

**INTERNATIONAL TRAINING CENTRE
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**EDUCATION IN HUMAN RIGHTS IN INTERNATIONAL LAW:
FOUNDATIONS, ASSESSMENT AND PERSPECTIVES**

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Education in human rights in international law: Foundations, assessment and perspectives

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Will the inclusion within the United Nations of the Council of Human Rights [1] (hereafter the Council) allow education in human rights (hereafter EHR) to be revived and given the importance it deserves? One may hope so, provided the new body really wishes this. Indeed the Resolution of the General Assembly places this education in the forefront of the objectives assigned to it: « 5. It decides that the Council shall, inter alia: a) promote human rights education and learning as well as advisory services, technical assistance and capacity building, to be provided in consultation with and with the consent of Member States concerned ». In addition, the same Resolution decides that the Council shall also: « e) undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments. And, in so far as the promotion of EHR is part of the obligations and undertakings of the Member States, it should normally figure in the periodic review thus planned. It remains to be seen in what place.

Given that the Council cannot erase the past with regard to procedures, the General Assembly decided in fact in the same Resolution that it « ... will assume, re-examine and if need be improve and rationalise all the mandates, mechanisms, functions and attributions of the Commission of Human Rights so as to maintain the system of special procedures, as well as an advice and complaint mechanism;... ». One notes that the modifications which can be made must tend towards improvement and rationalisation but that the very existence of the procedures in place must not be called into question. This is the case for example of the Special Rapporteur on the right to education.

The present paper is concerned with the establishment by the Council of methods to promote and evaluate EHR. We will attempt to review the legal foundations of EHR from the point of view of international law, to offer a summary assessment on the subject, and finally to suggest

some perspectives to assist the Council in the exercise of its functions.

Education in human rights: an obligation for the States

In 1948, the authors of the Universal Declaration on Human Rights (hereafter the UDHR) attached great importance to HER, and one can consider that since then all the other texts which have been adopted followed in its wake. Indeed it must be recalled that according to its article 26 §2: « Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. ».

This theme was first picked up by UNESCO. The founders of this organisation inserted in the preamble to its constitution some clauses of great significance: « since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed. ». They go on to draw the following conclusions: « that the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern; and « that a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind. »

Following the adoption of numerous treaties, EHR has become a conventional obligation for States. After presenting the relevant provisions of the main treaties, we will look at their nature, more especially their binding nature, and conclude with the content of this obligation.

The relevant provisions

The treaty which addresses the question of EHR in so far as it concerns the whole of the human race is undoubtedly the International Covenant on Economic, Social and Cultural Rights, whose article 13 §1 reads:

« The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively

in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace. »

It was then backed up with respect to the category of people primarily concerned with education: the Convention on the Rights of the Child, whose article 29 §1 stipulates:

« States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment. »

Thirdly, one can mention the Convention signed under the aegis of UNESCO, the Convention against Discrimination in Education (14/12/1960) which quotes the same rule in its article 5:

« The States Parties to this Convention agree that:

(a) « Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. »

To these treaties which address EHR in a global manner, one must add those which do so from a particular angle, especially in the context of the fight against various forms of discrimination. This is the case, for example, in article 7 of the International Convention on

the Elimination of all Forms of Racial Discrimination: « The States Parties shall take all effective steps immediately in the fields of teaching and information, with a view to eliminating racial discrimination and prejudice and promoting understanding, tolerance and friendship among nations and racial groups, as well as to propagating the purposes and principles of the Charter of the United Nations, of the Universal Declaration of Human Rights, and of the United Nations Declaration on the Elimination of all Forms of Discrimination and of the present Convention. »

It is also the case in article 10.c) of the Convention on the Elimination of all Forms of Discrimination against Women: « States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women: (...)

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods. »

Finally one can mention the Convention against Torture, which states that « each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment » (article 10).

An obligation to achieve results

On reading these different provisions and taking the conventions in the order quoted above, it emerges that:

« The States Parties (...) agree that education shall be directed ... » (International Covenant on Economic, Social and Cultural Rights);

« States Parties agree that the education of the child shall be directed to » (Convention on the Rights of the Child);

« States Parties to the present Convention agree: that education must aim at the development of the child's personality, talents and mental and physical abilities to their fullest potential ...» (UNESCO Convention)

« State parties undertake to adopt immediate and positive measures » (International Convention on the Elimination of All Forms of Racial Discrimination);

« State Parties agree...to take all appropriate measures ... » (Convention on the Elimination of all Forms of Discrimination against Women).

