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COMMISSION ON HUMAN RIGHTS

Sixty-first session

SUMMARY RECORD OF THE 38th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 7 April 2005, at 3 p.m.

Chairperson: Mr. WIBISONO (Indonesia)

later: Mr. OULD MOHAMED LEMINE (Mauritania)

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The meeting was called to order at 3.05 p.m.

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS
AND FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS (agenda item 4)
(continued)

1. The CHAIRPERSON informed the Commission that no written proposals had been tabled under agenda item 4.

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION
TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN
OCCUPATION (agenda item 5) (continued) (E/CN.4/2005/L.5 and L.6)

Draft resolution concerning the situation in occupied Palestine (E/CN.4/2005/L.5)

2. Ms. AL-HAJJAJI (Observer for the Libyan Arab Jamahiriya), introducing draft resolution E/CN.4/2005/L.5 on behalf of its sponsors, said that Andorra, Austria, Belgium, Estonia, Finland, France, Greece, Guinea, Indonesia, Ireland, Lithuania, Luxembourg, Malaysia, Malta, Pakistan, Portugal, Slovenia, South Africa, Spain and Sweden had joined the sponsors.

3. The draft resolution on the situation in occupied Palestine had traditionally secured strong support among the members of the Commission. She hoped it would be adopted without a vote at the current session since she failed to see how any member could object to the exercise of the right of self-determination. The text was finely balanced and had been carefully drafted to secure unanimous support.

4. The sponsors had decided to revise the draft resolution by deleting the eighth and ninth preambular paragraphs and operative paragraphs 4 to 7. Paragraph 3 had been revised to read: “Urges all Member States and relevant bodies of the United Nations system to support and assist the Palestinian people in the early realization of their right to self-determination,”.

5. Mr. EVANON (Observer for Israel) said that Israel had stated unambiguously on many occasions that it supported the right of peoples, including the Palestinians, to self-determination. In a few months’ time, Israel would withdraw unilaterally from Gaza, which would be handed over to the Palestinian Authority. Other positive steps had been taken recently in Sharm el-Sheikh. Sadly, the draft resolution ignored the seeds of peace that had recently been sown. Israel’s repeated statements seemed to fall on deaf ears. He called on the Commission to support the current negotiations, which he hoped would lead to a two-State solution that would allow Israelis and Palestinians to live side by side in peace.

6. Mr. ABU-KOASH (Observer for Palestine) said he had hoped that the observer for Israel would support the draft resolution, since he claimed to support the right of the Palestinian people to self-determination. The text of the draft resolution was based on wording accepted by the Israeli Government itself and by the Security Council. He assured the delegation of Israel that the positive developments at Sharm el-Sheikh would be mentioned in other resolutions.

7. The CHAIRPERSON announced that the draft resolution had no programme budget implications.

8. At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution.

In favour: Argentina, Armenia, Australia, Bhutan, Brazil, Canada, China, Congo, Cuba, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, France, Gabon, Germany, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Ireland, Italy, Japan, Kenya, Malaysia, Mauritania, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Paraguay, Peru, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, South Africa, Sri Lanka, Sudan, Swaziland, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against: United States of America.

Abstaining: Burkina Faso, Costa Rica.

9. The draft resolution, as orally revised, was adopted by 49 votes to 1, with 2 abstentions.

Draft resolution concerning the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (E/CN.4/2005/L.6)

10. Mr. REYES RODRÍGUEZ (Cuba), introducing draft resolution E/CN.4/2005/L.6 on behalf of its sponsors, said that Algeria, Qatar, the Russia Federation and the Syrian Arab Republic had joined the sponsors.

11. There had been a significant increase in mercenary activities in recent years, with increasing recruitment for armed conflicts, terrorism related to drug trafficking and covert State operations. It had been necessary to organize a series of seminars of experts to discuss issues related to the use of mercenaries and to develop norms for the protection of human rights against the activities of private security companies.

12. The draft resolution proposed ending the mandate of the Special Rapporteur on mercenaries and establishing a working group whose mandate was set forth in paragraph 12. The group would study, in particular, the impact on human rights, especially the right of self-determination, of private companies offering security services on the international market and would prepare draft international principles to regulate the conduct of such enterprises.

13. The CHAIRPERSON announced that a paper setting forth the programme budget implications of the draft resolution had been circulated to all members.

14. Mr. DE JONG (Netherlands) said he was speaking on behalf of the States members of the European Union that were members of the Commission and that the acceding countries Bulgaria and Romania and the candidate countries Turkey and Croatia aligned themselves with the statement. The European Union shared many of the concerns about the dangers of mercenary activities expressed in the report of the Special Rapporteur (E/CN.4/2005/14) and was concerned about the impact of such activities on the duration and nature of armed conflicts. It strongly

condemned the involvement of mercenaries in terrorist activities. However, the States members of the European Union would vote against the draft resolution because they doubted whether the use of mercenaries should be dealt with primarily as a human rights problem and a threat to the right of peoples to self-determination. They believed that the Sixth Committee of the General Assembly was a more appropriate forum in which to discuss the issue. The European Union also opposed the establishment of a working group to deal with the matter.

15. At the request of the representative of the Netherlands, a recorded vote was taken on the draft resolution.

In favour: Argentina, Armenia, Bhutan, Brazil, Burkina Faso, China, Congo, Costa Rica, Cuba, Dominican Republic, Ecuador, Egypt, Ethiopia, Gabon, Guatemala, Guinea, India, Indonesia, Kenya, Malaysia, Mauritania, Mexico, Nepal, Nigeria, Pakistan, Paraguay, Peru, Qatar, Russian Federation, South Africa, Sri Lanka, Sudan, Swaziland, Togo, Zimbabwe.

Against: Australia, Canada, Finland, France, Germany, Hungary, Ireland, Italy, Japan, Netherlands, Republic of Korea, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Honduras, Saudi Arabia.

16. The draft resolution was adopted by 35 votes to 15, with 2 abstentions.

Draft decision on the question of Western Sahara

17. The CHAIRPERSON said he took it that the Commission wished to approve the following draft decision on the question of Western Sahara:

“The Commission on Human Rights decides, without a vote, to defer consideration of the matter to its sixty-second session, under the same agenda item.”

