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President: Mr. Kutesa (Uganda)

The meeting was called to order at 10.10 a.m.

Agenda item 63

Report of the Human Rights Council

Report of the Human Rights Council (A/69/53 and A/69/53/Add.1)

The President: In connection with this item, I would like to recall that the General Assembly, at its 2nd plenary meeting, on 19 September 2014, decided to consider agenda item 63 in the plenary meeting and in the Third Committee, pursuant to resolution 65/281, of 17 June 2011.

I welcome His Excellency Mr. Baudelaire Ndong Ella, President of the Human Rights Council, and commend him for his leadership of the Human Rights Council.

Since its establishment in 2006, the Council has continued to gain prominence as the main United Nations organ dedicated to the promotion and protection of human rights, one of the three pillars of the United Nations. By responding to human rights violations, the Council is instrumental in encouraging respect for human rights and fundamental freedoms for everybody, everywhere. In this regard, the Council's active and sustained response to human rights situations around the globe is commendable. With creative working methods and a variety of tools, such as commissions of inquiry, special procedures and panel discussions, the Council has assisted Member States in fulfilling their human rights obligations. The Council has also

put the spotlight on widespread and systemic human rights violations, ensuring that complex human rights situations remain high on the United Nations agenda.

I would like to underscore the importance of the universal periodic review (UPR), which is now well into its second cycle. By providing universal coverage and guaranteeing the equal treatment of States, that mechanism has become a cornerstone of the United Nations human rights system. It is essential to preserve the UPR's founding principles, and I encourage Member States to continue cooperating with that important mechanism and ensuring follow-up of the recommendations accepted during their review.

The Council has not only been prompt in addressing country-specific issues, it has also been active in promoting the entire spectrum of human rights, including civil, political, economic, social and cultural rights and the right to development. Through its various mandates and mechanisms, the Council has given a voice to the most vulnerable and those most likely to suffer discrimination and denial of their basic rights. From the rights of women and children to those of persons with disabilities, from internally displaced persons to victims of sexual violence, the Council has worked to strengthen the fundamental rights of all people.

The work of the Human Rights Council reaffirms the fundamental principle that every human being is entitled to a life of dignity and the full enjoyment of human rights. The support of the Assembly is therefore

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essential to ensure that the Council fulfils its important mandate.

In accordance with resolution 65/281, of 17 June 2011, I now give the floor to Mr. Ndong Ella, President of the Human Rights Council.

Mr. Ndong Ella (Gabon), President of the Human Rights Council (*spoke in French*): It is truly a privilege and an honour to present the report of the Human Rights Council (A/69/53) to the Assembly. The Council was established eight years ago — some of those here were present in this Hall at that time — to replace the Commission on Human Rights, following the adoption, on 15 March 2006, of resolution 60/251. The Assembly thereby entrusted the Human Rights Council with the mandate of

“promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner” (*resolution 60/251, para. 2*).

Over the years, the Council has acquired importance, renown and credibility, particularly through its special procedures and universal periodic reviews. The Council, unlike the now-defunct Commission on Human Rights, guarantees fair and equal treatment and the non-politicization of its discussions.

On behalf of the Human Rights Council, it is my honour to submit the report on its activities to the Assembly this morning. Before continuing, I wish to express my sincere congratulations to you, Mr. President, on your splendid election as President of the General Assembly at its sixty-ninth session. I welcome the coincidence, by which I mean this extraordinary meeting seemingly orchestrated by the god of the universe to enable the President of the Human Rights Council, who hails from an African country, to present the Human Rights Council’s report to the President of the General Assembly, who also hails from an African country. It is a precedent that some may consider a sign of the times. For my part, I wish you, Mr. President, every success during your mandate. I am convinced that your character and rich experience are undeniable assets for the success of your tenure. I am certain that the adoption of this report will also be a step towards that success.

Allow me also to congratulate the 15 States elected by the Assembly to join the 47-member Council: Albania, Bangladesh, Bolivia, Botswana, the Congo,

El Salvador, Ghana, India, Indonesia, Latvia, the Netherlands, Nigeria, Paraguay, Portugal and Qatar.

The eighth cycle of the presidency of the Human Rights Council is taking place in a difficult human rights context characterized by many crises and conflicts, often involving non-State actors. The Council held three regular sessions, as stipulated in the Council’s rules of procedure, contained in the annex to Council resolution 5/1. In that period, over 138 meetings were organized, averaging about 46 meetings per session, exceeding the normal threshold of 32 meetings. Each session had a particularly heavy programme of work, with meetings running all day, from 9 a.m. to 6 p.m., without a lunch break. More than 252 reports were examined under various agenda items. Fifty-seven interactive dialogues were organized with the special procedures mandate holders on thematic issues and on country issues.

The Human Rights Council organized 22 high-level panels on current topics and various crisis situations. Among them I note the discussions on the promotion of preventive approaches within the United Nations system, the protection of the family, good practices in combating female genital mutilation, the safety of journalists, the rights of persons with disabilities, the rights of indigenous peoples, access to justice for children, the rights of women, the use of drones in military antiterrorist operations, the right to privacy in the digital age, the human rights situation in eastern Ukraine, the fight against sexual violence in the Democratic Republic of the Congo, and the human rights situation in South Sudan.

Pursuant to the provisions of Human Rights Council resolution 16/21, the General Assembly requested, in its resolution 65/281, that the Council hold a half-day high-level panel discussion once a year on mainstreaming human rights in all United Nations agencies and funds. During its twenty-fifth regular session, in March, the Council organized a high-level panel entitled “The protection and promotion of the human rights of migrants”. Among other issues, it dealt with the loss of lives of numerous African migrants in the area around the Italian island of Lampedusa. More than 8,000 representatives participated in the three regular sessions, with around 130 dignitaries coming from various parts of the world. More than 500 parallel events were organized on the sidelines of our work.

During its twenty-fifth session, the Council was particularly honoured to welcome a Head of State, His

Excellency Mr. Moncel Marzouki, President of the Republic of Tunisia. We also hosted Secretary-General Ban Ki-moon; the President of the General Assembly at its sixty-eighth session, His Excellency Mr. John Ashe; the Vice-President of the Republic of Colombia, His Excellency Mr. Angelino Garzón; and the Prime Minister of Vanuatu, His Excellency Mr. Moana Carcasses Kalosil. And those are just some examples.

I would like to emphasize the effective participation of the least developed countries and small island developing States in the work of the Council, which contributes to the principle of universality. The trust fund established by the Council to support the participation of least developed countries and small island developing States allowed a dozen delegations from those countries to attend. Indeed, I encourage more States to contribute to that trust fund so that in future the Council can continue to facilitate greater participation.

The Human Rights Council held three special sessions to respond urgently to certain situations where human rights and international humanitarian law were being seriously violated. At the request of Ethiopia, on behalf of the Group of African States, the Council met on 20 January to consider the serious human rights violations in the Central African Republic linked to the civil war and intercommunal violence in that country. Following that special session, the Council appointed an independent expert, Mrs. Marie-Thérèse Keita Bocoum, to follow up on the situation of human rights and to support the stabilization and pacification efforts of the transition authorities in the Central African Republic.

