

JUST PUBLISHED

« Nous peuples des Nations Unies... »

Sortir le Droit international du placard

By Monique and Roland Weyl

The Charter, which underpins the United Nations Organization, is an eminently innovative text, as well as being the foundation of contemporary international law. Yet practically no week goes by without the media calling into question the principles solemnly and very wisely incorporated into it. Most often, this is done by omission or by ignorance and underestimation of the qualitative jump that the adoption of the Charter represented in the history of international relations and of the vast experience condensed into its words; probably, sometimes surreptitiously, this come about by playing on emotion and by a biased presentation of events, imprudently removed from their context.

Unknown, often travestied and cavalierly dismissed, these principles are all the same vital for the preservation of peace and an indispensable condition for the advancement of democracy in all societies and in international relations.

Militants and vastly experienced lawyers, lawyers and long standing militants, Monique and Roland Weyl are concerned. It is high time, it is urgent to "get international law out of the closet", they claim. In their view, the U.N. is par excellence an instrument of the peoples of the world. But these peoples must fight to take it back. Law is not exclusively a matter for lawyers, nor are international relations exclusively a matter for governments.

The authors call upon citizens to make their own the commitments proclaimed in the preamble of the Charter: "We, the peoples of the United Nations..." Their work, which is intended to teach and is addressed to all, is solidly argued. It allies enthusiasm for the momentum given to the emancipation of the peoples of the world by the adopting of the Charter and the creation of the United Nations with the wisdom of a view of history in the long term.

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Produire de la richesse autrement

Usines récupérées, coopératives, micro-finance,... les révolutions silencieuses

Joint publication

What do militants from the Circle of self-promotion for sustainable development in Benin have in common with *piqueteros* organizing roadblocks in Argentina, or with micro-finance activists from the social movements of *Nigera Kori* in Bangladesh or *Assefa* in India, or with the *socios* of MCC Mondragón in Basque Country in Spain, or factory workers from the matrixing factory Mol Matric in Catalunya, or Longos from the Longo Maï cooperatives...? They are all deeply involved in experiments in the solidarity-based economy, and as such have become genuine laboratories for social alternatives. Thousands of these exist. Often brought to life through the sheer necessity to survive, they exist and produce differently without necessarily having waited for a favorable political situation. They rarely appear in the front page of the media although they put forward positive and even subversive elements, that contribute to the construction of a just and mutually supportive world. This book tells the story of some of these experiences.

But also, beyond these presentations, what are the interactions of these experiments with passing time, globalization, the State and power in general? Are they capable of generating endogenous growth, and if so, how? What general teachings can they bring us? In what ways could state policies encourage the development of a solidarity-based economy?

This book outlines some answers that will no doubt interest people seeking alternatives and other means of production and consumption.

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WHO ARE WE?

Through its publications and its work with the UN, the CETIM denounces the maldevelopment in general, ecological as much as economic and social, and promotes an exchange of critical views from both Southern and Northern societies. The CETIM is focuses in particular on respect for, implementation and promotion of economic, social and cultural rights, as well as issues related to the right to development.

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CETIM

EDITORIAL

During its 8th and 9th sessions, held respectively last June and September, the Human Rights Council (HRC) addressed crucial questions that this last bulletin of 2008 returns to.

Indeed, the Council adopted a very important and long awaited instrument: an optional protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) making it possible for victims of violations to file an individual or collective complaint with the United Nations Committee on Economic, Social and Cultural Rights. This new instrument was formally adopted by the U.N. General Assembly on 10 December in New York on the occasion of the 60th anniversary of the Universal Declaration of Human Rights, the primary human rights protection instrument.

The HRC also gave a new impetus to the process of the development of a declaration on international solidarity and intends to contribute its share to solving the world food crisis. Further, the HRC condemned, once more, Israel and Myanmar for violations of international humanitarian law and international human rights law.

It should on the other hand be stressed that the Council did not advance significantly in establishing a legal framework for the activities of transnational corporations violating human rights, and even regressed with respect to the right to development or the effect of transfers of toxic waste on human rights.

Within the framework of the publication of its last brochure *The Right to Work*, the CETIM organized a public conference in Geneva on the question of the legal minimum wage in Switzerland with the Communauté genevoise d'action syndicale (CGAS), which is summarized in this bulletin.