18. It was so decided.

19. The CHAIRPERSON invited statements in explanation of vote at the close of action on agenda item 5.

20. Mr. BOSCHWITZ (United States of America) said that the United States had voted against the draft resolution on the situation in occupied Palestine because it was, as in the past, unbalanced notwithstanding the amendments which had been a step in the right direction. The draft resolution failed to take fully into account the dramatic progress that had been made in the past six months in the West Bank and Gaza, which had provided new opportunities to achieve the goal of two States living side by side in peace and security. Both sides must break with the past and set out on a new path. Free elections had resulted in a new leadership of the

Palestinian Authority committed to ending violence. Israel had undertaken to withdraw from Gaza and parts of the West Bank and to support the Palestinian Authority's political, economic and security reform efforts. The Commission had been given the opportunity to advance those efforts to build a new foundation for peace based on mutual security, democracy and human rights. Regrettably, the draft resolution had failed to seize that opportunity.

21. The United States remained committed to providing the leadership and support that was required to end the tragic conflict.

22. Mr. VARELA QUIROS (Costa Rica) said that, although Costa Rica supported the right of self-determination, particularly of the Palestinian people, it had abstained from voting on the draft resolution on the situation in occupied Palestine because of its lack of balance in failing to take into account the major progress that had been made at Sharm el-Sheikh. He hoped that the dialogue begun on that occasion would lead to a settlement of the conflict so that Palestine could become a sovereign, independent State living peacefully alongside Israel within safe borders.

23. Mr. PIRA (Guatemala) reiterated his support for the two-State solution whereby Israel and Palestine, having both exercised their right of self-determination, would live as neighbours in peace and security. He had therefore voted in favour of the draft resolution on the situation in occupied Palestine. The new opportunities for peace in the Middle East afforded by the Sharm el-Sheikh agreement between the Prime Minister of Israel and the President of the Palestinian Authority should be taken into account at the current session of the Commission.

24. Mr. MNATSAKANIAN (Armenia) said that he had supported the draft resolution on the use of mercenaries because of Armenia's belief in the need for an in-depth study of the phenomenon and for the elaboration of standards and tools to monitor and combat mercenary activities. Armenia had experienced the consequences of such activities on its own territory.

25. However, Armenia would continue to pay particular attention to the problem of transparency and fairness of trials in a particular country in Africa.

INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE:

(a) VIOLENCE AGAINST WOMEN

(agenda item 12) (continued) (E/CN.4/2005/63 and 68, E/CN.4/2005/69-E/CN.6/2005/6, E/CN.4/2005/70-E/CN.6/2005/7, E/CN.4/2005/71 and Add.1, 72 and Corr.1 and Add.1-5, and 133; E/CN.4/2005/NGO/12, 17, 28, 49-50, 72, 88, 91, 116, 118, 125, 141, 146, 187, 197, 205, 224, 228, 245, 250, 268, 273, 285, 318 and 336)

26. Mr. PONCI (International Organization for the Right to Education and Freedom of Education), speaking also on behalf of Women's Board, said that the feminist movement, after half a century of struggle, had only partly achieved its objectives. New and unforeseeable challenges had arisen involving, for instance, the shift from "sexual discrimination" to "gender discrimination"; policies based on difference and category-based rights that could result in separation of the sexes; and "affirmative action" entailing "discriminatory" policies.

27. The notion of gender involved attaching more importance to cultural than to biological factors. Thus, discrimination against women stemmed from stereotypical ideas rather than from the violent imposition of a particular viewpoint.

28. Policies based on difference contrasted with the traditional tendency to emphasize equality, which was “blind” to differences, all being equal and hence having the same rights. Democracy today was more equitable than egalitarian. The notion of all being equal but nonetheless different had given rise to affirmative action or unequal treatment of people in the same circumstances. Such transitional policies were designed to achieve equality for “disadvantaged” persons.

29. Humanity was nonetheless a long way from developing a concept of man/woman diversity that was consonant with the requirements of human dignity. There were grey areas, claims which could, if left undisputed, produce the kind of dogma that led to even greater discrimination. An open debate was required to distinguish genuine rights from ideology.

30. Ms. CERVANTES (Organization of Solidarity of the Peoples of Africa, Asia and Latin America) said that social exclusion and injustice compounded gender-based discrimination and inequalities worldwide. Poverty, hunger and illiteracy affected women disproportionately and women met with difficulties when trying to access the labour market. Half a million women died in childbirth each year and gender-based violence was widespread.

31. The detrimental effect of structural adjustment programmes, drastic cuts in social spending and the impact of foreign debt had led to the feminization of poverty around the world. At the same time, resources were squandered to perpetuate armed conflicts whose primary victims were women and children.

32. Such glaring inequalities constituted a serious violation of women’s rights. An objective analysis of the situation must be based on a comprehensive understanding of the root causes of those problems. Combating isolated phenomena, such as violence, trafficking in persons or political participation, was inadequate. Instead, political will was required to address the structural problems underlying those issues.

33. Palestinian women facing Israeli oppression; Iraqi women suffering the consequences of war and subsequent occupation; Latin American women mobilizing against neo-liberalism; indigenous women defending their age-old culture; and Cuban women leading their people’s resistance to the United States embargo were united in their struggle for true independence, socio-economic empowerment, equal opportunities, solidarity and justice.

34. Ms. MOUSSA (International Women’s Rights Action Watch) commended the Special Rapporteur on violence against women on her report (E/CN.4/2005/72) and urged the Commission to support the Rapporteur’s mandate, including by providing adequate resources. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) could provide a framework for all the Commission’s activities: the Convention’s key provisions on, inter alia, the achievement of de facto equality; the practical implementation of gender-friendly legislation; the elimination of gender-based discrimination in

all areas of public and private life; and the creation of binding legal instruments and monitoring mechanisms for effective gender mainstreaming, could be integrated into all matters that fell within the Commission's mandate.

35. Her organization welcomed the Special Rapporteur's intersectional approach to discrimination in relation to violence against women and HIV/AIDS; it would be useful to apply that approach to other groups of women who faced multiple layers of discrimination, such as women with disabilities or indigenous women. Attempts by some States to limit or otherwise exclude certain sets of rights, such as sexual and reproductive rights, were counterproductive, and she called on all States to give practical meaning to the principles of the universality, indivisibility, interdependence and interrelatedness of human rights.