On 23 July, the Council met at the request of Pakistan, on behalf of the Organization of Islamic Cooperation and the Group of Arab States, on the situation of human rights violations and violence in the Palestinian territories occupied since 1967, including East Jerusalem and Gaza. The Council decided to appoint a commission of inquiry tasked with investigating allegations of serious human rights violations and international humanitarian law perpetrated by all parties in the occupied Palestinian territories, including East Jerusalem and Gaza. In spite of certain difficulties, I was able to appoint the members of the commission of inquiry, which began its preliminary investigations under the chairmanship of Professor Schabas. The three members of the commission — Mr. Schabas of Canada, Mr. Diène of Senegal and former judge Ms. Mary Davis

of the United States of America — visited me some days ago and provided a first update of their mission.

On 1 September, the Council held a special session on the situation of human rights in Iraq linked to the violations and abuses perpetrated by the terrorist group known as the Islamic State in Iraq and the Levant. The Council faced a problem that is both special and new concerning violence, crimes and serious violations of human rights perpetrated by a non-State actor. It decided to send, on an urgent basis, a mission of inquiry from the Office of the United Nations High Commissioner for Human Rights to shed light on the situation in the north of Iraq.

Regarding the universal periodic review, the Council adopted the reports of the 57 countries considered this year at the beginning of the second cycle. Indeed, at its eighteenth, nineteenth and twentieth sessions, the Working Group on the Universal Periodic Review reviewed the situation of human rights in 15 African countries, 15 Asian countries, 10 Latin American countries, five Western European countries, six Eastern European countries and three Pacific countries. There were 5,040 recommendations made, of which 3,931 were accepted and 831 simply noted. Since the beginning of the second cycle of the universal periodic review, more than 20,000 recommendations have been made, of which more than 16,000 were accepted and under 4,000 simply noted. I wish to reassure the Assembly that my presentation is not intended to be a mathematics course. I am just trying to demonstrate the workload of the Council in the framework of that important mechanism.

The participation of reviewed countries was 100 per cent, and delegations were represented at least at the ministerial level. As you have emphasized, Mr. President, that mechanism is gaining importance and credibility and henceforth will constitute an essential pillar of the system for the promotion and protection of human rights.

Regarding the decisions and resolutions of the Human Rights Council, the cycle just finished was once again productive. The Council adopted 114 texts, including 106 resolutions, six presidential statements and two decisions. Sixty-five per cent of those decisions and resolutions were adopted by consensus and 35 by vote. The current thematic subjects linked to human rights were dealt with in resolutions concerning the use of remotely piloted aircraft or armed drones in the framework of counter-terrorism operations, protection of human rights defenders in the framework of peaceful

protests, the promotion of the right to a private life in the digital age, the protection of the family, the establishment of an intergovernmental working group with a mandate to elaborate a legally binding international instrument for multinational corporations, violence and discrimination against persons based on their sexual and gender orientation, and abolition of the death penalty.

The Council renewed the appointments of special procedures mandate-holders. The decisions on appointments had to do with several special rapporteurs, including the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, including East Jerusalem, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the Special Rapporteur on the right to health. The large number of mandate-holders appointed — 31 out of the 53 existing ones — made the task quite difficult. In order for the advisory group and I to be able to submit draft decisions that are sufficiently acceptable to the Council, it would be desirable to consider the possibility of having a more appropriate periodic appointment process. Moreover, new thematic mandates were established, including the Special Rapporteur on the rights of persons with disabilities and the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights.

As I stated at the beginning of my presentation, the Council had recourse to the establishment of complementary mechanisms to provide emergency responses to situations of serious violations of human rights. That was the case regarding the decision to establish a commission of inquiry on serious violations of human rights and international humanitarian law in the occupied Palestinian territories following the military operations in the Gaza Strip, and a commission of inquiry to investigate human rights violations in Eritrea. That also pertained to the decision to deploy a team of the High Commissioner for Human Rights to investigate the situation of human rights violations in Iraq linked to abuses and violence of the so-called Islamic State in Iraq and the Levant and to the establishment of a structure of the Office of the High Commissioner to follow the human rights situation in the Democratic People's Republic of Korea and in Sri Lanka.

Regarding the country situations, during its three regular sessions the Council carefully followed the situation of human rights in Eritrea, in the Democratic People's Republic of Korea, Belarus, Myanmar, the Islamic Republic of Iran and the Syrian Arab Republic under item 4 of its agenda. Other country situations were also taken up under agenda item 2, mainly the situations in Iraq and in Sri Lanka. Along the same lines, the Council renewed the mandate of a certain number of independent experts on the human rights situation in countries benefiting from technical cooperation and technical assistance programmes to strengthen capacities in human rights under item 10. That concerns Mali, the Sudan, the Central African Republic, Somalia, Yemen and Côte d'Ivoire. The Council supported the decision to renew the mandate of the Special Rapporteur on the situation of human rights in Cambodia and to provide follow-up on the human rights situations in Libya, Guinea, South Sudan, Ukraine and the Democratic Republic of the Congo.

Some months ago, we were pleased to witness an unprecedented international mobilization against the terrorist Islamist group Boko Haram, following the kidnapping of 200 schoolgirls in the north-east of Nigeria, under the slogan Bring Back Our Girls.

Another even more devastating and very deadly threat, the Ebola epidemic in West Africa, is of concern to all of us today. The loss of human life since the beginning of the epidemic demonstrates that it is a threat to both human life and the human condition. At its twenty-seventh session, the Human Rights Council adopted a presidential statement on the Ebola virus epidemic, thereby demonstrating its ability to respond on an emergency basis to the seriousness of that situation. The Council sought to encourage workers, agencies and non-governmental organizations working in the humanitarian sphere in the fight against the epidemic.

The Council has also been worried for some time now about accessibility to its work and documents by persons with disabilities. It therefore created a special task force that is making several specific improvements, in particular by providing a guide on accessibility to the Council for persons with disabilities and reserving seats for individuals with disabilities in the Council's meeting room. Each Council meeting, aside from the annual debate on persons with disabilities, has also been made accessible to persons with disabilities, with

international sign language, subtitling and the option of printing statements in Braille upon request.

On the agenda item concerning financial and budgetary issues, allow me to highlight the fact that the 114 documents adopted by the Human Rights Council during its regular and special sessions account for about \$30 million. That is about 60 to 75 per cent more than the budget for 2013. As the Assembly knows, the Office of the United Nations High Commissioner for Human Rights devotes more than half of its resources to mandates from the Council and has not had enough resources for several years now.

However, the number of new mandates on country-specific and thematic items, combined with the activities requested by Member States, has tripled over the past three years. This is demonstrated by the number of decisions and resolutions adopted by the Council, which went from 60 in 2006 to 114 today, the number of reports considered and round tables and interactive debates held, and the record number of participants and dignitaries. I would like to call the attention of the Assembly to the need to provide additional resources to the Office of the United Nations High Commissioner for Human Rights so as to allow the Council to carry out its mandate effectively and respond to emergency situations in every region of the world.

The Human Rights Council is now a victim of its own success. The number of resolutions and decisions, high-level panels and interactive dialogues is constantly increasing. The workload has increased and has become a matter of concern for the Council's various stakeholders. During the twenty-seventh session, the Bureau of the Council, with the help of the secretariat, was forced to make certain adjustments so as to accommodate the large workload. Therefore the time allotted to statements was reduced for Member States and observers speaking during round-table discussions and interactive debates, as well as for special procedures mandate-holders presenting reports.