There can be no doubt: through the conventions in question, States have contracted an obligation to achieve results. This is what the verbs used imply: « agree », « undertake to adopt » and « take ». Furthermore the tense used is the present indicative, which is the tense used in law to indicate a binding law. The undertakings could not be clearer. These obligations are subject to no conditions.

One could counter that in at least two of the treaties mentioned, the right to education is understood as an objective to be reached and not as a right due. This is indeed the case of article 2 of the Covenant on Economic, Social and Cultural Rights which states that « the States Parties to the present Covenant undertake to ensure (...) to the maximum of their available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures ... »[2]. This is also the case of article 28 § 1 of the Convention on the Rights of the Child according to which « States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular ... ».

On this basis EHR would be an objective that the States undertake to reach « progressively » and « with the maximum possible resources available » in the first case, and « progressively » in the second.

This argument is not acceptable. The progressive character of achieving the right to education and/or its subordination to available resources as mentioned in both treaties concerns the achievement of the right to education, and not the content of the education once it is taught. In other words, both the Covenant and the Convention on the Rights of the Child take account of the possibilities for States to put in place an educational system. But once the education is organised, even for the benefit of a single pupil, this education must aim at the objectives

stipulated respectively in article 13 § 1 of the Covenant and in article 29 § 1 of the Convention. The achievement of the right to education is an obligation of means; the content of the education is an obligation of result, in other words that the States have undertaken to put it into practice and not simply to work on achieving it.

Furthermore, considering the number of States party to the treaties mentioned above [3], as well as the number of non-binding acts adopted both by the United Nations and UNESCO (resolutions, recommendations, action plans, designated decades, etc.)[4] through which the States manifest their commitment to EHR, it is possible to consider that the latter has become an obligation, including for States who are not party to the main treaties in question.

The content of the obligation: human rights through education and human rights in education

EHR is omnipresent in the clauses that have been quoted above. The primary aim of any education seems to be « the full development of the human personality » (Covenant, Convention on the Rights of the Child, UNESCO Convention). Education also has a social function, as the objective assigned to it is that of preparing human beings to « play a useful role in a free society » (Covenant) and to « prepare the child to assume the responsibilities of life in a free society » (Convention on the Rights of the Child). But these objectives can only be achieved if this education is at the same time founded on « respect for human rights and fundamental freedoms » (Covenant, Convention on the Rights of the Child and UNESCO Convention), and on learning tolerance, understanding, friendship and peace between all nations and ethnic, racial and religious groups. In other words, it is the whole of education that must be infused with this. EHR is also present in the conventions against the various forms of discrimination. The States have contracted the obligation to fight against and eliminate anything which, in education but not only education, is likely to reveal discrimination of any kind.

Consequently EHR should not be reduced to the teaching of human rights and fundamental freedoms through a special course; it should be present throughout the educational process: in programmes, teachings, pedagogical methods, management of establishments, relations between teachers and students, etc. Better still, education and EHR are consubstantial: in the sense of the treaties mentioned, there is no educational process unless it is immersed in its totality in human rights.

The objectives of education and of EHR in particular have, indeed, been the object of a remarkable work of clarification on the part of the two committees on human rights most concerned: The Committee on Economic, Social and Cultural Rights [5] and the Committee on the Rights of the Child [6]. Each of these general observations is, for the treaty under consideration, an authorised interpretation of the provision on the objectives of education. Certainly they are not conventional rules, but since they have not been contested by the States Parties, they may be considered as official interpretations committing them in this respect.

From the *General Observation* of the Committee on Economic, Social and Cultural Rights, one notes especially the dynamic interpretation it gives to the article on the right to education. It updates its text by including as standards of reference acts which have been signed since the adoption of the Covenant (the Declaration of Jomtien, Convention on the Rights of the Child etc.) and objectives which have been omitted (equality between the sexes) or which were not considered as such at the time (respect for the environment). This is what we read in paragraph 5:

« The Committee notes that since the General Assembly adopted the Covenant in 1966, other international instruments have further elaborated the objectives to which education should be directed. Accordingly, the Committee takes the view that States parties are required to ensure that education conforms to the aims and objectives identified in article 13 (1), as interpreted in the light of the World Declaration on Education for All (Jomtien, Thailand, 1990) (art. 1), the Convention on the Rights of the Child (art. 29 (1)), the Vienna Declaration and Programme of Action (Part I, para. 33 and Part II, para. 80), and the Plan of Action for the United Nations Decade for Human Rights Education (para. 2). While all these texts closely correspond to article 13 (1) of the Covenant, they also include elements which are not expressly provided for in article 13 (1), such as specific references to gender equality and respect for the environment. These new elements are implicit in, and reflect a contemporary interpretation of article 13 (1). The Committee obtains support for this point of view from the widespread endorsement that the previously mentioned texts have received from all regions of the world. »