36. Ms. BASTICK (Friends World Committee for Consultation (Quakers)) said that in many countries the number of women prisoners were increasing far more rapidly than that of the male prison population. Prison systems were designed primarily for men, and women prisoners faced a series of gender-specific difficulties. Issues that warranted particular attention included the reasons for the high numbers of women held in pre-trial detention or women imprisoned for minor offences; the connection between female poverty and women's increasing imprisonment; discrimination in the treatment of women prisoners; the particular difficulties affecting indigenous or foreign female prisoners and the reasons for the disproportionately high proportion of those women being imprisoned; the situation of female offenders under the age of 18; the social cost of the imprisonment of women, especially mothers; and possibilities for alternative sentences to imprisonment for women, particularly mothers.

37. Mr. ROSSI (International Religious Liberty Association) said that, in spite of progress made in the field of women's rights, millions of women around the world continued to be victims of discrimination, often as a result of prejudice, harmful traditional practices or misinterpretations of religion or religious texts that were not applicable to contemporary society.

38. In Saudi Arabia, the Islamic Shariah was used as justification for denying women some of their basic human rights. Eminent Muslim experts had confirmed that some provisions of the Shariah law were clearly contrary to the true spirit of Islam, which recognized men and women as equal. Tunisia and Morocco had set a positive example for Muslim countries by revising legislation to ensure gender equality in a number of areas.

39. The Commission must call on States to refrain from evoking outdated religious traditions to evade their obligation to eliminate discriminatory legislation. The leaders of the major religions should promote the fundamental rights of both men and women by condemning extremism and practices contrary to the spirit of their religion.

40. Ms. BHULLAR (International Movement against All Forms of Discrimination and Racism) said that her organization fully supported all efforts made by States and United Nations agencies and special mechanisms to eradicate the scourge of trafficking in persons. However, States often placed excessive emphasis on combating criminal organizations, to the detriment of victim support. Tightening immigration controls and criminalizing so-called "illegal migrants", for example, threatened to increase the vulnerability of trafficked persons. It was therefore

crucial to implement fully the provisions of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children relating to assistance and protection for the victims. Victims' physical, psychological and social recovery could only be achieved through close cooperation between the police, immigration authorities and professionals working in the fields of health, education, employment and the social sector. She called on all actors concerned to ensure that victims of human trafficking were offered a minimum level of security and dignity.

41. Ms. SONG Hyesuk (Liberation) said that, in 1996, the then Special Rapporteur on violence against women, Ms. Coomaraswamy, had identified the use of so-called "comfort women" as an example of State-sponsored violence against women and recommended seeking an advisory opinion from the International Court of Justice with a view to resolving issues concerning Japan's legal responsibility for those crimes. The Women's International War Crimes Tribunal on Japan's Military Sexual Slavery had been convened in 2000, and over a decade previously the issue had first been brought to the attention of the Commission on Human Rights. Despite such efforts, the Japanese authorities continued to reject their responsibility in the matter. Settlement of the issue of "comfort women" was important to the victims and, not least, for the establishment of a legal framework for the eradication of violence against women in wartime.

42. A full and genuine apology by the Japanese Government, as well as due compensation for the victims of those crimes, were still outstanding and she called on the Commission and the concerned countries to seek an advisory opinion from the International Court of Justice.

43. Ms. YORIFUJI (Jubilee Campaign) said that, since 1959, the North Korean Government had lured Korean residents in Japan into returning to North Korea by promising a life in freedom and prosperity guaranteed by a perfect political system. Instead of finding the alleged "heaven on earth", returnees had encountered food shortages, discrimination and political repression. The North Korean Government had refused permits to leave the country to those wishing to return to Japan, which amounted to the abduction of persons.

44. Her organization had established contact with three North Korean refugees, who had confirmed the existence of concentration camps for political prisoners, forced abortions and other grave human rights abuses in North Korea. She called on the Commission to do its utmost to protect North Korean refugees.

45. Ms. NICOLETTI (Centrist Democratic International) said that gender-based violence was deeply rooted in Iraq's social structure and was further exacerbated by the deteriorating security situation. Studies had revealed that most Iraqis opposed certain women's rights, including the right to freedom of movement or the right to refuse sexual relations. In the context of the current social instability, both religious fundamentalist and insurgent groups had frequently resorted to the beating or kidnapping of women. Women were refused the right to freedom of association, access to health care and freedom of expression. Iraq's transition to democracy provided a historic opportunity to eliminate the vestiges of gender inequality and adopt a legislative framework that guaranteed women the same rights as men.

46. Examples of the violation of women's rights in China included the one-child policy and unequal access to employment and education. Gender-based discrimination in China was upheld by a patriarchal structure based on a belief in women's inherent inferiority. Gender inequality was reflected in the salary gap, the high percentage of women in low-level jobs and limited access to property. China had the world's highest female suicide rate.

47. The situation of women in Cuba was also cause for grave concern. Discrimination in employment, sexual harassment within government institutions and other violations of women's rights were rampant.

48. Mr. Ould Mohamed Lemine (Mauritania) took the Chair.

49. Ms. YASUHARA (Japanese Workers' Committee for Human Rights) thanked the Special Rapporteur on violence against women for drawing attention to the urgent issues of poverty, impunity and gender discrimination in the application of the law. Another outstanding issue concerned the practice of sexual slavery and systematic rape by the Japanese military during the Second World War, which had been officially endorsed by the then Japanese Government. The silence of the victims of those crimes had only been broken 50 years after the fact.

50. The Commission on Human Rights had expended considerable efforts to work towards an effective resolution of the issue, and successive Special Rapporteurs on violence against women had made important contributions in that regard, highlighting the liability of the State of Japan for those grave violations of human rights and international humanitarian law.

51. However, few history books made any mention of those facts, no compensation had been awarded to the victims, and the majority of lawsuits filed by the survivors had been rejected by the courts.

52. Sadly, silent violence against women continued to prevail in the minds of the contemporary Japanese leadership. She called on the Commission to encourage Japan to train judges, prosecutors and administrative officers in the human rights of women and to remove gender bias in municipal legislation.