Other solutions to improve the working methods of the Council could be considered without undermining the current balance and mass participation of civil society representatives. The participation of civil society in the activities of the Council should be facilitated and strengthened, as it helps preserve the credibility and neutrality of the Human Rights Council within the United Nations system. Resolution 24/24, on cooperation with the United Nations, its representatives and mechanisms in the area of human rights — the

adoption of which had been deferred by my predecessor at the time of the presentation of the report last year — from this point of view merits the support of this Assembly. It would be desirable if the elements that had blocked the adoption of that resolution could be resolved in a definitive manner at the current session of the General Assembly.

We should consider updating the working methods of the Council so as to take on board the contingencies and new situations. Some delegations would indeed like to encourage such an initiative in Geneva so as to ensure that it is resolved in 2016, as the most recent update took place in 2011. Several aspects could be considered, in particular the Council's agenda, the number of resolutions, the number of panels, the functioning of some groups linked to the activities of the Council, the role of special procedures, and the participation of non-governmental organizations in the work of the Council and treaty bodies.

On the other hand, there is a need to continue the trend of integrating the issue of human rights into the agencies and programmes of the United Nations system. Human rights should in that respect be given proper priority in the discussions under way on the post-2015 development agenda. Economic, cultural and social rights, including the right to development, should be considered on equal footing with cultural and political rights.

During my presidency, I have participated in over 1,000 activities, which have been divided among meetings and hearings with high-level officials and bilateral consultations with Member States, representatives of international and domestic human rights institutions, special procedures mandate holders and human rights advocates. I took the initiative to visit New York after every session of the Council so as to exchange views with all stakeholders and update them on the Council's work. Given the international situation and the Council's composition, I understand that this tenure has been the most difficult since the establishment of the Council in 2006. I would also like to emphasize that every day the Council seems threatened by a risk of politicization and polarization in its debates, and I have very often encouraged dialogue and cooperation.

I would like to thank all delegations for their support and the confidence they have placed in Gabon. Under the leadership of His Excellency Mr. Ali Bongo Ondimba, President of the Republic and Head of State,

the country has placed peace, human rights and the people's well-being at the heart of its development strategy, which is aimed at lifting the country to the status of an emerging country by 2025.

We must consolidate the current credibility and authority of the Council, always being mindful of the reasons that the Commission on Human Rights ceased to exist. For my part, this mandate has reinforced my belief that now more than ever we need strong institutions such as the Council to promote and protect human rights across the globe.

The President: I thank the President of the Human Rights Council.

I now give the floor to the observer of the European Union.

Mr. Mayr-Harting (European Union): I have the honour to speak on behalf of the European Union (EU). The candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania; the country of the Stabilization and Association Process and potential candidate Bosnia and Herzegovina; as well as Ukraine and Georgia, align themselves with this statement.

The European Union would like to thank the President of the Human Rights Council, Ambassador Baudelaire Ndong Ella, for presenting the Council's ninth annual report to the General Assembly (A/69/53). We also appreciate the opportunity to hold an interactive dialogue with the Human Rights Council President at the Third Committee, and I would add that we are particularly grateful for the dialogue, here during his mandate, with major groups in the Organization, including ours. In the interests of time, I will abridge my statement a little bit and ask delegations to look at the written version for the full text.

The European Union remains a strong supporter of the Human Rights Council, a position held since its establishment. The Council, as the main United Nations body devoted purely to the promotion and protection of all human rights, has strengthened the ability of the United Nations to ensure that all persons enjoy their human rights. We attach great importance to both the credibility and the effectiveness of the Council and will continue to make every effort to ensure that it is able to address situations of violations of human rights, including gross and systematic violations, to respond promptly to human rights emergencies, and also to improve human rights standards and their

implementation worldwide through systematic work on various thematic issues. In that context, we strongly oppose any attempts to undermine the institutional position of the Council within the system of the United Nations.

In that connection, the European Union is pleased to note that the Human Rights Council has maintained its leadership in addressing human rights situations. The Council's ongoing response to the crisis in the Syrian Arab Republic remains highly important, including by extending through to its twenty-eighth session the mandate of the Commission of Inquiry, currently the only international investigative mechanism on human rights violations and abuses in the country. The Council has also demonstrated its commitment to provide technical assistance and capacity-building to the Governments of Afghanistan, Cambodia, the Democratic Republic of Congo, Haiti, Mali, Somalia, the Sudan and Yemen with a view to promoting human rights, and we welcome the continued support that has been rendered to the Central African Republic, Côte d'Ivoire, Libya, the Republic of Guinea and South Sudan. The European Union hopes that the Council will continue to closely monitor situations where technical assistance and capacity-building can make a difference and that it will take action where necessary.

On 21 October, the General Assembly elected 15 new members to the Human Rights Council. Serving as a Council member entails important responsibilities; resolution 60/251 provides in paragraph 9 that "members elected to the Council shall uphold the highest standards in the promotion and protection of human rights". We encourage all to pay full attention to the human rights records and human rights commitments of States throughout their membership.

We highly value the work of the special procedures and are firmly convinced that they play a crucial role in advancing the human rights agenda. All States members of the European Union have extended a standing invitation to the special procedures, and the EU calls upon all United Nations Members to do likewise and to actively cooperate with those procedures. In order to allow special procedures to fully carry out their mandates, it is crucial that they be able to independently assess and draw the Council's attention to human rights situations and issues. The European Union welcomes the growing participation of mandate-holders in the Council.

Given the situation in the countries concerned, the European Union welcomes the extension of the country-specific mandates of the Special Rapporteurs on the situation of human rights in Belarus, Eritrea, Myanmar, the Islamic Republic of Iran, the Democratic People's Republic of Korea and in the occupied Palestinian territory, as well as the appointment of the Independent Expert on the situation of human rights in Somalia. We also welcome the establishment of the new mandate of the Independent Expert on capacity-building and technical cooperation with Côte d'Ivoire and the extension of the mandates of the Independent Experts on the situation of human rights in the Central African Republic, Haiti, Mali and the Sudan. We also support the establishment of a commission of inquiry on the situation of human rights in Eritrea and stand fully behind the Office of the United Nations High Commissioner for Human Rights (OHCHR) investigation in Sri Lanka, which is currently under way. Finally, we also encourage cooperation with the Commission of Inquiry set to investigate all violations and abuses of international humanitarian law and human rights law in the occupied Palestinian territory, including East Jerusalem.

Thematic special procedures play an equally important role, through their research, country-specific visits and valuable contribution to the better understanding of the content of specific human rights and their contribution to the enhancement and realization of human rights standards. Among the many thematic special procedures, the European Union would like to highlight the mandate of the Special Rapporteur on freedom of religion or belief, who plays an active role in identifying existing and emerging obstacles to the enjoyment of the right to freedom of religion or belief and in presenting recommendations to overcome such obstacles.