Historic Event: the Adoption of a New Complaint Mechanism for Economic, Social and Cultural Rights

After four decades of delays and five sessions of its Working group of unlimited composition, the Human Rights Council (HRC) adopted, without vote, on June 18, 2008, an optional Protocol referring to the International Covenant on Economic, Social and Cultural Rights.¹ This historic event has already been approved by the U.N. General Assembly.

It should be emphasized that obtaining a consensus on the Protocol was not easy, many countries, Western ones in particular, at times opposed it by asserting the “non-justiciability” of economic, social and cultural rights (Canada, the United States, Poland, the United Kingdom, etc), or tried to empty it of its substance by defending a piecemeal approach to the rights enumerated in the Covenant (a position defended in particular by Switzerland, Germany, China, Russia, the United States, Japan, etc).² Thus, the right to self-determination, eliminated during the negotiations of the Working group, was only reinstated, immediately before adoption in the plenary, owing to the efforts of delegations such as the Algerian and Pakistani.

Accordingly, one can say that the process of ratification risks being long. A strong mobilization of civil society and social movements will be necessary to ensure that the greatest possible number of countries ratifies this protocol³ and that we have a legal instrument at the international level in the event of violations of economic, social and cultural rights. We will note here only that the protocol in question authorizes the Committee on Economic, Social and Cultural Rights⁴ to accept individual or collective complaints. You will find in the CETIM’s second report a detailed presentation of this instrument and our comments on it.⁵

International solidarity

In his third report presented to the 9th session of HRC, the independent expert on human rights and international solidarity, Mr. Rudi Muhammad Rizki, makes the following observations⁶:

“International solidarity and international cooperation are based on the foundation of shared responsibility. In the broadest sense, solidarity is a communion of responsibilities and interest between individuals, groups and States, connected by the ideal of fraternity and to the notion of co-operation. The relation between international solidarity and international cooperation is an integral one, with international cooperation as a core vehicle by which collective goals and the union of interests are achieved.

The obligations related to international assistance and co-operation are complementary to the primary responsibility of States to meet their human rights obligations. There is a shared responsibility for development met by States’ national obligations and the obligations of international cooperation, facilitating global implementation”

After debate, the Council adopted a resolution,⁷ 33 to 13,⁸ in which it reaffirms that “global challenges must be managed in way that distributes costs and burdens fairly, in accordance with basic principles of equity and social justice, and that those who suffer, or who benefit least, deserve help from those who benefit most.”

The Council also reaffirms that “the promotion of international cooperation is a duty for States, and that it shall be implemented without any conditionality, in full compliance with the principles and purposes of the Charter of the United Nations, in particular respect for the sovereignty of States, and taking into account national priorities.”

It should be stressed that, by this resolution, the Council reiterated its request to the independent expert on human rights and international solidarity that he prepare “a draft declaration on the right of peoples and individuals to international solidarity”. The Council requests the aid of the experts of the Advisory committee to help in this task.

The member states of the European Union justified their negative vote on this resolution by asserting that international solidarity consisted of moral principles and was not a legal obligation, thus disregarding the Charter of the UN and international law concerning human rights.

The special session on the world food crisis

On May 22, 2008, the Human Rights Council held a special session on “the negative impact on the realization of the right to food of the aggravation of the world-wide food crisis, caused, among other things, by the alarming rise in prices of food”. This session was organized at the request of Cuba, in the name of the movement of non-aligned countries, and supported by 41 member states of the Council.

If the treatment of this urgent and serious question by the international community remains disappointing, it should all the same be noted that it is the first time that Council convened an extraordinary session on a general question. Up until now, extraordinary sessions were devoted only to the situation of particular countries (Palestine, Myanmar, Sudan, etc).

After this debate, the Council asked the special rapporteur on the right to food, Mr. Olivier de Schutter, to participate in the high level conference on food safety, held in Rome from 3 to 5 June 2008, and to



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Etats des résistances dans le Sud 2009 Face à la crise alimentaire

Joint publication Vol. XV (2008) n°4

Port-au-Prince, Cairo, Dakar, Mogadiscio, Kuala Lumpur, Manila... for many southern capitals, 2008 will have been the year of the hunger riots. Traditionally deaf to popular protest, the governments of the countries concerned responded this time, albeit in a small way, aware that the popular rage of “empty stomachs” represented an unparalleled threat to their stability. Habitual repression was accompanied this time by a set of emergency measures aimed at containing prices (food subsidies, tax reductions on imported food, limitations on exports etc). A spectacular expression of the social and political tensions affecting the urban universe, the hunger riots have not exhausted the capacity to react of the affected populations.