53. Ms. SRISTAVA (International Institute for Non-Aligned Studies) said that, while women's participation in all areas of public life had increased, gender stereotyping and inequalities persisted and were compounded by new challenges, such as the increasingly female face of HIV/AIDS. In response to the intersection between violence against women and HIV/AIDS, a gender perspective must be integrated into all HIV/AIDS programmes and policies. The advancement of women and girls was crucial to reversing the pandemic.

54. Violence against women was a global phenomenon which affected all women, irrespective of race, ethnicity, nationality, social origin, status or age. Certain traditional practices such as female genital mutilation and gender-based violence associated with human trafficking and situations of armed conflict also increased women's vulnerability to HIV/AIDS infection. The elimination of such violence required the establishment of effective partnerships to ensure the implementation of all relevant legal instruments.

55. Ms. VERGANCU (European Union of Public Relations) said that women in present-day Iraq were targeted by a new fundamentalist movement born of the United States-led war. Prior to that war, Iraq had been known as a country that accorded its women a meaningful role in society. The current campaign for bringing democracy to Iraq had deprived women of many of the rights they had once enjoyed. Similarly, the situation of Afghan women, who had been deprived of any right to participation under the Taliban regime, had not improved under the new Government.

56. Despite assurances to the contrary, Pakistan's Hudood Ordinance had not been repealed. Nearly 200,000 cases had been processed under the Ordinance and over 4,000 honour killings had taken place in Pakistan since 1999. The attitudes fostered by extremist religious groups and their considerable influence had prevented the adoption of legislation to ban that practice.

57. Ms. BISIAUX (Open Society Institute) said that drug-using women faced increasingly hostile legal environments based on the assumption that they were unable to care for their children. Mothers who tested positive for drug use were often liable to imprisonment or removal of their children, which caused great harm to both mother and child. Evidence of drug use was no indication of a person's parenting skills or lack thereof. As a result of such practices, drug-using women were often reluctant to seek prenatal care or give birth in a hospital, thus endangering the child's health. Pregnant women who were denied methadone were likely to start using heroin again, with the attendant damaging health effects for both mother and child.

58. Such ill-guided approaches to public health policy caused needless suffering. The health and welfare needs of all persons should be considered on an individual basis and not be subjected to overarching repressive policies that exacerbated vulnerability and rights violations.

59. Ms. SACKSTEIN (International Alliance of Women) said that the attention given to the pleas of suppressed and sometimes forgotten people around the world was an integral part of advancing human rights for all.

60. Violence against women and children, in combination with the lack of access to land and resources, were at the root of the feminization of poverty. To counter that trend, women needed greater freedom, democratic development and access to judicial remedy. A life in dignity required freedom from fear and guaranteed access to basic needs such as shelter, food, sanitation, health, education and love. She called on the Commission to adopt by consensus all resolutions aimed at protecting those basic human rights.

61. Governments must support United Nations development and peace efforts, including the achievement of the Millennium Development Goals (MDGs), and support the implementation of commitments made under international human rights instruments.

62. Ms. TSERING YESHI (Society for Threatened Peoples) said that State-enforced violence against women and multiple discrimination based on gender and race were cause for grave concern. In Tibet, women were imprisoned and subjected to sexual violence and torture for expressing their political views; medical attention was denied unless a prisoner's death was imminent. The acts of sexual violence endorsed by the Chinese prison authorities

were a blatant violation of the Convention against Torture and CEDAW, both of which China had ratified. Death in prison as a result of torture was frequent, and those who survived and were subsequently released were often mentally and physically incapable of coping with everyday life.

63. The cumulative effect of the severe restrictions imposed by the Chinese authorities denying Tibetan women access to employment on the one hand, and high school drop-out rates for Tibetan girls owing to gender-based discrimination on the other, had resulted in soaring unemployment rates and a rise in prostitution. At the same time, Tibetans had little knowledge about sexually transmitted diseases. Tibetan women continued to be victims of gender-specific crimes, including forced sterilization, forced abortion and coercive birth control policies.

64. She urged the Commission to call on the Chinese Government to stop gender-based violence against Tibetan women; take effective measures to eradicate the use of sexual abuse and torture against Tibetan women detainees; stop reproductive rights violations; and respect the fundamental rights and freedoms of all Tibetans, men and women.

65. Ms. IBRAHIM (International Institute for Peace) said that honour killings constituted one of the most horrendous violations of women's human rights. Every year, more than 5,000 women were murdered for that reason, mostly in Muslim countries or communities. Honour killings or the gang rape of an innocent woman were sometimes resorted to as punishment for the misdeeds of another member of the family in Pakistan. One of the main factors contributing to such violence was the treatment of women as a commodity. Such treatment also formed the basis of the tradition of "vani", when a woman was handed over to an adversary to settle a conflict. The custom of bartering girls as compensation for a crime had found its way into the judicial system through the opening provided by Qisas and Diyat laws, which allowed murderers to go free if they could secure a compromise with the victim's family by paying blood money or offering another form of satisfaction. In Pakistan, the increased debate on violence against women had not translated into a decline in crimes against them. At least 464 of the women murdered in 2004 had been victims of honour killings.

66. Mr. ASKARY (Organization for Defending Victims of Violence) said that men had silenced half of humanity through centuries of prejudice. Despite the existence of international conventions on gender equality, women's rights were still violated in many countries. Women's full participation in society would not be secured unless Governments, civil society organizations and the international community helped to establish greater fairness and justice.

67. Although Iranian women had become better educated over the previous three decades, few held managerial posts or decision-making positions in politics. That situation was undoubtedly the product of long-standing patriarchal attitudes and policies which had barred women from controlling power or wealth. The dominant culture often sapped women's will to improve their status. Disregard of their potential was institutionalized in Iran.

68. Although the ultimate objective was women's empowerment and their access to the right to development, neither would materialize unless progress was made towards the attainment of a wide range of civil and political rights, first and foremost equality on the labour market and equal access to resources. To that end, laws and regulations must be amended to usher in gender justice.

69. Ms. CORPUZ (Tebtebba Foundation) urged members of the Commission to read the report of the third session of the Permanent Forum on Indigenous Issues (E/C.19/2004/23), especially the recommendation contained in paragraph 7 of the section on matters brought to the attention of the Council (p. 9 of the report). She said that since the violation to which that recommendation alluded was a violation of indigenous women's basic rights, the study in question could be carried out by the Special Rapporteur on violence against women. In some cases, violence against indigenous women was State-perpetrated, in others non-State actors were to blame. Indigenous women also experienced appalling impoverishment, trafficking, the violation of their most basic reproductive rights and social exclusion. A resolution on indigenous women had, however, been passed for the first time in history at the forty-ninth session of the Commission on the Status of Women.