Complementary to that of the Committee on Economic, Social and Cultural Rights, *the General Observation* of the Committee on the Rights of the Child is more complete to the extent that, as it is devoted exclusively to the objectives of education, it addresses all its aspects, including EHR. Rather than quoting its full text which would be too long, we have

selected a few particularly relevant extracts on the global character that EHR should have:

- « The education to which every child has a right is one designed to provide the child with life skills, to strengthen the child's capacity to enjoy the full range of human rights and to promote a culture which is infused by appropriate human rights values. » (§ 2);

- « The child's right to education is not only a matter of access (art. 28) but also of content. An education with its contents firmly rooted in the values of article 29 (1) is for every child an indispensable tool for her or his efforts to achieve in the course of her or his life a balanced, human rights-friendly response to the challenges that accompany a period of fundamental change driven by globalization, new technologies and related phenomena. » (§ 3);

- « while article 28 focuses upon the obligations of State parties in relation to the establishment of educational systems and in ensuring access thereto, article 29 (1) underlines the individual and subjective right to a specific quality of education » (§ 9);

- « Human rights education should be a comprehensive, life-long process and start with the reflection of human rights values in the daily life and experiences of children » (§ 15);

« Approaches which do no more than seek to superimpose the aims and values of the article on the existing system without encouraging any deeper changes are clearly inadequate. The relevant values cannot be effectively integrated into, and thus be rendered consistent with, a broader curriculum unless those who are expected to transmit, promote, teach and, as far as possible, exemplify the values have themselves been convinced of their importance. » (§ 18);

«...the school environment itself must thus reflect the freedom and the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups... » (§ 19)

It is evidently based on this approach that the draft action plan for the 1st phase (2005-2007) of the World Programme in favour of Education in Human Rights attempts to orient EHR around the following axes:

« Human Rights through education: this means ensuring that all the elements and means of teaching, including programmes, methods and training, [are] conducive to learning about

human rights;

human rights in education: this means ensuring the respect and the exercise of the fundamental rights of all who are active in the educational system. » [7]

Monitoring education in human rights: an attempt at an assessment

It is now necessary to look at the way in which the States have respected their obligation to provide education in human rights. In fact, the findings of the Committee on the Rights of the Child in 2001 remain broadly valid. It states in its *General Observation n°1* on the objectives of education: « And yet, in the national and international programmes and policies on education that really count, the elements embodied in article 29 (1) seem all too often to be either largely missing or present only as a cosmetic afterthought. » (§ 3) [8]

The function of monitoring this obligation of the States (existence and contents of EHR) is the responsibility of several institutions. To limit ourselves to those active in the area of competence of the Council [9], these are primarily various committees in charge of the treaties which contain this obligation and the work of the Special Rapporteur on the right to education put in place by Commission on Human Rights from 1998. Nevertheless one should first recall the evaluation of the Decade of the United Nations for Education on Human Rights, merely to say that it is not significant due to the low number of States which participated in it [10].

The committees of the United Nations

It is of course out of the question to review the full content of the reports supplied by the States, nor even the whole of the committees' recommendations after reviewing these reports, although this would provide some useful indications. We will limit ourselves to an examination of the guidelines adopted by these committees to help States draft and present the reports which they are obliged to make [11], the aim being to check to what extent EHR is present in the preoccupations of the different committees, given that this has a direct impact on the contents of the States' reports. It must be said from the outset that the result is somewhat disappointing.

In fact, some of these guidelines include EHR in a satisfactory manner with regard to the

stipulations of the corresponding treaty. This is the case for those drafted by the Committee on the Elimination of Racial Discrimination and of the Committee on the Rights of the Child.

In the former, within the part devoted to education and training, paragraph 11, we read: « This part should describe legislative and administrative measures, including some general information on the educational system, taken in the field of education and teaching to combat racial prejudices which lead to racial discrimination. It should indicate whether any steps have been taken to include in school curricula and in the training of teachers and other professionals, programmes and subjects to help promote human rights issues which would lead to better understanding, tolerance and friendship among nations and racial or ethnic groups. It should also provide information on whether the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the International Convention on the Elimination of All Forms of Racial Discrimination are included in education and teaching. »[12]

The obligation to ensure that education is consistent with the aims and objectives of the Convention on the Rights of the Child is also taken into consideration satisfactorily by the guidelines of the Committee on the Rights of the Child, where paragraphs 113 and 114 read as follows:

« 113. Please indicate the legislative, administrative, educational and other measures adopted to ensure that the aims of education established in the State party are consistent with the provisions of this article, in particular with regard to:

- The development of respect for the child's personality, talents and mental and physical abilities to their fullest potential;
- The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations, indicating whether the subject of human rights in general, and children's rights in particular, has been incorporated in the school curricula for all children and promoted in school life;
- The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she originates and for civilizations different from his or her own;

- The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of the sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- The development of respect for the natural environment.