In many countries, the discontent has been channeled through demonstrations –against the high cost of living– by union movements or opposition forces with the hope –beyond the humanitarian emergency– of forcing some democratic and social changes by the elites taken by surprise by the dimensions of the crisis. More fundamentally, these are the final convulsive protests against the trend towards marginalization of subsistence agriculture in favor of monoculture for export and consequent increasing dependence of poor countries on international markets. Will farmers’ organizations be able to use this growing awareness, shared by a growing number of national decision makers, of the dangers of agricultural liberalization, in order to advance the cause of food sovereignty?

Price: CHF 22.50/15 €, 224 pages, ISBN: 978-2-84950-20-20, CETRI, GRESEA (Belgium) / Syllepse (France), 2007, can be ordered from CETIM.

time to legislate for a legal minimum wage as several of our neighbors have done,” concluded M. Özden.

Alessandro Pelizzari began his presentation with two points, which are highlighted in the brochure: first, the enormous gap between the declaration of the right to work and the reality; second, although the right to work might appear abstract, it is the result of a century of struggle against insecurity and the obligation to sell one’s own labor in order to survive. It is no coincidence that the texts mentioned in the brochure were written after the second world war. He made the bitter observation that “today we are experiencing a regression, through the dismantling of the right of work, the attacks on, and the non-renewal of, collective agreements, the increase in precarious work, the trend towards flexible working hours and the imposition of “on-call” arrangements. And already in Switzerland, the right to work is not well developed”. In parallel, the state is also dismantling unemployment rights and reducing benefits. Caritas reports that one million working poor in Switzerland do not manage to get by, each month, on their salaries. “There is a trend towards the impoverishment of workers in the rich countries” he continued.

Today, unions are resolutely willing to fight once again for collective agreements by sector, and for a reinforced role of the state in these negotiations. These demands appeared during the bilateral talks (leading to the agreement between Switzerland and the EU on the free movement of workers, among other things).

The demand for a minimum wage in Switzerland is very recent. A. Pelizzari noted that “Switzerland is one of the few countries to have no law on this question, with the exception of Italy and the Scandinavian countries, but in the latter countries, almost 100% of workers are covered by collective agreements”. Until today, the unions believed that a minimum wage would force all wages downwards or prevent wage negotiations. Various forces on the left are asking that a minimum wage be inscribed in cantonal constitutions (Valais, Vaud, Geneva and Tessin). It all depends now on power relations, and A. Pelizzari concluded his presentation with a call for worker mobilization. The brochure can be ordered from the CETIM or downloaded from our website.

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It should also be said that the Working Group is not clear about the future use –if they are accepted by governments– of the criteria being elaborated, since it is still not clear to what kinds of partnerships they will be applied. Thus, in order to elaborate its criteria, the High Level Task Force has up until now studied partnerships such as the OECD and the NEPAD (New Partnership for the Development of Africa) or the partnership between countries of the ACP (Africa, Caribbean and Pacific) and the European Community (Cotonou Accord), whereas it is notorious that human rights, and even less the right to development, are not among the preoccupations of these partnerships.

Apart from that, according to the resolution adopted by the Human Rights Council on the question,¹⁵ the criteria in question should be used to elaborate a complete and coherent series of norms relative to the realization of the right to development, in the form of “guidelines” (!) which could serve as a basis for an “international legal standard of a binding nature”.

Movement of toxic wastes

In its annual report, presented at the 9th session of the HRC, on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, the Special Rapporteur, Mr Okechukwu Ibeanu, identified the following major concerns¹⁶:

- the effects of fertilizers, pesticides and herbicides on health and the environment;
- the problem of the stocking of obsolete pesticides (delivered in the context of development aid to the agricultural sector of countries of the South, these pesticides seriously endanger the life and health of populations and their improper disposal engenders contamination of farmland and rivers);
- poverty incites countries of the South to adopt desperate measures and practices, and in particular, to accept dangerous products and waste indiscriminately and to use dangerous chemical substances in all sorts of activities, without proper control, which has negative effects on agriculture and food production;
- the non-respect of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal;
- the lack of resources at his disposal to implement all the tasks he is assigned;
- the lack of interest, even hostility, with which his mandate is greeted in certain states which claim that questions relating to the management of toxic waste should be examined by organizations specialized in environmental questions and not by the HRC.