70. Mr. BROWN (International Humanist and Ethical Union) said that Dalit women in India were subjected to systematic discrimination and abuse. From the numerous written submissions received by the Commission on Human Rights, it was clear that the Indian Government had been less than effective in eliminating such treatment. Indeed, violence against Dalits had been increasing in recent years. The remarks made by the representative of India earlier in the current session (E/CN.4/2005/SR.24) were therefore regrettable. Surely he must have been aware that the Government's affirmative action programmes had had a negligible impact on the Dalits' lives and that 90 per cent of Dalit women remained functionally illiterate.

71. Many thousands of Dalit women and girls suffered daily abuse and violence, and child marriage was quite commonplace. The total hypocrisy of the notion of untouchability was revealed by the fact that millions of Dalit women were forced into prostitution and were used by men whose religion taught them that they would be defiled by such contacts. Dalit women were frequently publicly humiliated and they and their menfolk were beaten and sometimes killed by upper-caste gangs.

72. He therefore welcomed recognition by the Commission that the issue fell within its mandate and he urged the Indian Government to face up to its responsibility for the real enforcement of measures in favour of Dalits.

73. Mr. HEO (A Woman's Voice International) asked everyone to devote special attention to violence against women in the Democratic People's Republic of Korea. He said that not only had domestic violence reached serious proportions, but North Korean women who were kidnapped and sold by traffickers for the same price as a horse or a cow were subjected to horrific levels of violence. Furthermore, human trafficking in China was systematically accomplished by criminal organizations, so that escape attempts usually ended in recapture and extreme violence. Since no one could possibly wish for the continuation of that human tragedy, the situation and its root causes ought to be investigated in detail by the Special Rapporteur.

74. The mandate of the Special Rapporteur should therefore be renewed.

75. Mr. GALLAGHER (General Conference of Seventh-day Adventists) said that, although it was difficult to mobilize support for women, their empowerment was vital as they made up half of the world's population and if they could be helped to solve the challenges facing them, the quality of everyone's life would be enhanced.

76. Female illiteracy linked to low social status and poverty had a demonstrable influence on infant and child mortality. It was therefore necessary to generate an environment encouraging the education of girls and women. For that reason, the Seventh-day Adventist Church supported one of the largest education programmes in the world. As a faith-based organization, it believed that empowerment included a woman's right to choose her religion and to follow her own convictions. It wholeheartedly supported efforts to improve the quality of women's lives and would work through its congregations, institutions and organizations to achieve that objective.

77. Ms. EL MAGHNAOUI (Union de l'Action Féminine) said that, in Morocco, an awareness campaign had been mounted and women's shelters had been opened in an endeavour to prevent violence against women. The reform of the Family Code represented a historic revolution in that it had established women's legal capacity and provided that family rights and obligations were to be exercised jointly. Women were thus no longer treated like minors. The greater ease with which women could obtain a divorce had helped to curb social and conjugal violence. Amendments to the Criminal Code laid down penalties for sexual harassment and discrimination. A national strategy to combat violence against women was being put into effect, and a helpline for victims had been set up.

78. Despite those advances, a number of challenges still existed, among them the withdrawal of reservations to CEDAW, the harmonization of domestic laws with that Convention, more effective implementation of the Family Code and establishment of mechanisms to protect women's rights.

79. The disregard for the rights of Moroccans imprisoned in the camp at Tindouf was deplorable. The Commission on Human Rights and the whole international community should therefore strive to secure the immediate release of all Moroccan Sahrawis and the realization of their right to return to their Moroccan home country in dignity.

80. Ms. HOSANIAK (International Helsinki Federation for Human Rights) said that hunger had driven many women from the Democratic People's Republic of Korea (DPRK) from their homes. They had sought refuge in China and the Republic of Korea but, once they crossed the border, the DPRK regarded them as political criminals who had left the country illegally. When they were deported from China, they were placed in detention centres, where they were subjected to torture, sexual harassment and forced abortions. In the case of one young woman, who had been abducted from China and forcibly repatriated, the DPRK authorities claimed that she did not exist.

81. The Commission should therefore urge the Government of the DPRK to abide by international treaties and amend its law accordingly, to stop torture and forced labour in detention and political prison camps and to allow the safe return of abducted persons to their families.

82. Ms. GONZALEZ (International Confederation of Free Trade Unions) said that the extreme vulnerability of the growing number of women and girls who were being trafficked into illegal employment and prostitution represented a serious challenge, as those women often

worked in unfair and exploitative conditions. She therefore invited the Special Rapporteur on trafficking in persons, especially women and children to cooperate closely with the International Labour Organization (ILO) with a view to identifying measures to prevent trafficking.

83. Women employed in export processing zones, where trade union activities were prohibited or severely restricted, often encountered dangerous and brutal practices. Similarly, in Colombia, the number of women victims of anti-union violence had risen alarmingly since 2003. Sexual harassment was another widespread form of violence against women in the workplace.

84. She stressed that the ILO Equal Remuneration Convention, 1951, No. 100 and the Discrimination (Employment and Occupation) Convention, 1958, No. 111 constituted important instruments for achieving greater equality between men and women and respect for women's rights in the world of work.

85. Ms. RAJBHANDARI (Rural Reconstruction Nepal) said that physical, psychological and sexual violence against women was widespread in Nepal owing to the 12-year conflict. Increasing numbers of women and girls were being trafficked, while others who migrated in search of a livelihood ended up in jobs where they were exploited. The parties to the conflict often used violence against women as a weapon of war with growing impunity. Women were raped or forcibly recruited into the rebel army. Both the security forces and the Maoists violated women's rights, yet the authorities turned a blind eye to such atrocities. Indeed, women trying to report wrongdoings were likely to be subjected to further violence. The situation had worsened since the coup on 1 February owing to extreme media censorship which precluded the reporting of violent incidents.

