
It draws attention « to the incompatibility of certain laws, regulations and practices recently introduced by a number of countries, in particular those which call into question the judicial guarantees which are intrinsic to the rule of law, notably in relation to police custody, arbitrary detention, incommunicado detention, the rights of the defence and the right to an effective redress »
It denounces « measures which constitute acts of torture and cruel, inhuman or degrading punishment or treatment, and thus violate norms which may not be derogated from in any circumstances. »
It deplores « the serious violations of other fundamental freedoms, in particular freedom of expression and respect for privacy, freedom of movement, as well as the restrictions placed on non-citizens and non-respect for right to asylum »
It observes, « that these violations often go hand in hand with flagrant discrimination based on nationality, ethnic origin or religion »
It condemns « violations of the norms and principles of international humanitarian law, which must be respected everywhere and in all circumstances ». […]

[1] Cf. Resolution adopted without vote. Cote UN: E/CN.4/Sub.2/RES/2002/2

Will the UN Compel Transnational Corporations to Comply with International Human Rights Standards?

Below are lengthy extracts from the publication distributed in the context of the SCDH by the CETIM and the AAJ: Will the UN impose respect for international norms for human rights on transnational corporations?

Four questions underlie our reflections on TNCs and the need to control their activities. They represent the unifying theme of this publication.

- How can we, within the current system of national and international standards in force, make Transnational Corporations and their managers abide by the existing legal framework?
- How can we, within national and international jurisdictions, sanction them punitively in case of violations?
- How can we consolidate and develop specific existing standards regarding Transnational Corporations?
- What is at stake in the debate on guidelines for Transnational Corporations, regardless of whether they are voluntary or compulsory?

This publication is available from the CETIM for 5 francs or can be downloaded from our site at www.cetim.ch/stn/02stnen1.htm in either html or pdf.

I. Effects of Transnational Corporations' Activities and Working Methods on Human Rights

A. What are Transnational Corporations?

« Transnational corporations are private law legal entities […] with a presence in multiple territorial jurisdictions but with a single decision-making headquarters. Their transnational character does not mean that they are international legal entities […]. The only international legal entities are those that are subjects to international public law: states and intergovernmental organisations […].

The huge amount of capital funds they possess gives them a power unprecedented in history. The trading volume of the largest transnational corporations is equal to or bigger than many countries' GDP, and the trading volume of some half dozen of them is greater that the combined GDP of the 100 poorest countries.

They can operate with a main corporation and subsidiaries, build up groups active in a single sector or conglomerate activities in diverse fields, combine with other firms by take-overs or buy outs or by setting up financial holdings […]. They can be based in one or several countries: in the country where the head office is, in the one where their principal activities are carried on, and/or in the one where the company is officially registered.

The true productive activities are sometimes subcontracted out while the transnational corporation controls the know-how, the trademark and the marketing of the products. Activities can be carried on in different national territories and may quickly and frequently change location to ensure profit maximisation.

The transnational character of their activities allows these corporations to avoid the national and international laws and regulations that they consider counter to their interests.[…]

B. Effects of the Working Methods and the Activities of Transnational Corporations

These working methods and activities are governed by a basic goal: getting maximum profit in the shortest possible time, which reflects on the one hand, the logic of competition in a globalised capitalist economy and on the other, the unlimited appetite for power and wealth of their chief executives, stock holders and property owners. This basic objective does not admit any obstacle whatsoever and, to attain it, transnational corporations stop at nothing:

- the promoting of wars of aggression and interethnic conflicts in order to control the natural resources of the planet […];
- the violation of workers' rights and human rights in general;
- the degradation of the environment […];
- the bribing of civil servants to facilitate the take over of essential public services, such as the supply of drinking water, through their fraudulent privatisation and thus the elimination of the rights of present and potential users (especially the least fortunate);
- the appropriation – formally legal or illegal – of ancestral, technical and scientific knowledge, which are by nature social entities;
- the corruption of political and intellectual elites and of leaders of « civil society »;

– the monopolisation of the principal means of communication
– the financing of dictators, the overthrow of governments, and other criminal activities.

Such methods are incompatible with human rights in general, including the right to self-determination and the right to development.

C. Confusion of Economic and Political Powers

If the influence of economic power over political power has been a constant in human society for as long as economic power has existed, one can notice in recent decades a growing interpenetration of economic and political power, which has led to the confusion, indeed, to the fusion, of these two powers. This process has produced erosion both of representative democracy, right up to its formal aspects, and of the role played by its political institutions, national as well as international, as mediators – or supposed mediators – between different and conflicting interests.