The European Union remains strongly committed to the universal periodic review (UPR), a truly universal and unique mechanism within the United Nations, which seeks to address all human rights and is applicable to all States Members of the United Nations without distinction or discrimination and continues to contribute to the promotion and protection of human rights and fundamental freedoms on the ground. Preserving the universality of the UPR process is of paramount importance, and in that regard the Council has been successful. Ultimately, the quality of the review recommendations and the commitment to implement them are key to the outcome of the process. Therefore, we would like to refer to the Council President's letter

of 18 September 2013 and stress that the equal treatment of all countries is an underlying element of the UPR mechanism and needs to be maintained throughout each cycle.

The European Union wishes in particular to highlight and welcome the following important developments during the reporting period.

First, the Council rendered necessary attention to the safety of journalists, holding a panel discussion on the subject.

Secondly, the enjoyment of human rights by women and girls has continued to figure as a major theme on the Human Rights Council's agenda during the period under review. The Council held another panel discussion on preventing and eliminating child, early and forced marriage, as well as on the identification of good practices in combating female genital mutilation.

Thirdly, the Council addressed the issue of the death penalty through a high-level panel discussion as well as initiatives.

Fourthly, the Council continued its crucial work on the rights of the child, with a full-day annual panel discussion, presented jointly by the European Union and the Group of Latin American and Caribbean States and dedicated to access to justice for children. The Council also adopted a resolution on the topic.

Fifthly, the Council also held a panel discussion on the importance of the promotion and protection of civil society space, focusing on the promotion of a constructive, interactive partnership between States and civil society and underlining the important role of civil society, including human rights defenders, in the promotion and protection of human rights.

The European Union reiterates its strongest condemnation of acts involving reprisals against and intimidation of civil society representatives who attend Human Rights Council meetings and cooperate with human rights mechanisms and the OHCHR. Contributions by civil society organizations and national human rights institutions are extremely valuable to the work of the Council. Their ability to interact with the Council must be preserved.

In conclusion, let me reiterate our ongoing commitment to contributing to the work of the Human Rights Council and to further strengthening its role in the development of international human rights law. We will continue to systematically uphold and ensure the

implementation of existing international norms and standards, to strongly advocate for the universality of human rights and to promote the observance by all States of all human rights and fundamental freedoms.

Mr. Alibrahim (Kuwait) (*spoke in Arabic*): Today the General Assembly is considering one of the most important items on its agenda. In that regard, I would like to thank the Human Rights Council for its annual report, contained in documents A/69/53 and A/69/53/Add.1, which summarizes the work of the Council in promoting human rights internationally and its continuing endeavour to uphold and defend them.

The report discusses many issues relating to human rights and their promotion, focusing on the role of the relevant international human rights institutions and their efforts to enhance cooperation of every kind with various countries around the world. It also touches on many important issues, including human trafficking, the rights of persons with disabilities and the need to strengthen efforts aimed at eliminating intolerance, extremism, discrimination and violence against women in any form. The report includes the outcomes of the universal periodic review for many countries, and in that regard, we would like to emphasize the fact that the full, practical implementation of human rights is the responsibility of the States concerned and requires concerted effort on the part of the international community.

The concept of human rights is directly linked to the achievement of development goals, since prosperity for nations and peoples is measured in part by their commitment to the principles of human rights. The Charter of the United Nations also urges us to uphold human rights and basic freedoms. In that context, I would like to affirm that the State of Kuwait is committed to observing the criteria and standards for human rights. Our Constitution reflects human rights agreements, instruments and conventions. We have established rights such as the right to freedom of expression and the right to life. Article 7 of our Constitution stipulates that freedom, equality and justice are the pillars of our society, as are cooperation and harmony among our citizens.

Since the submission in 2010 of its first report to the universal periodic review mechanism, Kuwait has worked hard to implement the outcomes of that exercise. We have formed a committee to coordinate national efforts in implementing voluntary pledges

and country-specific recommendations. Those efforts have been translated into a draft bill for establishing an office for human rights, based on the Paris Principles on the status of national human rights institutions. Kuwait will present its second national report to the universal periodic review in January 2015.

Regarding international conventions, we recently ratified the Convention on the Rights of Persons with Disabilities. We have also established national mechanisms designed to strengthen human rights, including a commission within the National Assembly of Kuwait for the defence of human rights. We have also established national authorities for combating corruption and supervising the workforces in various sectors.

Kuwait provides a great deal of humanitarian assistance through non-governmental organizations, national and international, including the United Nations Human Rights Council. We believe that it is important to strengthen peace, security and respect for human rights around the world. To that end, we hosted the first and second donor conferences in support of humanitarian work in Syria, aimed at easing the suffering of the brotherly people of that country. In that regard, we have sponsored the draft resolution in the Third Committee on the situation of human rights in Syria, which strongly condemns the grave, widespread violations there of international humanitarian and human rights law.

In the context of this discussion of human rights and the importance of respecting individuals' humanity, we strongly condemn Israel's continued and oppressive policies and practices, which continue to violate the basic principles with regard to the human rights of the unarmed Palestinian people living in the occupied territories. We call on the international community to continue to shoulder its responsibilities by forcing Israel, the occupying Power, to comply with the relevant resolutions on international legitimacy, to end its aggressive and expansionist policies, and to abide by international law and the principles of human rights.

In conclusion, Kuwait would like to affirm its respect for all international human rights conventions and instruments. We also encourage all efforts to uphold human rights. We believe that it is essential to work to cooperate in that area in order to achieve the goal that we all desire, which is the advancement and prosperity of our peoples and nations.

Mr. Zehnder (Switzerland) (*spoke in French*): Switzerland would like to thank the President of the Human Rights Council for his report (A/69/53).

Civil society's participation in the work of the United Nations is fundamental and particularly crucial to the functioning of the Human Rights Council. Switzerland is concerned, however, about the growing number of instances of intimidation and reprisals against members of civil society while they exercise their fundamental rights in providing first-hand information to the representatives of United Nations mechanisms. While protecting such people is itself a priority, it should be even more so considering that civil society's participation at every level, international, national or local, is essential to enabling United Nations organs to fulfil their mandates. Switzerland calls on all Member States to work together to deal with that worrisome development in order to put an end to reprisals against those key partners of the United Nations system.

Switzerland welcomes the efforts to improve the Human Rights Council's working methods launched under the current President's leadership, for example by putting strict limits on delegations' speaking time during interactive dialogues. We note with regret, however, that on two occasions the nomination of special procedures mandate-holders of the Council had to be postponed. The necessity of improving the Council's working methods is a direct result of the major increase in the Council's activity during its sessions, whether owing to the creation of new mandates or the launch of new initiatives. While positive in itself, that development nonetheless results in problems with resources, particularly with regard to financing such activities. The fact is that, despite the fact that human rights constitutes one of the three basic pillars of the United Nations, it receives only 3 per cent of the Organization's regular budget.

It was for that reason that Switzerland, together with Mexico, Morocco, Norway and Turkey and on behalf of 50 other States, addressed a letter to the Secretary-General dated 15 July expressing its concern about the chronic underfunding of the human rights pillar of the United Nations. The outline of the draft budget for the 2016-2017 biennium is due to be introduced in the General Assembly's Fifth Committee on Wednesday. In that context, Switzerland will maintain its commitment to improving the financing of the activities of the Office of the High Commissioner for Human Rights through the regular budget.