86. Since violence against women could not be halted without genuine, inclusive democracy and a Government which gave priority to peace, the rule of law and equal respect for men and women, she urged the Commission to adopt a country resolution on Nepal condemning all forms of violence against women perpetrated by the Government of Nepal and establishing an international monitoring mechanism and to appoint a special rapporteur on Nepal. Lastly, she requested the Special Rapporteur on violence against women to investigate the gross violations of women's rights in Nepal.

87. Ms. GERSHANICK (Asemblea Permanente por los Derechos Humanos) said that the continuing social, political, economic and cultural discrimination against women in Latin America was very worrying. At work, women earned 40 per cent less than men and often found themselves in low-status jobs. To make matters worse, those jobs were often precarious or in the informal sector and the women were not covered by social security.

88. The high levels of maternal mortality were a clear indicator of the backwardness of women's health protection in the region. That situation could be ascribed to the economic downturn in several countries and a general deterioration of living conditions among younger, poorer women. Indigenous women in particular suffered from high rates of illiteracy, maternal mortality and poverty. They fell victim to domestic and public violence, but the police ignored their complaints and indeed many of them were even unaware of their rights as citizens. Illegal female migrants were in a similarly difficult situation, as they were very likely to be exploited at work.

89. The trafficking of women who were lured to a country with promises of a good job, but who were then forced to work as prostitutes was an extremely serious matter, because Latin America lacked adequate machinery to prevent, investigate and punish the trade in human beings.

90. Her organization therefore hailed the Argentine Government's move to ratify the Optional Protocol to CEDAW, since it would heighten the effectiveness of the Convention's implementation.

91. Ms. WATANABE (Asia-Japan Women's Resource Center) said that the survivors of Japan's wartime military sexual slavery, the so-called "comfort women", who had been denied justice by the Japanese courts, had been horrified to learn that Japan was hoping to obtain a permanent seat on the Security Council. It was unthinkable that a State which had ignored its obligations under international law and hushed up its war crimes should be accepted as a permanent member of the Security Council. The Commission should consider what criteria had to be met by potential members of the Security Council. Should they not honour their obligations under international law? Should they not be signatories to the Rome Statute of the International Criminal Court? Respect for international justice, not economic or political power, ought to be what counted most.

92. Ms. PARKER (International Educational Development, Inc.) said that the Japanese war-rape victims from the Democratic People's Republic of Korea, the Republic of Korea, Indonesia, the Netherlands, the Philippines and Burma had been raped on average 3,540 times a year for three to four years, yet Japan had paid essentially no compensation for those crimes. Permanent membership of the Security Council should not be available to any country that had not fully paid its Second World War debts in a way that honoured, rather than sullied, the victims and in a way that acknowledged its acceptance of full responsibility. Likewise, the very many Kashmiri women who had been raped by Indian forces in Indian-occupied Kashmir since 1990 should receive compensation and the situation must be resolved in accordance with Security Council resolutions, before India could be considered for permanent membership of that body. If the reform of the United Nations rewarded gross violators of women's rights, it would not escape ridicule.

93. Mr. NARANG (Indian Council of Education) said that developing countries had been given a romanticized picture of globalization and liberalization as instruments for development, and the impression that access to jobs, income and education would lead to greater gender equality. However, in reality, liberalization had not provided an environment for improving the situation of women, and discrimination was increasing at an alarming rate. Despite the existence of a wide range of international legal instruments, women were still victimized. Legislative provisions appeared to help women, but in fact were inadequate and ineffectual. Positive action, as well as legislation, was required to effectively promote female emancipation. Constraints on public spending had negatively affected the situation of women, and economic empowerment was essential for real progress to be made. Globalization and liberalization must be properly analysed from a gender perspective, and emerging causes of gender imbalances and discriminatory practices must be addressed objectively.

94. Ms. YIMGUIN (World Young Women's Christian Association) said that the threat to women's rights, health and well-being posed by discrimination and poverty was exacerbated by the HIV/AIDS pandemic. The link between HIV/AIDS, violence against women, marginalization and poverty was being increasingly recognized. Poverty was both an epidemiological indicator for the HIV infection and one of the effects of the pandemic. Women were the sector of society most affected by poverty and would often resort to any means to improve their situation. In Cameroon, 400 HIV-negative young girls had been used to test an experimental HIV vaccine, for which they had received four euros per month. United Nations troops sexually abused young girls in the Democratic Republic of the Congo in exchange for food supplies or small amounts of money.

95. Violence, or fear of violence, often prevented women from engaging in protected sexual relations. Many women who asked their partners to use a condom were accused of being unfaithful. Being faithful did not, however, prevent women from contracting the virus from HIV-positive partners. Women and girls often had poor access to information owing to illiteracy, or were simply misinformed. In industrialized countries, where the media often gave the impression that HIV/AIDS was a distant problem confined to Africa, ignorance of the real threat of HIV/AIDS made girls particularly vulnerable. In order to combat HIV/AIDS, violence against women must be eliminated. Measures must be taken to ensure that education for girls and awareness-raising became government priorities, stigmatization and discrimination were eliminated, access to protection and care for women living with HIV/AIDS was improved, infected persons were involved in all anti-HIV programmes, and women were no longer viewed as the victims of HIV/AIDS but, rather, actors in the fight against the pandemic.

96. Ms. ZHANG Caixia (All-China Women's Federation) said that the Japanese Government should respect and acknowledge history, accept its responsibilities and apologize and grant compensation for the war crimes it had committed. Ten years since the Beijing Conference and Platform for Action, various forms of violence against women were still prevalent in all environments. Despite efforts to amend and improve legislation, the law alone could not eradicate violence against women, which was at the centre of multiple discrimination, injustice and unequal power relations at various levels. Governments must improve their implementation of the Beijing Platform for Action; strengthen and sensitize law enforcement and introduce practical programmes for the empowerment of women; tackle gender-based violence by breaking traditional gender stereotypes and taking account of the opinions and ideas of young people; engage in active and effective international cooperation on women's poverty, HIV/AIDS, trafficking in women and children, violence against women and environmental security; and increase women's access to and participation in decision-making on peace and security.

