

- ▶ receipt of information on the illicit traffic and dumping of such wastes and products in African and other developing countries;
- ▶ recommendations and/or proposals for measures to control, reduce and eradicate this illicit traffic in, transfer to and dumping of such products in African and other developing countries; and
- ▶ production annually of a list of countries and transnational corporations engaged in the illicit dumping of toxic wastes and products in African and other developing countries as well as production of a census of persons killed, maimed or otherwise injured in developing countries through this practice.

The 1997 report includes a summary of the general views of some governments on both the mandate and the issue, while a significant number of the commentaries in other parts of the report relate to issues and practices of a bilateral nature. The incidents and situations summarized in the report include: a case of the leakage of toxic gas; the export of battery scrap from developed to developing countries; mining waste spills and environmental degradation (including the destruction of rain forests) related to mining, oil drilling and the building of gas pipelines; military operations and forced labour related to oil and gas exploitation; a fire and explosion related to the importation and abandonment of hazardous chemicals and wastes; environmental pollution from power plants; pollution from the manufacture of herbicides in developing countries; and nuclear contamination of the environment.

The report prompted many objections from governments of both developed and developing countries on a number of grounds, including that: the information did not relate to illegal activities; the information related to situations and incidents that were common or had occurred prior to 1995 when the mandate was established; and that it referred to situations for which remedial measures had already been taken and/or was out-of-date and/or incomplete. In response to the objections to her methods of work, the SR defended her decision to include this information on the grounds that, while not strictly illegal, these practices are "illicit" in the sense that they are or should be the subject of disapproval or prohibition for moral or ethical reasons.

Renewal of the mandate for a further three years will be discussed at the 1998 session of the Commission.

At its 1997 session, the Commission adopted a resolution on this subject (1997/9) by roll call vote. The Commission, *inter alia*: expressed awareness of the increasing rate of dumping in African and other developing countries by transnational corporations and other enterprises from industrialized countries; acknowledged that many developing countries do not have national capacities and technologies to process toxic wastes and products without an adverse effect on life and health; noted the report of the Special Rapporteur; condemned the increasing rate of dumping; reaffirmed that the practice constitutes a serious threat to the rights to life and health; urged all governments to take legislative and other measures to prevent illegal international trafficking in such products and wastes; invited the United Nations Environmental Programme (UNEP), the Secretariat of the Basel

Convention, the International Labour Office (ILO), the World Health Organization (WHO), the International Atomic Energy Agency (IAEA), the Organization of African Unity (OAU) and other regional organizations to intensify cooperation on environmentally sound management of toxic chemicals and hazardous wastes, including their transboundary movement; requested the SR to undertake within her mandate a global, multi-disciplinary and comprehensive study of existing problems of and solutions to illicit traffic, transfer and dumping of such products and wastes in Africa and other developing countries; requested the SR to include in her 1998 report recommendations and proposals on adequate measures to control, reduce and eradicate the practices; repeated its request to the SR to include in the 1998 report, in a manner consistent with her mandate, information on countries and enterprises engaged in illicit movement of such products; requested the SR in accordance with her mandate to include in the report comprehensive information on persons killed, maimed or otherwise injured in developing countries as a result of these practices; and, encouraged the SR to provide governments with an appropriate opportunity to respond to allegations received by her and reflected in her report.

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WOMEN

Special Rapporteur on violence against women, its causes and consequences (E/CN.4/1997/47; E/CN.4/1997/47/Add.4)

The mandate of the Special Rapporteur (SR) on violence against women, its causes and consequences, was established by the Commission at its 1994 session and renewed at the 1997 session. Renewal of the mandate will be considered again at the Commission's session in the year 2000. In 1997, the SR was Ms. Radhika Coomaraswamy.

The mandate is defined by three broad categories: violence in the family (domestic violence), violence in the community and violence in the context of armed conflict. The normative framework through which the mandate is approached is established by the International Covenants on Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Declaration on the Elimination of Violence against Women.

The 1997 main report focusses on violence against women in the community. "Community" is understood to be a social space outside the family but not fully under the control of the state. It is the site for flourishing private organizations and intermediary associations which have an impact on the lives of women as part of their daily interactions and may also be the site of restrictions on and regulations of female sexuality. The SR states that a key component of community identity, and therefore the demarcation of community boundaries, is the preservation of communal honour. Such honour is frequently perceived by both community and non-community members as residing in the sexual behaviour of the women of the community. Communities, therefore, "police" the behaviour of their female members.

The report includes sections on rape and sexual violence, including sexual harassment, trafficking in women and forced prostitution, violence against women migrant workers, and