Switzerland is pleased to note that during its current presidency, the Council has done justice to one of the most important duties of its mandate, namely, addressing situations in the world where the worst violations of human rights are taking place. We welcome the fact that under the current presidency the crises in the Central African Republic, the occupied Palestinian territory and Iraq have been examined in special sessions and that the tragic situations in Syria and the Democratic People's Republic of Korea have also come under the Council's scrutiny.

Finally, I would like to assure the President of the Human Rights Council of Switzerland's full commitment to the work of the institutions based in Geneva, particularly the Human Rights Council, in their ongoing efforts to carry out their essential tasks of protecting and promoting human rights.

Mr. Barriga (Liechtenstein): We welcome the President of the Human Rights Council, Mr. Baudelaire Ndong Ella, and thank him for presenting the Council's report today (A/69/53). The report illustrates once again the Council's relevance and its ability to address emerging human rights challenges. The universal periodic review (UPR) also continues to be a very valuable mechanism, and we are pleased to see that its universal nature has been safeguarded. The added value of the UPR lies, in particular, in the effective follow-up and implementation of recommendations that States accept in their dialogues with their peers. The coming years will therefore be decisive for proving the mechanism's effectiveness.

At the time of his election, the President of the Human Rights Council emphasized his support for efforts aimed at protecting people who have cooperated with human rights bodies. This is a central challenge for the United Nations human rights machinery, and we therefore fully supported the adoption of Human Rights Council resolution 24/24 last year on ending reprisals against individuals or groups cooperating with the United Nations. When human rights defenders face retaliation for speaking up, not only are their individual rights violated, but the human rights mechanisms themselves are under attack. It is unfortunate that that resolution still awaits implementation pending action in the Third Committee, which is contrary to the understanding established of the institutional relationship between the General Assembly and the Human Rights Council. Mr. President, we look forward to your leadership in that respect.

In Human Rights Council resolution 27/31, on civil society space, the Council underlined the significance of a safe and enabling environment for civil society and in particular for persons belonging to minorities and vulnerable groups. We commend the Council on that important decision and are particularly pleased that it was adopted by consensus. The resolution promotes fundamental freedoms that are very important for the work of the Council and the United Nations in general. Liechtenstein therefore strongly supports it and hopes that it will be implemented shortly.

An increasingly important tool of the Human Rights Council are the commissions of inquiry that it has established in connection with some of the most serious human rights crises, including those in Syria and the Democratic People's Republic of Korea. The Independent International Commission of Inquiry on the Syrian Arab Republic has carried out valuable work in gathering evidence of mass atrocities. Regrettably, it has not been able to galvanize the political action necessary to put an end to those atrocities — quite the contrary, relevant efforts were stymied in the Security Council earlier this year by a double veto.

We believe therefore that the Commission should focus more strongly on gathering and preserving information in such a way that it can be used in a court at a later stage. Those who have perpetrated the most serious crimes under international law must not be able to run out the clock on justice. Liechtenstein continues to believe that the International Criminal Court would be the appropriate institution to deal with the situation in Syria. At the same time, complementary accountability tracks will be necessary, owing to the sheer scale of the crimes committed and the number of perpetrators involved. We must therefore continue exploring all viable options to ensure accountability for those crimes.

The Council has also expressed itself again on the right to privacy, an issue that is also high on the agenda of the General Assembly. The digital era has allowed States to pursue law enforcement in a manner that greatly challenges the right to privacy. We believe that it is high time that we discuss surveillance practices — both at the individual level and on a larger scale — from a human rights perspective. In doing so, we must preserve the spirit of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Fighting all forms of crime, including terrorism and transnational organized

crime, are, of course, legitimate aims that may justify surveillance.

But just because electronic surveillance has become an easy tool, States must not become complacent in making the sometimes difficult call as to whether the value produced by the surveillance would be proportionate to the negative effect caused by the interference with privacy. Mass surveillance certainly seems almost impossible to justify from that perspective. That and many other complex questions regarding the right to privacy in the digital age require further discussion and study, which is why we support the establishment of a special procedure on that topic.

Finally, Liechtenstein notes with deep concern the underresourcing of the Office of the High Commissioner for Human Rights (OHCHR). That issue is of obvious concern for the work of Human Rights Council, because a considerable amount of the very limited regular budget resources allocated to the Office is spent on servicing the Council and activities attached to it. In a letter signed by Liechtenstein and 54 other Member States in July 2014 and addressed to the Secretary-General, we emphasized that the United Nations regular budget for the OHCHR should at least cover all costs of the activities mandated by the Human Rights Council. Sufficient funding of the human rights pillar of the United Nations is not only crucial for the Human Rights Council, it is essential for the whole of the United Nations.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): At the outset, I would like to welcome the President of the Human Rights Council, my colleague, Ambassador Baudelaire Ndong Ella. I can assure the Assembly that we are determined to continue our constructive cooperation with him in order to ensure the protection of human rights in all Member States in a fair and equitable manner and in accordance with the Human Rights Council's mandate. We intend to do so without any of the politicized and unbalanced measures or double standards that have led to the failure of many of the actions undertaken in New York and Geneva.

We have taken note of the Council's report (A/69/53) with a great deal of interest. We have also made ourselves familiar with their contents and we have taken note of the many important issues to which the Council has referred, in particular the human rights violations that have occurred in the occupied Arab territory of the Syrian Golan and the Palestinian territory. Forty-six years after the beginning of the unjust Israeli occupation

in the Syrian Golan and despite the demands voiced by the Human Rights Council that Israel, the occupying Power, implement the resolutions of all United Nations bodies and agencies, Israel continues to challenge Member States by refusing to implement the provisions of those resolutions. There have been dozens of United Nations resolutions on that matter, as the Assembly is well aware. Israeli perpetrators of war crimes and crimes against humanity enjoy full impunity and are not subject to any accountability, sanctions or penalties whatsoever for their crimes. Israeli leaders are not being held to account or prosecuted. They blatantly disregard all the provisions of the Charter of the United Nations and the rules of international law, including the Hague Conventions of 1907, as well as the Geneva Conventions of 1949.

Unfortunately, a group of Member States with great influence in this international Organization continues to try to transform the Human Rights Council into a private domain that serves specific non-humanitarian political agendas. That runs counter to the spirit under which the Human Rights Council was created and to its mandate. We saw that very clearly with the adoption of a number of resolutions that had political dimensions and objectives.

The Human Rights Council condemns human rights violations in some countries, but it does not condemn the same violations in others. Furthermore, the Council remains silent on some mechanisms that deal with human rights situations and violations in a racist, ethnically biased and xenophobic way, discriminating against indigenous people and foreign migrants. Foreign migrants and workers, detainees and refugees are treated inhumanely in certain countries. Certain countries have even carried out military invasions of other States Members of the Organization. There are militias, agents, ignorant people and extremists, as well as a whole range of groups, that flout the right to development by adopting unilateral coercive economic measures against developing countries and by sponsoring terrorism. The list is long.

The Syrian Government has offered a full range of cooperative measures with United Nations mechanisms in order to put an end to the national crisis in the Syrian Arab Republic in its political and humanitarian dimensions. We regret that the Human Rights Council has not sent any positive signals with respect to the Syrian Government's great efforts to cooperate with United Nations entities, or acknowledging that the

Syrian Government has assumed its responsibility to act in accordance with the Charter of the United Nations and international law. My Government has assumed its responsibilities with respect to those various groups and has taken measures to protect the country from terrorists, terrorism and chaos.