This last occurs despite the fact that the very serious effects of cross border movement of toxic products and waste, preventing the enjoyment of

human rights, need no further demonstration (for example the incident of Probo Koala in Abidjean which caused the death of 16 people and health problems in 100,000 others).

In his report, the Special Rapporteur also urged that information on environmental issues be held in trust for the public interest, instead of the interest of those who control the government. The Special Rapporteur reiterated that public access to information and the right to be informed are imperative for the prevention of human rights violations and the protection of the environment.

Further, the Special Rapporteur suggested that his mandate should, from now on, cover the movement of illegal as well as legal toxic and dangerous products and waste, as their effect on the enjoyment of rights is the same.

The Special Rapporteur observed that some movement and transport of toxic and dangerous products and waste officially considered legal –as they take place in the context of commercial operations and development aid– should be considered “illegal” according to norms relating to human rights as they have serious effects on the enjoyment of most human rights guaranteed at the international level.

The Special Rapporteur also requested that his mandate cover the movement of toxic products and waste within countries and not only cross-border movement.

The Special Rapporteur was not heard by the HRC on these last two points. Worse, the mandate of the Special Rapporteur, although extended for another three years, has been reduced. He can no longer conduct enquiries, as he could in the past, on “the impunity of actors of odious crimes”.

However, the Rapporteur may “continue with a multidisciplinary, in-depth, worldwide study, of existing problems, new trends and possible solutions to the harmful consequences for the enjoyment of human rights from the traffic and illicit dumping of toxic products and waste, in particular in developing countries and those which share borders with developed countries, in order to formalize recommendations and concrete proposals on the measures required to control, reduce and eliminate these phenomenon”.¹⁷

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Follow up of the Special Session on Palestine

In the context of the follow up of the Special Session on “Human rights violations emanating from Israeli military incursions in the Occupied Palestinian Territory, including the recent one in northern Gaza and the assault on Beit Hanoun”¹⁸, the HRC examined the report of the “high-level fact-finding mission”. The authors of the report, Desmond Tutu (Archbishop, South Africa) and Christine Chinkin (Professor, UK), deplored that the mission could not take place until 18 months after the events¹⁹, owing to Israeli government refusal, and that they could visit Gaza only by going through Egypt.

They also deplored that the Israeli authorities did not allow them to visit Israeli victims of “Qassam” rocket attacks launched from Palestinian territory as reprisals for bombing by the Israeli army, a position which the Israeli government qualified in its report as “unbalanced”.

In addition, the authors denounce the “international community which does not play the role that is should in relation to the suffering of the people of Gaza, in particular in maintaining a heavy silence of complicity” and that “all interested parties have adopted positions not on the basis of principles but on the basis of political objectives”.

According to the authors, the bombing of Beit Hanoun, in the absence of “well-founded explanation” from the Israeli military, could be qualified as “a war crime as defined in the Rome Statute of the International Criminal Court”.

They also request that the Israeli state provide adequate compensation without delay to the victims and offer reparation to the city of Hanoun such as a memorial to the victims and a health facility.

Following the discussion, the HRC adopted a resolution²⁰ by 32 votes for, nine against,²¹ 5 abstentions,²² which denounces the “non-cooperation of Israel” with the mission sent by the HRC and “calls upon Israel, the occupying Power, to abide by its obligations under international law, international humanitarian law and international human rights law”.²³

Myanmar

In the context of the follow up of the Special Session on Myanmar, the Human Rights Council adopted without vote a resolution on the situation of human rights in this country²⁴ in which it “condemns the ongoing systematic violations of human rights and fundamental freedoms of the people of Myanmar” and “strongly urges the Government of Myanmar to desist from further politically motivated arrests and to release all political prisoners without delay and without conditions.”