97. Ms. PIRINI (International Volunteerism Organization for Women, Education and Development) expressed her organization's concern about sexual trafficking in women and children in Asia, Central America, South America and Africa. In India, poor girls were lured by the promise of work, and were sexually harassed by prominent figures. In the south of the country, violations of the right to life were committed, including bride burning. Brazil was one of the world's largest exporters of women and girls for sex trafficking, a trade that flourished in the country due to poverty. Despite the fact that the new President had declared war on

trafficking, and that the media had contributed to greater awareness of the issue, the problem persisted. In Gabon it was customary for rich families to adopt, raise and educate a poor child. Unfortunately, in many cases that noble tradition had degenerated into trafficking.

98. Action must be taken at all levels to stop violations of women's rights, including preventive measures and measures to rectify current violations. Additional shelters and safe havens must be provided for girls and women who were trying to escape trafficking. Human rights education should begin at an early age, in order to promote respect. Strong political will and economic support were essential to combat violations of women's rights, and better collaboration between Governments and civil society was required. Her organization welcomed the appointment of the Special Rapporteur on trafficking in persons, especially women and children, and was committed to supporting United Nations efforts to promote and protect the rights of women.

99. Ms. SHIN (Korean Women's Associations United) recounted the experiences of Ms. Sim Dal-Youn, who was attending the current meeting. Ms. Sim was a Korean survivor of sexual slavery under the Japanese Army during the Second World War. At the age of 12 she had been forced to sexually serve Japanese soldiers for seven years in Manchuria. Ms. Sim had refused to accept money from the Asian Women's Fund, which had been established in 1995 by the Japanese Government as a moral gesture to avoid acknowledging legal responsibility. Many surviving victims of Japanese sexual slavery believed that compensation should have been paid by the Government of Japan, rather than in the form of charity money from a private fund. Recently, Ms. Sim had received communications to the effect that she had received a financial contribution from the Asian Women's Fund. She had requested a lawyer to investigate the situation, but the Fund had refused to cooperate. She had visited the Fund in person, and been told that she had been included as a recipient of a financial contribution. Despite Ms. Sim's statements that she had not received any funds, no investigation was carried out or explanation provided as to who had submitted the necessary application documents and who had received the money in Ms. Sim's name. Japan had advertised around the world the fact that 285 victims from three countries had accepted money from the Asia Women's Fund, yet it had never disclosed the names of the recipients, and in view of the evidence provided by Ms. Sim's case, it was impossible to state whether the remaining 284 recipients were genuine. Until Japan paid full reparation to the victims of its war crimes, it was not qualified to discuss world peace or become a permanent member of the United Nations Security Council.

100. Ms. RAHMOUNI (Organisation tunisienne de l'éducation et de la famille) said that women's rights were an integral part of human rights, the guarantee of which was an important element in strategic objectives for equitable and sustainable development. Her organization had taken action to promote education as a vital factor in female emancipation, and to provide women with the necessary means to participate fully in the development process. Free, compulsory education had been provided, and parents had been encouraged to enrol their children in schools. Measures had been taken to combat illiteracy, particularly within the female rural community. Awareness-raising campaigns on reproductive health issues had been organized, and family planning information had been distributed in order to assist girls in managing their family and professional life. Work was an important aspect of a woman's life, and in that regard the organization had run a programme for assisting women on the labour

market and increasing their economic contribution to society through the establishment of microenterprises. Equal opportunities were fundamental for women across the world. NGOs could work for better female integration and for the strengthening of information and cooperation networks between development partners. Women's integration in all spheres of activity at all levels was imperative for development.

101. Ms. SABA (International Islamic Federation of Student Organizations) welcomed the work of the Special Rapporteur on violence against women, but considered that the Commission must adopt a more proactive approach to addressing the issue of discrimination against women. Discrimination and violations of women's rights were of particular concern in conflict areas and disputed territories such as Palestine and Kashmir. Kashmiri women had suffered considerably. Many thousands of women lived in misery, having seen their loved ones killed, held in protracted arbitrary detention and brutalized. Rape had been used systematically as a weapon to punish, intimidate, humiliate, coerce and degrade women, regardless of their age. India had earned a reputation for perpetrating gender-based violence such as dowry killings, prostitution and trafficking, but the plight of the women in occupied Kashmir was particularly disturbing. Political considerations must not prevent the Commission and humanitarian agencies from exercising their respective mandates to alleviate the suffering of Kashmiri women. The Special Rapporteur should examine the causes and impact of gender-based abuses and violations in Indian-occupied Jammu and Kashmir, and submit a report on the issue to the Commission at its next session. That would be a first step towards much-needed action by the international community.

102. Ms. PRINS-JONES (World Alliance of YMCAs) said that the YMCA was concerned about the current status of women, particularly young women and girls, who were excluded from exercising their full political, economic, cultural and social rights through acts of violence. She commended the work of the special procedures whose mandates were specific to women's rights. Despite government commitments, acts of violence continued against women and girls across the world. The chief obstacle to the implementation of international human rights instruments was a lack of will and determination on the part of States. Governments must fulfil their commitments to end violence against women. States must provide a strong legal and policy framework for women and girls, in order to ensure the prevention, investigation and punishment of all acts of violence. Where such policies and laws already existed, States must implement them in a proactive manner, in order to bridge the gap between policy and practice.

103. Efforts must be made to address social and cultural practices that continued to promote violence against women and hinder women from exercising their full potential. Physical and psychological abuse, rape, forced marriage, human trafficking, dowry-related killings and female genital mutilation were practices that were often culturally acceptable, irrespective of the fact that they endangered women's lives and had far-reaching consequences for women, children and society as a whole. Violence against women in all its forms had serious implications for women's ability to protect themselves from the HIV infection. Urgent action was required to ensure that current patriarchal systems were changed through educating and mobilizing boys and men to advance women's rights and gender justice. In view of the current discussion in the Commission, she had been sadly disappointed to find pornographic material on sale inside the Palais des Nations.

104. Ms. KAO (Becket Fund for Religious Liberty) said that the ban on Muslim headscarves in Turkey had been disastrous for thousands of women. Merve Kavakci was the daughter of two academics who had been dismissed from their jobs because they had supported women's right to wear a headscarf. She herself had been expelled from medical school for having chosen to wear a headscarf, following which she had run for government office and been elected to Parliament. When she had arrived at the National Assembly to take her oath of office she had been verbally abused by members of Parliament and the Prime Minister. Her citizenship had been revoked 11 days later, and she had been prosecuted for instigating hatred and discrimination. Her political party had been closed, and she had been banned from participating in politics for five years.