Yet we see that States members of the Council, including whole blocs, continue unrelentingly to seek to undermine other countries, especially with respect to the political and humanitarian situation, and to perpetuate the shedding of Syrian blood. My country is facing a very difficult humanitarian situation, and that bloc of countries is determined to adopt a series of unilateral and politicized resolutions that will adversely impact my country and condemn its Government. They are trying to force my country to surrender its sovereign rights over its territory through a campaign of colonialism and ethnic cleansing. Through that campaign, Israel is also trying to divide the countries of the region by exploiting religious, ethnic and sectarian differences, among others. That runs counter to the principles of modern States and reflects a weak and vulnerable position based on ethnic cleansing, discrimination and non-peaceful coexistence. It represents a trend through which international human rights law and international humanitarian law are flouted.

Again, the Council has adopted biased and politicized resolutions against my country, Syria. My country therefore believes that such resolutions, which are introduced in the Council every few months, do not give other States a chance to understand what is really happening in Syria. Sometimes the sponsors of such resolutions do not take such issues as terrorism into account. The Syrian Government and its people play a key regional role.

The resolutions do not reflect my country's reality. They deny the existence and presence of terrorist and extremist groups in Syria. The international community is closing its eyes to the gruesome scenes and assassinations perpetrated in Syria by the Islamic State in Iraq and the Levant (ISIL), the Al-Nusra Front and groups linked to Al-Qaida. Those entities refuse to recognize that my country's natural resources, including petroleum, fuel and other resources, are being sold in Europe by Turkish intermediaries, in violation of the provisions of presidential statement S/PRST/2014/14, of July 2014, as well as Security Council resolutions 2170 (2014) and 2178 (2014). There is such an influx of terrorists into Syria from neighbouring countries that

those groups are now spreading to other States in the region, threatening all of them and the rest of the world.

Assistant Secretary-General Toyberg-Frandzen referred to that situation in his 17 November briefing to the Security Council on the situation in the Middle East (see S/PV.7312). He described the members of the Al-Nusra Front and its activities along the separation line in the Syrian Golan as belonging to the Syrian armed opposition. The Al-Nusra Front is a terrorist group. All the elements to which the Assistant-Secretary-General referred are led by a Jordanian terrorist who kidnapped personnel from the Fiji unit serving with the United Nations Interim Force in Lebanon, took photographs with them and identified himself.

How is it possible for opposition elements that are led by a Jordanian to be Syrian? That is the result of funds arriving every day from other countries, such as Qatar. Every day, reference is made to elements of the Syrian armed opposition, which means that there is an error in the Organization's approach. It is an inaccurate interpretation of the situation in the Syrian Arab Republic. Today, more than three years after the terrorist incursion in Syria, we have seen a number of draft reports introduced against my country. The danger of terrorism has spread to the countries of the region and around the world. The presence of terrorist groups in Syria has finally been recognized in the most recent resolution.

The independent international commission of inquiry on the Syrian Arab Republic lacks credibility, because it is subjective and totally biased. It supports the agenda of a handful of wealthy countries that belong to a certain group, which means that the Commission has changed its position. The Commission acknowledged the existence of terrorist elements in the country. However, some countries refuse to recognize that because it does not serve their interests.

The Commission has issued a paper on the crimes and violations committed by ISIL in Syria, entitled "Rule of terror: living under ISIL in Syria". Despite the flagrant violations committed by ISIL in Syria, as described in the paper, the Human Rights Council report does not demand that Qatar and the Saudi regime cease their support for the flow of foreign terrorists from Turkey into Syria across our common borders; that the Qatari and Saudi regimes stop financing the terrorists; or that the United States, France and other Western States abide by their commitments under Security Council resolutions 2170 (2014) and 2178

(2014). However, paragraph 11 of the Commission's report notes that

(spoke in English)

"The external support provided to all belligerents in Syria has contributed to the radicalization of armed groups, ultimately benefitting ISIS. Charity organizations and wealthy individuals funded radical entities willing to promote their ideologies and serve their agendas. Arms and support provided to armed groups deemed as moderate have repeatedly fallen into the hands of more radical actors, including ISIS."

(spoke in Arabic)

Those are the words of the report. Today we have heard that the United Arab Emirates authorities have listed 83 groups that deal with Muslims and the Islamic religion as terrorist organizations, transforming that religion and its individual followers into commercial products, notably in the Gulf States.

Unfortunately, the new resolutions have come a little late, which has led to the loss of many lives in Syria, Lebanon and Egypt. The politicized resolutions against the Syrian Government adopted by the Council have undermined the Syrian people and increased their suffering, because the resolutions have sent the wrong messages to the terrorists and those who sponsor them. The effect of these resolutions is to protect those people and offer them impunity for crimes in the future.

The resolutions have also frustrated international efforts to ensure that the Human Rights Council is able to address all violations of human rights throughout the world within clear frameworks that apply to all without discrimination, as noted by Mr. Baudelaire Ndong Ella earlier. The Council is a body that is run with funding from Qatar and Saudi Arabia, and by hegemonic Powers that toy with human rights. Its resolutions had been blocked for many years and have in turn hampered the cooperation and openness that Syria has recently demonstrated in dealing with the international commissions. Those are now well-known issues. They are not negotiable or open to question. There is no doubt about the situation.

In conclusion, I should like to recall to Member States that the primary motivation for the establishment of the Human Rights Council was the shared understanding that a number of influential States had politicized human rights in the work of the Commission

on Human Rights and had sought to adopt agendas convenient to them. The so-called international community therefore came together to try to transform the Commission into the Human Rights Council and to adopt a follow-up mechanism, the universal periodic review, so as to address all human rights matters on an equal footing — that is, to deal with all Governments in an equitable manner without any distinction or politicization. That is a dream that has not yet, unfortunately, become a reality, with adverse impacts on the great hopes expressed by all and entrusted to the United Nations to protect and promote human rights.

Mr. Jiddou (Mauritania): I have the honour to deliver this statement on behalf of the Group of African States. The African Group welcomes the President of the Human Rights Council, Mr. Baudelaire Ndong Ella, to the General Assembly and wishes to extend our appreciation for the opportunity to engage in a general debate on the activities of the Council, as presented in document A/69/53 and its addendum. The Group commends the Council President for his leadership, his commitment to the work of that body during his tenure, his professionalism and the constructive and transparent way in which he conducts the work of the Council. The Group wishes to express its continuous support for his endeavours.

Mr. Emiliou (Cyprus), Vice-President, took the Chair.

The African Group wishes to reaffirm the Council's mandate, as contained in resolution 60/251, in promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner, and to make recommendations thereon. It is on that basis that the Group has been consistently supportive of the work of the Council. The Group views the principles underpinning the Council's mandate as extremely important, particularly with respect to the principle of cooperation and genuine dialogue aimed at strengthening the capacity of Member States to comply with their human rights obligations. It is therefore incumbent upon the Council, in discharging its mandate, to firmly ground its work on universality, objectivity and non-selectivity in the consideration of human rights issues.