Further, the Human Rights Council, among other things, calls upon the Government “to fully implement the commitments it has made to the Secretary-General on granting immediate, full and unhindered access by relief workers to all persons in need throughout the country, to cooperate fully with all humanitarian organizations, in particular in the Irrawaddy Delta, to refrain from sending people back to areas where they cannot have access to emergency relief and to ensure that return is voluntary and occurs in safety and with dignity.”

¹V. resolution A/HRC/RES/8/2 of the HRC.

²V. in this regard, our brochure *The Case for a Protocol to the ICESCR* on our website.

³10 ratifications are required for the optional Protocol to enter into force.

⁴Treaty oversight body of the International Covenant on Economic, Social and Cultural Rights (ICESCR) monitoring compliance by states parties.

⁵V. www.cetim.ch/en/documents/CETIM-report-2.pdf.

⁶V. A/HRC/9/10, 15 August 2008.

⁷V. resolution A/HRC/RES/9/2, adopted 24 September 2008.

⁸Bosnia, Canada, France, Germany, Italy, Japan, Netherlands, Slovakia, Slovenia, South Korea, Switzerland, Ukraine, United Kingdom. Note that Madagascar did not vote.

⁹V. resolution S-7/1 of the HRC, adopted without a vote 22 May 2008.

¹⁰V. www.cetim.ch/en/documents/CETIM-report-3.pdf.

¹¹V. A/HRC/8/5, 5 April 2008.

¹²V. resolution 8/7 du HRC, adopted 18 June 2008.

¹³V. A/HRC/9/17, 10 September 2008.

¹⁴V. in this regard the revised version of the criteria in Annex II of the report of the special team on its 4th session, A/HRC/8/, WG.2/TF/2, 31 January 2008.

¹⁵V. resolution A/HRC/RES/9/3, adopted 24 September 2008.

¹⁶V. A/HRC/9/22, 13 August 2008.

¹⁷V. resolution A/HRC/RES/9/1, adopted 24 September 2008.

¹⁸Cf. HRC resolution S-3/1, adopted 15 November 2006.

¹⁹ 8 November 2006, the Israeli army carried out a military operation at Beit Hanoun, resulting in 19 dead and several dozen injured, not to mention the material damage and the trauma among the survivors (v. rapport A/HRC/9/26, 1 September 2008).

²⁰ V. A/HRC/RES/9/18, adopted 24 September 2008.

²¹ Canada, France, Germany, Italy, Japan, Netherlands, Slovakia, Slovenia, United Kingdom.

²² Bosnia, Cameroon, South Korea, Switzerland, Ukraine. Madagascar did not vote.

²³ The current issue went to press at the end of December, thus, it does not deal with the Israeli assault on Gaza, nor with the 9th special session Human Rights Council, which was held on 9 January 2009. For further information, consult the website of the High Commissioner for Human Rights.

²⁴ V. HRC resolution A/HRC/RES/8/14, adopted 18 June 2008.

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CETIM CONFERENCE “FOR DECENT WAGES IN SWITZERLAND”

On the publication of our latest brochure *The Right to Work*, on 20 November 2008, we organized a conference/discussion with the Communauté genevoise d’action syndicale (CGAS: Genevese Community of Trade Union Action), entitled: “The Right to Work: Decent Wages in Switzerland”.

There were two presenters: Melik Özden, director of the CETIM’s human rights programme and author of the above-mentioned brochure, and Alessandro Pelizzari, regional secretary of UNIA Geneva and vice-president of CGAS. Sylvain Lehmann, secretary of the Syndicat interprofessionnel des travailleurs-euses (Interprofessional Union of Workers), chaired the event, which was held at the Université ouvrière de Genève (Workers’ University of Geneva).

The objective of this conference/debate was to present and compare two perspectives on the right to work, that of international human rights law and that of practical and political action, in order to see how this human right can be properly implemented in Switzerland.