105. What had begun as a provision to regulate the dress of federal employees in the 1980s had become a means of discriminating against religious women. In 2002, a senior citizen who had worn a headscarf in her identity card photograph had been denied health care in Istanbul Capa Hospital, where she had died, untreated. Women had been prevented from giving legal testimony, since it was considered that a woman with a headscarf could not occupy a public space. That prejudice had led to the exclusion of thousands of young Turkish women and girls from schools, universities and jobs. The ban on headscarves affected almost every aspect of a Turkish woman's life, and contravened the Constitution and the international human rights instruments to which Turkey was party. It was a clear manifestation of secular fundamentalism. While the State ostensibly promoted equality and emancipation for secular women, in fact it openly discriminated against religious women. A State, the main responsibility of which was to meet the needs of its citizens, could not justify discrimination against its own people simply because they chose to manifest their religion. All women must be treated with dignity.

106. Ms. TEHRANI (National Federation of International Immigrant Women) said that 120,000 political executions had been carried out in Iran since 1979, a third of which had related to women. There were currently eight women on death row and six waiting to be stoned to death. Zahra Kazemi, a Canadian journalist, had been arrested and imprisoned in Tehran in June 2003. The Iranian Government had reported that Ms. Kazemi had died as a result of a stroke. Despite repeated requests by the Canadian Government and Ms. Kazemi's family, the Iranian authorities had refused to send her body back to Canada. Recently, a doctor who had examined Ms. Kazemi in hospital four days after her arrest had reported that he had observed obvious signs of torture, including a skull fracture and a brutal rape.

107. Currently 12 million Iranians lived in absolute poverty, 70 per cent of whom were women. In 2004, 54 honour killings had been reported in one Iranian province. Women were prohibited by law from being appointed as judges or elected as president. No woman had been appointed to Government or to the judiciary. Women could not travel without their husband's written permission, and a husband could prevent his wife from working. Under the rule of Islamic fundamentalists, discrimination against women had become institutionalized and incorporated into the law. Such violence was related neither to Iranian culture or tradition, nor to Islam. The Commission must restore international monitoring of the human rights situation without further delay.

108. Ms. BAZAIBA MASUDI (International Committee for the Respect and Application of the African Charter on Human and Peoples' Rights) said that the absence of political will in some African States, civil wars and bad governance were the principal causes of serious violations of women's rights in Africa. The situation, which included the rape and humiliation of women in Darfur, displacement, rape, abduction and torture in the Democratic Republic of the Congo, Uganda, Rwanda and Burundi, and the silent suffering of women living with HIV/AIDS, required urgent action. African women were among the most vulnerable members of global society: the majority of them lived in extreme poverty, and 80 per cent of women living in rural African communities did not have access to information or education. Over half of the women who lived in situations of armed conflict had been subjected to sexual abuse.

109. In some African countries, the Family Code did not recognize the legal status of women, and classed them with minors and foreigners. Despite such inequality, African women had embarked on a search for peace, security, democracy and equality, as a source of sustainable development. The creation of the African Women's Committee on Peace and Development had been a significant step. The Commission should call upon the International Criminal Court to investigate crimes against humanity, particularly those committed against women, in Sierra Leone, the Sudan, the Central African Republic, Côte d'Ivoire and the Democratic Republic of the Congo, with a view to ending impunity. Gender integration should be made a priority in the policies and development programmes established by States members of the African Union, and a data bank should be established on all the initiatives of African women's organizations in respect of peace and human rights.

110. Ms. MISHRA (Asia Pacific Forum on Women, Law and Development) said that, despite an international outcry, and a series of United Nations General Assembly resolutions on the situation of human rights in Burma, no improvements had been made on the ground. War was continuing, political repression was worsening and, although the regime persistently denied the prevalence of military rape, there were continuing reports of sexual violence against women and girls. Rape and sexual violence was central to the operations of the State Peace and Development Council (SPDC). Systematic human rights violations were a result of the regime's policies of military expansion and consolidation of control by all possible means over a disenfranchised civilian population. Those who had raised the issue of State violence against women in Burma had been threatened and harassed by the authorities. Her organization appealed to countries in the region not to overlook human rights issues in their dealings with Burma, and to review their policies of constructive engagement, which encouraged the SPDC to continue its policies of militarization and sexual violence. The Commission should call on the SPDC to immediately stop using rape against ethnic women as a strategy of war to control the local population and to fully implement the resolutions adopted by the Commission since 1992.

Statements in exercise of the right of reply

111. Mr. SOBASHIMA (Japan), replying to the statement made by the observer for the Democratic People's Republic of Korea (DPRK) during the 37th meeting, said that the figures mentioned were groundless. Claims between Japan and the DPRK would be discussed during normalization talks, as agreed in the Pyongyang Declaration. The DPRK must address its own outstanding issues, in particular its abduction of Japanese nationals, and should cooperate in good faith to resolve those issues and return the victims at the earliest date possible.

112. Mr. HO Kim Yong (Observer for the Democratic People's Republic of Korea) said that the intention of the Pyongyang Declaration was to resolve the issue of Japanese crimes committed against the Korean people. Japan had failed to implement the Declaration, and had thus violated the agreement to resolve the problems of the past between the two countries. Although Japan had made every effort to cover up its past crimes, the reality had been revealed. The numbers that had been mentioned by his delegation had been proven by historical facts. Japan must give up its attempt to evade its State responsibility, and should apologize and compensate for all its past crimes, including military sexual slavery and genocide. The abduction cases had been settled by the adoption of the Pyongyang Declaration and his Government's sincere efforts to implement that Declaration. It was therefore not an issue for discussion in the Commission.

113. Mr. SOBASHIMA (Japan) said that the abduction by the DPRK of Japanese men and women was a grave violation of human rights and should be addressed immediately.

114. Mr. HO Kim Yong (Observer for the Democratic People's Republic of Korea) rejected the allegations made by the Japanese representative, which were aimed at deceiving the Commission and the international community. Japan could not justify its past and present crimes. It must accept legal responsibility, apologize and compensate for its crimes, including sexual slavery and genocide.

The meeting rose at 6.05 p.m.