114. Reports should also indicate:

- The training provided to teachers to prepare them to direct their teaching towards these aims;
- The revision of school policies and school curricula to reflect the aims identified in article 29 at the various levels of education;
- Relevant programmes and material used;
- Any peer education and peer counselling promoted;
- Efforts made to bring school organization in line with the Convention's principles, for example mechanisms created within schools to improve the participation of children in all decisions affecting their education and well-being. »[13]

On the other hand, it is not the case for the guidelines drafted by the other two committees. Those of the Committee for the Elimination of Discrimination against Women are very laconic. They are content to mention « D.2.1 A State party should deal specifically with every article in Parts I, II, III and IV of the Convention; legal norms should be described, but that is not sufficient: the factual situation and the practical availability, effect and implementation of remedies for violation of provisions of the Convention should be explained and exemplified. »[14]

In the case of the Committee on Economic, Social and Cultural Rights, the situation is of even greater concern. Within the 9 paragraphs devoted to the right to education (56 to 64)[15], there is no mention of the obligation made by the States to ensure that the content of education be consistent with the objectives proclaimed in article 13 of the Covenant. This omission could have been rectified if the Committee had inserted this obligation in the General Observation on the right to education. This was not the case, even though it promotes an updated definition of the objectives of education [16]. This General Observation limits itself in fact to mentioning in its paragraph 49: « States parties are required to ensure that curricula, for all levels of the educational system, are directed to the objectives identified in article 13 (1). They are also obliged to establish and maintain a transparent and effective system which monitors whether or not education is, in fact, directed to the educational

objectives set out in article 13 (1).. »[17]. This omission is all the more prejudicial if one takes into account the fact that the right to education of all human beings is within the competence of this Committee alone. It is in fact within the International Covenant on Economic, Social and Cultural Rights that it is considered in full, in other words that it concerns children as well as adults.

The Special Rapporteur on the Right to Education

Set up in 1998 by the Commission on Human Rights, the mandate of the Special Rapporteur on the Right to Education has been regularly renewed since then. The resulting work is of great interest, both the periodic reports [18] and those written after missions in different countries [19]. Nevertheless, at least up to the last few years and due to the very terms of the Special Rapporteur's mandate, EHR is not featured as such. In fact the Commission ordered a periodic report on progress towards achieving the right to education, the promotion of the granting of technical assistance in establishing emergency plans, consideration of « sex-specificities » and the promotion of the elimination of all forms of discrimination in exercising the right to education. Consequently it is on these questions, and more especially on the achievement of the right to education, that the main part of the work focused. And, when EHR is mentioned, it is only as a secondary issue, in other words subordinate to the primary missions of the Special Rapporteur [20].

This overall conclusion must however be qualified in the light of the latest work. In the latest report of Mr Vernor Munoz Villalobos, appointed in 2004 to replace Ms Katarina Tomasevski, the Special Rapporteur maintains « that the right to a quality education implies the need to organise the learning processes and the whole school context and infrastructure in such a way that knowledge, skills and know-how are built within a concept of citizenship which is conducive to the respect of the dignity and higher values of humanity, diversity, peace, solidarity and mutual cooperation » (§ 107). Moreover he proposes to see how advantage can be taken from the experience of the Inter-American Institute for Human Rights with respect to evaluating the progress achieved in education in human rights (§ 114)[21]. It should also be noted that this approach seems to have inspired his report following his visit to Morocco [22]. In it he attaches a certain importance to EHR while mentioning some dysfunctions; for example, that it is often delegated to local associations without any control, that a « confused mass of concepts, not always in accordance with international law on human

rights, is taught and described as human rights ». Within his recommendations, one can also mention the one where he proposes that « human rights not only be taught as a subject, but also integrated into the educational process as a component of school life. » (§ 15)

This development should be encouraged, especially by the modification of the terms of the Special Rapporteur's mandate, to include within it consideration of education in human rights in its future work and as a priority.

Recommendations

1 – Within the framework of the global periodic examination which the Council has to carry out and on the basis of a definition including human rights through education and human rights in education, that education in human rights should not only have its place but also be the object of continuous attention.