The outstanding example of this relation between economic and political power is the United Sates, where a majority of the world's transnational corporations are based. In this case, it would be more accurate – especially at present – to speak of confusion or of fusion of political and economic power. This is all the more serious that this fusion involves the greatest military power on the planet. […]

This confusion between political and economic powers is also conspicuous in the international field.

In 1978, the NGO *Declaration de Berne* published a leaflet entitled « L'infiltration des firmes multinationales dans l'Organisation des Nations Unies » [The Infiltration of Multinational Firms in the United Nations Organisation], describing with detailed documentation the activities carried out by big transnational companies (*Brown Bovery, Nestlé, Sulzer, Ciba-Geigy, Hoffmann-La Roche*, etc.) in order to put pressure upon various bodies of the United Nations system.

Now, one no longer speaks of «infiltration » but of the opening of the doors of the UN to transnationals under the banner of the « Global Compact », inaugurated on July 25, 2000, at the UN headquarters in New York, with 44 major transnational corporations and a handful of « representatives of civil society ». Among the corporations participating in the « Global Contact » one finds *British Petroleum, Nike, Shell, Rio Tinto and Novartis*, all of which have a long record of substantial violations of human and workers rights as well as of environmental degradation. Among them is also to be found the *Lyonnaise des Eaux*, whose activities in the bribing of civil servants in order to obtain the monopoly in the supply of drinking water are well known in France and Argentina and more recently in Chile.

This alliance between transnational corporations and the United Nations creates a dangerous confusion between a public international political institution, the United Nations, which, according to its charter, represents « the peoples of the United Nations », and a group of entities representing the private interests of an international economic elite. This « alliance » thus is totally opposite to the process of democratisation necessary to the United Nations. […]

II. Recommendations and Proposals to Hold Transnational Corporations Responsible

In a state of law, transnational corporations, like individual persons and legal entities treated as individuals under the law, are liable under both civil and criminal law for violations of prevailing legal standards (both international standards, implemented through domestic legislation, and national standards).

Voluntary guidelines cannot substitute for standards established by national governmental organs and by inter-state intergovernmental organs, for such guidelines are not binding legal standards whose violation leads to a punitive sanction. Further, both experience and studies show that voluntary codes are inadequate, that their implementation has been found wanting because left to the discretion of the corporations, with no real independent outside monitoring. […]

It is thus a question of establishing a way, within the current system of national and international standards in force, by which transnational corporations as well as their managers and directors might be situated within a legal framework, and a way by which, in case of violations, they might be punitively sanctioned within national and international jurisdictions. […]

Existing standards should be made complete on both the national and international levels.

a) The principle of public service must be emphasized, especially in the areas of health, food (including clean water), education, housing, communication and information in all their forms, and the setting up of oligopolies and private monopolies in these areas must be prevented.

b) Implementation mechanisms of the specific instruments dealing with transnationals must be reinforced, particularly those such as the Declaration of Tripartite Principles on Transnational Corporations and Social Policy adopted by the Administrative Board of the International Labor Organization in 1977 (which, in its November 2000 amendment, refers to 30 conventions and 35 recommendations of the ILO) and the OCDE directives (revised text, June 2000), even though they merely address recommendations to the corporations.

c) Compulsory guidelines for transnational corporations must be established, guidelines such as those requested in the Declaration and the Program of Action of the Millennium Forum (United Nations, New York, 26 May 2000, Point 2 of Section A) by more than 1000 non-governmental organizations from 100 countries. These guidelines should also address the question of technology transfers. […]

d) There is no competent international criminal jurisdiction for judging private legal entities. The statutes of the International Criminal Court adopted in Rome and in force since 1 July 2002, do not provide for judging legal entities or infractions against social, economic and cultural rights. For the time being, the possibility of using this court to inform the prosecutor (individuals may not denounce much less file a complaint in this court) of violations of human rights committed by transnational corporations so that the prosecutor may decide to indict those responsible is, all the same, not to be ruled out. It would be advisable however to promote the reform of the statues of the International Criminal Court to include under its jurisdiction infractions against economic, social and cultural rights and the criminal liability of private individual persons.

e) For the time being, national courts are the only ones that may receive complaints and requests against transnational corporations and their managers and directors, to the extent allowed by an ever-growing application of the principle of universal jurisdiction. At present, there are a number of trials under way against transnational corporations and their directors and managers in various national jurisdictions for violations of several categories of human rights. […]

CETIM's Interventions

Strengthening of the Asylum and Immigration Policies in the European Union

« The CETIM expresses grave concern that the changes that occurred in asylum and immigration policies in the European Union, at the light of September 11, are severely undermining the fundamental rights of refugees and migrants. In addition, these policies, while eroding European democratic tradition and values, are also fuelling racist sentiments from which ultra-conservative political parties and organizations of the extreme-Right, in many parts of Europe, derive their growing strength.