The Group is of the view that the universal participation of all States Members of the United Nations in the work of the Human Rights Council is of paramount importance. In that regard, the Group

warmly welcomes the establishment of the Voluntary Fund for Financial and Technical Assistance to support the participation of the least developed countries and the small island developing States in the work of the Human Rights Council. The Group further welcomes the steps taken for the operationalization of the Fund, including the facilitation of the participation of experts from member countries in the Council sessions. The Group would like to encourage the President to ensure that more African countries benefit from the Fund.

The African Group is convinced that the universal periodic review (UPR) remains the most distinct mechanism of universal application to assist States in fulfilling their human rights obligations. In our view, the mechanism remains relevant and is key in the promotion and protection of human rights. The Group would like to reaffirm the need to preserve the mechanism's cooperative nature and the principle of dialogue. The Group firmly believes that it is critical that the United Nations Voluntary Fund for Financial and Technical Assistance for the implementation of the UPR recommendations be properly resourced for the purpose of assisting States to develop their national capacity and expertise for the implementation of the accepted recommendations.

While the African Group reiterates its support for the mechanism and the special procedures of the Council and the important work they undertake in the promotion and protection of human rights and fundamental freedoms, the Group believes that there is a need for the rationalization of the mechanism and the special procedures so as to ensure their effectiveness. The Group would also like to emphasize the need for the procedures to comply with the institution-building package, the code of conduct of mandate-holders and the terms of reference of their respective mandates.

In recent times, the Council has faced challenges relating to governance, particularly with regard to the erosion of the provisions of the institution-building package, which is the solid foundation on which the Council's mandate rests. The Group is concerned that this erosion could, in the long run, present credibility gaps in the Council's work.

While the Group has also noted the immense amount of work that the Council undertakes at each session, the challenges presented by a shortage of funding remains unresolved. The African Group believes, therefore, that those funding shortages will affect the implementation of the decisions and resolutions of the

Council. We also wish to recognize the key role played by the Office of the High Commissioner for Human Rights, as the secretariat of the Council, in ensuring that appropriate support is given to the Council, in line with the framework of resolution 48/141. The African Group takes note of the High Commissioner's appeal made during the general debate at this session. The Group would therefore like to underline the necessity for activities mandated by the Human Rights Council to be funded from the regular budget.

The annual report of the Human Rights Council presents in a comprehensive manner the resolutions that were adopted by the Council during its yearly deliberations. The Group is also cognizant of the provisions of paragraph 5 (i) of resolution 60/251, which provides for recommendations to be made by the Council to the General Assembly. The Group therefore supports having the universal membership of the General Assembly deliberate on those important matters.

This year has been marked by preparations for the twentieth anniversary of the International Year of the Family, which the General Assembly will celebrate this year on 3 December. The preparations for its observance have centred on the themes of poverty, work and family, and intergenerational solidarity, as well as the various and multidimensional challenges facing the family.

The African Union adopted the African Union Plan of Action on the Family in Africa in 2004, and in 2012 adopted the African Common Position on the Family for the twentieth anniversary of the International Year of the Family. The Group reaffirms that the family is the natural and fundamental group unit of society, and it plays a critical role in the development and the mending of the social fabric. In that regard, the Group reaffirms its call to the United Nations Open Working Group on Sustainable Development Goals to include the important role of the family in the achievement of sustainable development goals. We must continue directing our efforts toward strengthening and protecting the family by relieving the plight of members of every African family, particularly women and girls living in poverty.

In that regard, the African Group welcomes the adoption of Human Rights Council resolution 26/11 on the protection of the family on 26 June 2014, and looks forward to the summary report on the panel discussion held in September 2014 on the challenges and best practices relating to the protection of the family. We urge Member States, the United Nations system and

non-governmental organizations to continue to devote special attention and resources to protecting the family as "the natural and fundamental group unit of society," in accordance with article 16 of the Universal Declaration of Human Rights. The African Group is strongly concerned by attempts to impose new notions and concepts in that regard that are not referenced in international human rights law.

The principle of non-discrimination and equality are two faces of the same coin. They are indeed cross-cutting principles in the vast areas related to the full realization of all human rights and fundamental freedoms for all. Such principles are well entrenched in the Charter of the United Nations and internationally agreed human rights instruments, as they all reaffirm the faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women, without distinction.

In that context, we are seriously concerned at the attempt to introduce into the United Nations some notions that have no legal foundations in any international human rights instrument. We are even more disturbed at the attempts to focus on certain persons on the grounds of their sexual preferences and behaviours, while ignoring the fact that intolerance and discrimination, regrettably, exist in various parts of the world, be it on the basis of colour, race, sex or religion, to mention only a few.

The adoption of Council resolution 27/32, entitled "Human rights, sexual orientation and gender identity," adopted on 26 September, is an illustration of such attempts. The Group is therefore concerned that non-internationally-agreed notions, such as sexual orientation and gender identity, are given attention to the detriment of issues of paramount importance, such as the right to development and the racism agenda. The Group particularly deplores the obstacles impeding the advancement of the work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Working Group on the Right to Development.

Our alarm does not merely stem from concerns about the lack of legal grounds, or that the said resolution delves into matters that fall essentially within the domestic jurisdiction of States, contrary to the commitment in the United Nations Charter to respect the sovereignty of States and the principle of non-intervention. More importantly, our concern arises from the ominous usage of those two notions:

sexual orientation and gender identity. We affirm that those two notions are not, and should not be, linked to existing international human rights instruments. We believe that people are not inherently vulnerable, but some individuals and groups find themselves in vulnerable situations owing to a number of factors, including the socioeconomic setting they live in. Such individuals and groups include, for example, women, children, the elderly, persons with disabilities, peoples under foreign occupation, refugees, asylum seekers and internally displaced persons.

We deplore all forms of stereotyping, exclusion, stigmatization, prejudice, intolerance, discrimination or violence directed against peoples, communities or individuals on any grounds whatsoever and wherever they occur. We also reaffirm article 29 of the Universal Declaration of Human Rights and the right of Member States to enact laws that meet the just requirements of morality, public order and general welfare in a democratic society.

We recognize that the rights listed in the Universal Declaration of Human Rights have been codified in subsequent international legal instruments. We note with concern, however, the attempts that have been made to create new rights or standards through the misinterpretation of the Universal Declaration and international treaties to include notions that were never articulated or agreed by the general membership. Such attempts not only undermine the intent of the drafters and signatories of those human rights instruments, they also seriously jeopardize the entire international human rights framework.

We therefore call on all Member States to refrain from attempting to give priority to the rights of certain individuals, which could result in negative discrimination at the expense of other internationally agreed rights and thus run counter to the principles of non-discrimination and equality. We call on all Member States to continue with and step up their efforts aimed at the total elimination of all forms of racism, racial discrimination, xenophobia and related examples of intolerance. We also urge all States and the relevant international human rights mechanisms to intensify their efforts to consolidate their commitment to the promotion and protection of the human rights of all, on an equal footing and without exception.

In conclusion, the African Group wishes to assure the President of the Human Rights Council of its support in the Council's preparations for its ninth cycle year.

Mrs. Smaila (Nigeria): My delegation warmly welcomes the President of the Human Rights Council, Ambassador Baudelaire Ndong Ella, to New York for this important event, namely, the presentation of the report of the Human Rights Council (A/69/53). We commend and thank Ambassador Ndong Ella for his leadership of the Council, as we also commend and thank his predecessor, Ambassador Henczel, for his contributions to advancing the Council's work.

