

complementary process with the World Health Organisation, the Committee on Economic, Social, and Cultural Rights and the OHCHR.

Brazil and Switzerland asked the Special Rapporteur about his plans to address the issues of access of the poor to essential medicines, which had been the subject of a Swiss-sponsored resolution at the Commission. Mr Hunt responded that many States did not even have a national 'essential drugs' strategy plan. He commented that it was necessary to look at both the responsibility of States as well as pharmaceutical companies, and that this would be an area that would be studied in his future reports. Various States¹⁷ gave details of their initiatives towards implementing national health plans, and towards eliminating discrimination with respect to health care access.¹⁸ International Women's Rights Action Watch requested that the Special Rapporteur address issues such as corruption in health services, increasing costs of healthcare and the privatisation of health services and also integrate a gender perspective in his monitoring and reporting. Amnesty International raised the issue of how the Special Rapporteur intended to follow up on his reports and recommendations, giving the case of Peru as an example.

Special Rapporteur on the Right to Food

The Council had before it three reports of the Special Rapporteur on the Right to Food, Mr Jean Ziegler. The reports were the annual report of the Special Rapporteur and reports of the Special Rapporteur's missions to India and Guatemala.¹⁹ Mr Ziegler stated²⁰ that it was quite clear that the MDGs regarding the right to food will not be met as there is still one child dying from hunger every five seconds around the world. He further stated that since agriculture has the potential to feed every person on the planet, every child dying from hunger is murdered. He expressed concern about the situation in Darfur as a large number of displaced persons were malnourished and, due to the security situation, could not receive help from international organisations. Mr Ziegler also mentioned that Sudan has not replied to his request for an invitation to a country visit. The Special Rapporteur directed the Council's attention towards the responsibility of international organisations, especially the responsibility of the World Trade Organisation (WTO). The widespread use of agricultural subsidies used by countries presents a major problem to the enjoyment of the right to food in Africa. Unfortunately this problem was not addressed in the WTO during the Doha round. Mr Ziegler called for the Council to facilitate a dialogue between the WTO and relevant special procedures.

The Special Rapporteur highlighted Brazil and France as positive examples of initiatives to combat hunger. In Brazil, he stated that President Lula has effectively given 22 million people access to a humane life through setting up the 'zero hunger' programmes, which reach 34 million people. In France, President Chirac has established an international tax on flights, giving one half of the proceeds to combating HIV/AIDS and the other to fighting hunger. Regarding his country visit to Guatemala, Mr. Ziegler noted that the national average of infant deaths is two times higher than the rest of Latin America. While highlighting land distribution as one of the main issues in Guatemala, the Special Rapporteur commended Guatemala on the progress made especially in setting up the anti-hunger programme. Commenting on his visit to India, Mr Ziegler stated that approximately half of the malnourished people in the world are living in India. He commended India on its public food distribution system as it reached the whole population. Mr Ziegler also praised the recent Indian

¹⁷ Cuba, Morocco and Sri Lanka.

¹⁸ Indonesia.

¹⁹ E/CN.4/2006/44, 16 March 2006 (Annual Report), E/CN.4/2006/44/Add.1, 18 January 2006 (Guatemala) and E/CN.4/2006/44/Add.2, 20 March 2006 (India). The reports are available at

www.ohchr.org/english/bodies/chr/sessions/62/listdocs.htm. Please see the unofficial ISHR summary of the report for a short overview of the report and main issues, available at www.ishr.ch/hrm/council/SPs/specialprocedures.htm.

²⁰ Oral statements made at the Council can be found on the OHCHR extranet (fill out the form on the page to receive the user name and password) at www.ohchr.org/english/bodies/hrcouncil/form.htm.

Supreme Court rulings recognising the right to food as well as its jurisprudence allowing civil society organisations to engage in court cases on behalf of individuals.

Interactive Dialogue

The Special Rapporteur's description of the state of affairs in the Darfur region was rejected by the Sudanese delegation. Mr Ziegler replied that he was not accusing the government of Sudan and repeated his request for a visit to the country. Guatemala stated that the report of the Special Rapporteur had actively contributed to the advancement of the right to food in Guatemala and it was continuing to carry out agricultural reform as the use of land was seen as essential to eliminating hunger. The Indian government thanked the Special Rapporteur for his report and noted that it would be giving consideration to the recommendations. FIAN International²¹ expressed its disappointment about the low level of discussions with civil society during the Special Rapporteur's visit to India and the fact that he had only been able to visit a few states in the Indian federation. They requested that India fight hunger in the same way as it had successfully fought famine and increase its focus on access to natural resources.

Switzerland focused on the interrelationship between agriculture and the issue of land rights and enquired to Mr Ziegler's view on these issues. Luxembourg expressed concern that the MDG targets would not be met and also enquired whether donor countries should not be encouraged to attach importance to food security and agriculture. Algeria requested the Special Rapporteur to compile best practices to help Africa deal with hunger. The issue of transnational corporations (TNCs) was taken up by number of States²², who highlighted the problem of holding TNCs accountable for their role played in relation to the right to food. Switzerland enquired who the Special Rapporteur visualised should conduct the monitoring of the TNC's and how this should be undertaken. On the same issue, Argentina and Chile requested that the Special Rapporteur should work in collaboration with the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises in addressing this particular issue. Relating to suggestions that he should work with the Special Representative, Mr Ziegler stated that he is in favour of a more normative approach, which is very far from the approach taken by the Special Representative.

The role of the international community was addressed by both Chile and Pakistan. Chile expressed the opinion that States have an extraterritorial obligation to protect the right to food and noted that it had already been exploring financial mechanisms in collaboration with other countries in a zero hunger campaign. Pakistan further suggested that an international mechanism should be set up to deal with the aim of dealing with food emergencies around the world for instance related to natural disasters. Mr Ziegler commented that this was a very important issue and noted that the concern of Pakistan was very relevant and should be given due attention. The Food and Agricultural Organization elaborated on its use of the *Voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security*. FIAN International highlighted challenges around implementing and monitoring these guidelines. Among other issues addressed during the interactive dialogue were the interrelationship with the right to health, the right to drinking water and the need to compile best practices.

Special Representative on Human Rights Defenders

Ms Hina Jilani, the Special Representative of the Secretary-General on the situation of human rights defenders, presented her annual report, reports on summary of communications, compilations of developments in the area of human rights defenders, and missions to Nigeria, Brazil, Israel and the Occupied

²¹ Food First Information and Action Network International.

²² Cuba, Argentina, Chile and Switzerland.