In December last year, the EU Council agreed on a framework decision and a common position on combating terrorism. The framework decision defines and instructs member states to include as terrorist offences «*intentional acts, by their nature and context, which may be damaging to a country or an international organization.*» While a (non-binding) Declaration was also issued, ensuring that the framework decision does not implicate those who are merely exercising their right to legitimate dissent, the definition of terrorism, which was adopted, is so broad and all-encompassing that it does not give any amount of assurance that issue-based protests or trade union activities would not come under the purview of this definition. This scepticism is not completely unfounded in the face of EU plans to extend the Schengen Information System (SIS) to create a database of « suspected » activists or «trouble-makers» which could be retrieved by police, paramilitary and other security organizations when there is an assumed « threat » for a planned demonstration in an EU member country. To augment these, discussions are going on for an extension of the powers of Europol to incorporate public order and surveillance of protests as well as the creation of a EU force of riot police. These plans, if they materialize, would be tantamount to a criminalisation of protest while putting an « alert » on a particular person who is assumed to be a «trouble-maker» would assign a « quasi criminal record » on those who, based on their criteria, are assumed to be « trouble-makers».

The offshoot of the war against terrorism is reflected in the shifting policies relating to immigration and asylum which zero in on deterrence and the fight against human trafficking. The attitude of policy-makers towards the displacement of people is that of «hostility and rejection» and a paranoid fear that all illegal immigrants and refugees could be linked to terrorist organizations who enter the country in order to create havoc and undermine national security. While pursuing an aggressive line to combat human trafficking, on the one hand, and a complete disregard for the plight of refugees and migrants, on the other, both trafficker and trafficked have effectively been lumped together as part of a criminal conspiracy. While international law upholds the right of migrants to claim asylum regardless of their means of entry, states have also been quick to denounce « illegal » entries as violating domestic immigration laws and, therefore, as criminal deeds.

Part of the hysteria created by the aftermath of September 11 is reflected in the subsequent labelling and categorization of individuals and groups that are deemed to constitute threats to national security and are, therefore, « terrorists ». On 2 May 2002, the Council of the European Union adopted by written procedure the inclusion of the Kurdistan Workers Party (PKK) in the EU list of terrorist groups. This decision was made in the face of persistent demands by the Turkish Government […].

The decision of the EU Council seems to be a critical point in an unfolding scenario that reflects a mounting disregard for the plight of Kurdish refugees and asylum seekers in the past two decades. A report published at the end of September 2001 argues that, already, in the '80s, Kurdish refugees and asylum seekers in the UK (and Germany) have been «targeted» and « criminalized » by state and non-state actors and with increasing brutality. This has been fuelled by the growing strength of far-right groups as well as racist and sensational propaganda by the tabloid press. Following are cases that highlight the «targeting» and «criminalization» of Kurdish refugee communities and asylum seekers in the UK:

– « In the beginning of May 2001, Barbara Roche, UK's Home Office Minister brazenly announced that immigration officers are now being openly permitted to officially discriminate against eight nationalities, one of which was Kurdish ».
– The UK's policy of dispersal has meant that refugees are pushed to some of the most deprived areas of the country, far from city centres, where no health, housing, counselling and educational provisions exist. The refugees in these places have become the target of brutal racist attacks and even murder. In the Sighthill area (in Glasgow) last year, there have been 70 racist assaults on Kurds and other refugees. […]

Water Privatisation is a Violation of Human Rights

« Water is essential to life. At this day, 1.4 billion people have no access to drinking water, and almost 4 billions live in unacceptable sanitary conditions. Only 3% of all the water on earth is sweet water, of which 99% remains unavailable for human use, frozen in the glaciers or laying deep under the surface of earth. So only 1% of sweet water resources is actually available for human use. Moreover, these resources are not equally spread on the globe: massively on some parts while scarcely on others.

Its growing scarcity should have led to an improvement in its management by the collectivity in order to preserve this heritage. Today however, industrialized societies[1] overuse and waste it, principally in the intensive agriculture sector, that uses 80% of the available resources.