2 – The Council could encourage the committees put in place by the different international conventions on human rights who have not done so or have done so incompletely, to include education in human rights in the guidelines on the reports of the States, and that particular interest should be given to this question when examining these reports.

3 – That the mandate of the Special Rapporteur on the Right to Education should be maintained, but that its terms be modified in the light of the attributions of the Council and the experience of the last few years. These modifications should allow education in human rights to be made a central element of the mandate and not a question of secondary importance.

[1] Resolution A/RES/6/251 of 15 March 2006

[2] However, States' freedom of appreciation is not total. On this question, see Committee on Economic, Social and Cultural Rights, *General Observation n°13 covering article 13 of the Covenant on the Right to Education*, 8 December 1999, E/C.12/1999/10, § 44 and ff in particular.

[3] Covenant on Economic, Social and Cultural Rights, 156; Convention on the Rights of the Child, 193 ; Convention against Discrimination in Education, 93 ; Convention on the Elimination of all Forms of Racial Discrimination, 173 ; and Convention on the Elimination of all Forms of Discrimination against Women, 185 States parties

[4] See for example Y. Daudet and K. Singh, *The Right to Education: analysis of the normative instruments of UNESCO*, UNESCO, Paris 2001.

[5] *General Observation n°13 covering article 13 of the Covenant on the Right to Education*, 8 December 1999, mentioned above.

[6] *General Observation n°1, The aims of education (paragraph 1 of article 29)*, 17 April 2001, CRC/GC/2001/1

[7] A/59/525/Rev.1, § 17. Underlined by us.

[8] CRC/GC/2001/1 of 17 April 2001, mentioned above.

[9] One can mention UNESCO for reference. It does not appear that the procedures put in place are more efficient; nor those of the reports or complaints which come under the Committee on Conventions and Recommendations. On this question, see Y. Daudet and K. Singh, *The Right to Education...*, mentioned above, p. 41 and ff.

[10] The Special Rapporteur on the Right to Education states that this Decade « received a lukewarm welcome from the States ». In 2000, halfway through the decade, only 35 of them had participated. (E/CN.4/2005/50, § 109). They are even weaker in the evaluation made by the High Commissioner for Human Rights at the end of the decade. Cf. *Report on the successes and failures of the Decade and on the future activities of the United Nations in this area*, E/CN.4/2004/93, 26 February 2004.

[11] *Compilation of guidelines on the form and content of reports to be submitted by States parties to the international human rights treaties*, HRI/GEN/2/Rev.3, 8 May 2006.

[12] *Ibidem*, p. 39

[13] p. 58.

[14] p. 42.

[15] p. 20 et s.

[16] Cf. *above*.

[17] *General Observation...*, mentioned above.

[18] See, by Katarina Tomasevski, *Preliminary Report*, E/CN.4/1999/49, 13 January 1999 ; *Interim Report*, E/CN.4/2000/6, 1st February 2000 ; *Annual reports* : E/CN.4/2001/52, 11 January 2001 ; E/CN.4/2002/60, 7 January 2002 ; E/CN.4/2003/9, 21 January 2003 ; E/CN.4/2004/45, 15 January 2004, and by Vernor Munoz Villalobos, *Report*, E/CN.4/2005/50, 17 December 2004, *Report on the right to education of girls*, E/CN.4/2006/45, 8 February 2006 ; *Report on the right to education of handicapped people*, A/HRC/4/29, 19 February 2007.

[19] *Uganda*, E/CN.4/2000/6/Add.1, 9 August 1999 ; *United Kingdom*, E/CN.4/2000/6/Add.2, 9 December 1999 ; *USA*, E/CN.4/2002/60/Add.1, 17 January 2002 ; *Turkey*, E/CN.4/2002/60/Add.2, 27 March 2002 ; *Indonesia*, E/CN.4/2003/9/Add.1, 4 November 2002 ; *United Kingdom*, E/CN.4/2003/9/Add.2, 5 February 2003 ; *Colombia*, E/CN.4/2004/45/Add.2 ; *China*, E/CN.4/2004/45/Add.1, 17 February 2004 ; *Botswana*, E/CN.4/2006/45/Add.1, 17 March 2006 ; *Morocco*, A/HRC/4/29/Add.2, 7 February 2007 ; *Germany*, A/HRC/4/29/Add.3, 9 February 2007.

[20] To this limit related to the mandate, one can add the obstacles and difficulties encountered by the Special Rapporteur, which led Ms K. Tomasevski to request that her mandate not be renewed. See E/CN.4/2004/45, p. 2.

[21] E/CN.4/2005/50, mentioned above.

[22] A/HRC/4/29/Add.2, mentioned above