Melik Özden started with a presentation of the rationale for this brochure and then explained in more detail the exact nature and content of the right to work. Neo-liberal globalization, and the increased competition it has created among countries and among workers, together with the current crisis, have allowed large companies to negotiate downwards the work conditions achieved with huge effort by workers and unions in the post-war period. The increasing insecurity of wage earners today is a reality. “It endangers millions of people,” denounced M. Özden. The CETIM brochure aims to make known and to stress governments’ obligations in relation to the right to work and also to social security. The right to work is defined by the Universal Declaration of Human Rights (UDHR) and is implied in various international treaties on human rights touching on such rights as the right to an adequate standard of living to ensure the health and well-being of him/herself and that of his/her family. It is a fundamental and indispensable right for the enjoyment of other human rights. It has two dimensions, individual and collective, given that it must allow an individual to ensure the survival of him/herself and his/her family and that collective organization is required for the defense of this right and its corollaries.

“As Switzerland has ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR), it must now be fully implemented. And it is

submit a report on it to the 8th and 9th sessions on the question.⁹

We already presented in our bulletin n°32 the contributions of CETIM to the special session. You will find a more detailed analysis on the respect and the protection of the right to food in the context of the food crisis in one of our critical reports, to be published shortly, and which will also comment on the discussions and reports presented to HRC.¹⁰

Transnational corporations and human rights

The Special Representative of the Secretary-General on transnational corporations and other business enterprises, Mr. John Ruggie, presented his fourth report to the 8th session of HRC.¹¹

If in the past Mr. Ruggie was hostile to the adoption of binding standards for transnational corporations (TNCs), he is now advocating effective access of victims to mechanisms of redress, since he deems already existing mechanisms –judicial or other– adequate to the current situation.

In his report, the Special Representative recognizes that the consequences of the activities of TNCs can affect all human rights. He establishes an inventory of existing means and of certain measures taken by governments. He notes, however, and rightly, that these means and measures are insufficient, imperfect or limited and are far from adequate, given the challenge.

It is also good to see that the Special Representative bases his analysis on three fundamental principles: the obligation of states to protect their citizens from violations of human rights by third parties, including businesses; the corporate responsibility to respect human rights; and the need for greater access by victims to effective remedies. The Special Representative judiciously emphasizes that these three principles form a coherent whole and must be treated as such in practice for durable progress to be achieved.

At the conclusion of the discussion and by a resolution adopted without a vote,¹² the HRC extended for a further three years the mandate of the special representative.

Within the framework of this modified mandate, the Council asked the Special Representative “to provide views and recommendations on ways to strengthen the fulfillment of the duty of the State to protect all human rights from abuses by transnational corporations and other business enterprises, including through international corporation”. It also asked him “to elaborate further on the scope and content of the corporate responsibility to respect all human rights and to provide concrete guidance to business and other stakeholders; to explore options and make recommendations, at the national,



regional and international levels, for enhancing access to effective remedies available to those whose human rights are impacted by corporate activities.”

It should be noted that the European Union and the Special Representative himself were opposed to mentioning in the resolution the receiving of communications concerning violations committed by TNCs, although this is standard practice for the other mandates.

That said, the new mandate in principle allows for the elaboration of binding judicial instruments to control the activities of TNCs, including the establishment of mechanisms of redress at the international level. Of course, it is impossible to predict the results of the future work of the special representative, or to say for now how he is going to approach the question.

The right to development

The Working Group on the Right to Development presented its rapport¹³ to the 9th session of the Council, which approved it without discussion. However, this cannot hide the profound disagreements within the Council.

In reality, the Non-Aligned Movement continues to press for the elaboration of a convention on the right to development, whereas the European Union and Canada are stubbornly against any binding norms in this area, thus against a convention.

The same goes for responsibilities: if for the former, the priority –in the context of globalization– should be obligations at the international level (international cooperation and assistance) in order to realize the right to development, for the latter it is up to national governments to assume their responsibilities in this area.

It should be emphasized that, for certain parties (the EU in particular), the objective of the Working Group is no longer the implementation of the Declaration on the Right to Development, but the “realization” of the Millennium Development Goals (MDG), in particular goal 8 which concerns a global partnership for development.

In fact, even concerning this, there are differences between states on the approach to be taken to this goal, since the High Level Task Force that was mandated by the Working Group to draft “criteria for the periodic evaluation of world partnerships”¹⁴ concentrates only on certain aspects of this goal (access to essential drugs, for example) but omits others (the cancellation of the debt of southern countries, or the institution of a new multilateral financial and commercial system).

In brief, one can say that the Working Group has moved further and further from its initial goal (the realization of the right to development) and has ended up dealing with humanitarian questions such as access to drugs.