Moreover, the current neoliberal tendency toward water privatisation tends to consider water as an economic good, source of profit. Thus, the priority is not to answer a need anymore but to be profitable. One of the conditions put forward by the World Bank (WB) for the debt alleviation of the « strongly indebted poor countries » is precisely the privatisation of water distribution in cities. Nearly all the southern countries have, to this day, privatised their water management, following the neoliberal recommendations of the WB and the International Monetary Fund (IMF). At all levels, the large transnational corporations (TNCs) like the *Lyonnaise des Eaux*, *Vivendi Environment* and *Saur International* (*Bouygues*) are geographically sharing between themselves the globe's water market. Hence, submitted to market laws, the price of water has become unaffordable for the most deprived populations, which have to support the eager interests of TNCs. In Ghana, for example, the charges for water have met a 95% rise (at least) and could still rise of almost 300% since the IMF and the WB demand the prices to be driven up to the market price. […]

The water privatisation experience in various countries proves that these practices bring out more problems than they can solve. In a preliminary case study[2], M. Milloon Kothari, Special Rapporteur on the right to adequate housing shows that

water privatisation has not improved the quality of services for the most marginalized populations. The Rapporteur shows great concerns about the fact that despite this acknowledgement the WB, along with regional banking establishments for development, encourage continuously the privatisation of water supply services in the most deprived parts of the world. […]

For Mr. Kothari, the current privatisation of public services may have « *dramatical effects on economy and social cohesion, when it encounters problems* ». Moreover, « *many attempts for water privatisation have been considered as failures in the past few years* », and « *comparisons between public services in the developing countries have shown that public water services were among the most efficient* »[3].

[1] For example, the industry sector uses 280,000 litres of water to produce a ton of steel and 700 litres to produce a kilo of paper, not to mention the waste products and the radioactive wastes produced by industrial activities that contaminate water.

[2] See the web site of the High Commissioner: www.unhchr.ch, E/CN.4.2002/59.

[3] The following cities are cited by the Special Rapporteur: Sao Paolo (Brazil), Debrecen (Hungary), Lilogwe (Malawi), et Tegucigalpa (Honduras).

THIS BULLETIN IS ALSO AVAILABLE IN FRENCH AND SPANISH

To read in French on …

… Water Privatisation:

L'eau, patrimoine commun de l'humanité

Alternatives Sud, CETRI, L'Harmattan, 312 pages, 2002, CHF 15.-

Merely reflecting the unequal relationships between and within nations, water shortages are not inevitable. Management of water resources is a source of conflict, water contamination is the result of a « productivist » development model and water privatisation is the manifestation of the appropriation of human needs by markets and profits. Access to water is an ethical issue as it is a public and threatened good. It must be considered a fundamental right to be guaranteed for the whole of humanity.

This book can be ordered through the CETIM.

Rapport entre la jouissance des droits économiques, sociaux et culturels et la promotion de la réalisation du droit à l'eau potable et à l'assainissement

M. El Hadji Guissé, expert SCDH, 2002
UN: E/CN.4/Sub.2/2002/10

The report of the Senegalese expert of the SCDH, M. Guissé, starts from a simple observation: water is essential to life. Drawing on national, regional and international legal texts on human rights, including the right to water, he arrives to the following conclusion: « the right to drinking water is the right of access, for every human being, to adequate supplies of water necessary for meeting basic needs ».

This report is available on the site of the High Commissioner for Human Rights: www.unhchr.ch.

… Depleted Uranium:

Contribution au débat sur l'uranium appauvri

Eds Anne Gut and Bruno Vitale, 126 pages, 2002, CHF 10.-, € 7.-

This book attempts a synthesis of the different aspects of a phenomenon which are not confined to the scientific and medical fields but also to the implications in terms of the politics of science, the responsibilities of UN agencies and the possibilities for action by citizens faced with lies and partial truths on the part of dominant powers. The presentation of reliable data and discussion of problems in « open » chapters are all the more important, because for reasons of prestige, these « scientific » institutions and even in some cases, of the more independent scientific community, all have an interest in ensuring that the problem is « forgotten ». Failing that, they seek to minimize the problem and transform it into a media phenomenon.

This book can be ordered through the Centrale Sanitaire Suisse (Romande) 126 pages, 2002, email: cssr@infomaniak.ch.

… Transnational Corporations:

Le pouvoir des transnationales

Ed. CETRI, L'Harmattan, 324 pages, 2002, CHF 26.-

The neoliberal economy favours the accumulation of transnational capital. The growth in power of TNCs is its corollary. It transcends democratic control and its decision making power affects whole swathes of humanity. The appropriation of markets operates through a policy of fusion, acquisitions, privatisations and produces a monopolistic concentration of economic power. In the absence of an international legal structure, public powers are reduced to the role of auxiliary. TNC's quest for legitimacy reveals their sensitivity to the multiple forms of civil resistance, which are emerging.

This book can be ordered through the CETIM.