My delegation aligns itself with the statement made by the representative of Mauritania on behalf of the Group of African States.

Nigeria, as a democratic country, attaches great importance to respect for human rights and fundamental freedoms, not only within our country but across the world. It is for that reason that we are actively engaged with the Human Rights Council and are interested in seeing that the Council fulfils the mandate given to it by the General Assembly, which is to promote and protect fundamental human rights. That is also why we sought re-election to the Council this year. We thank all Member States for supporting our candidature.

We are pleased to note the substantial effort that the Council has put into fulfilling its mandate. The fact that it meets in three regular sessions each year, as well as special sessions, enables it to devote attention to global human rights issues in a timely and effective manner. The Council's various special procedures are also significant in that regard. The wide range of issues covered in the report of the Council, and even the report's sheer volume, reflects the complexity and multiplicity of issues that the Council has to deal with. We urge that the Council's work continue to be guided by resolution 60/251 and be solidly grounded in the fundamental principles underpinning the Vienna Declaration and Programme of Action on human rights. While we see the Council as a unique tool for the protection and promotion of all human rights, whether civil, political, economic, social or cultural, we also hold the view that a focus on economic, social and cultural rights might be the Council's own contribution to helping States attain the Millennium Development Goals.

The universal periodic review (UPR) has proved to be quite successful so far. It is remarkable that, since the first session of the Universal Periodic Review Working Group in February 2008, the mechanism has attracted a high degree of participation on the part of States. Its second cycle has unquestionably reinforced the importance of the UPR mechanism as

a means of promoting and protecting human rights across the world. We are pleased to note the substantial increase in the number of standing invitations issued to special-procedures mandate-holders, and the growing number of States that are ratifying the core humanrights instruments. Nigeria is one of the countries that has issued such a standing invitation in a demonstration of our commitment to working with the Council as it pursues its mandate.

The considerable number of resolutions adopted by the Human Rights Council in the past year is a reflection of the wide array of issues that the Council deals with. However, it is a fact that those resolutions come with programme-budget implications that create funding challenges. Nigeria therefore supports the call to the General Assembly to significantly improve funding for the Council's work. We also call on the Assembly to address the financial constraints that the special-procedures mandate-holders appointed by the Council face in carrying out their mandates.

Nigeria would like to acknowledge the fact that people around the world expect the United Nations to protect their human rights and fundamental freedoms. We see evidence of that in the active participation of non-governmental organizations (NGOs) in the activities of the Human Rights Council. We welcome the Council's engagement with NGOs as a way of allowing the people's voice to be heard. We would also like to see the Council pay greater attention to the human rights situations in all non-self-governing territories, particularly in order to hold the administering Powers to their commitment to prepare such territories for full independence.

We note with concern the growing number of resolutions adopted by the Human Rights Council that include issues that are not part of universally agreed human rights norms. We caution the Council to remain within the boundaries of a discussion of agreed human rights issues and not to stray into areas that are intrinsically divisive and controversial and do not reflect well on the Council's integrity and esteem. The Council should remain a respected and cherished instrument for promoting universal respect for the protection of all agreed human rights and fundamental freedoms. Its reports should therefore be free of any issues that could reflect divisive opinions or impose obligations on Member States that they cannot faithfully implement because they conflict with their peoples' values.

Finally, we would like to underscore the importance of States' cooperation in advancing the work of the Human Rights Council, and we take this opportunity to affirm our unwavering commitment to cooperating with all States in that regard. We look forward to the Assembly's commemoration on 10 December of International Human Rights Day and the launching of the International Decade of People of African Descent.

Mr. Haniff (Malaysia): My delegation warmly welcomes Ambassador Baudelaire Ndong Ella, President of the Human Rights Council, and his statement to the General Assembly and his presentation of the Council's report (A/69/53). Malaysia appreciates the leadership role played by Ambassador Ndong Ella, Permanent Representative of the Gabonese Republic to the United Nations in Geneva, in carrying out his mandate to support the work of the Council.

Malaysia reaffirms that human rights are universal, indivisible, interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis. Those basic principles underpin international human rights. Countries should not pick and choose which rights they wish to highlight or how those rights should be enjoyed, nor should they seek to impose on others differing emphases on various human rights or different degrees of urgency derived from their own domestic political expediency or external pressures.

Malaysia is pleased that the Human Rights Council has continued to make progress within the mandate of resolution 60/251 and within the institution-building mechanism of its own resolution 5/1. After almost a decade since the Council's establishment, Malaysia believes that it has proved its competence and relevance. It is increasingly capable of addressing complex human rights issues and effecting changes on the ground through its decisions. The discussions within the Council are, in our view, a healthy process towards the realization of the highest standards of human rights as enshrined in the Universal Declaration of Human Rights.

Events around the world, particularly in the Middle East and Africa, highlight the magnitude of the work that the Council faces. We have seen that the Council, notwithstanding the increasing number of agenda items before it, has continued to focus its attention on the human rights situation of Palestinians in the occupied

territory controlled by Israel. Malaysia welcomes the Council's deliberations on that issue and urges the Council to continue to press ahead so as to ensure that the Palestinians are afforded their basic rights as human beings, including their right to an independent State.

This year, the Council adopted a number of specific resolutions concerning, inter alia, the situation of human rights of Palestinians, including the right of Palestinians to self-determination; Israeli settlements in the occupied Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan; the human rights situation in the occupied Palestinian territory, including East Jerusalem; ensuring respect for international law in the occupied Palestinian territory, including East Jerusalem; and follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict. Those resolutions reflect the grave situation affecting Palestinians in the occupied territory of Palestine.

Malaysia reiterates its call for the realization of the rights of Palestinians through a final settlement to the conflict, which would see the creation of two States living side by side in peace and security based on the 1967 borders, with East Jerusalem as the capital of Palestine. In addition to the issue of Palestine, my delegation also wishes to briefly touch on a few matters discussed by the Council.

First, we would like to mention the universal periodic review (UPR). The UPR is a primary human rights mechanism whose premise is the equal treatment of all countries. In that regard, we are pleased to inform the Assembly that Malaysia presented its final UPR report for adoption by the Human Rights Council at its twenty-fifth session, on 20 March 2014. After thorough consideration, the Government of Malaysia accepted 64.6 per cent, or 150 of the 232 recommendations made on various human rights issues. In that regard, Malaysia has reaffirmed its commitment to the UPR process through its efforts to implement the recommendations received.

Secondly, we wish to reiterate our belief that the right to development remains a cornerstone of human rights. We urge the international community to devote particular consideration to the right to development in the elaboration of the post-2015 development agenda. Collectively, we must acknowledge the need to strive for greater acceptance, implementation and recognition of the right to development at the international level.

Thirdly, the increasing work of the Council has spurred a tremendous increase in the number of activities assigned by mandate of the Council to the Office of the High Commissioner for Human Rights (OHCHR). We have recently witnessed a remarkable surge of demands from Member States for support and expertise from that Office. However, only 45 per cent of the OHCHR's resources for 2013 came from the regular budget. In that regard, we reiterate our call, made jointly with 54 other delegations in July, for the exploration of options that would allow Member States to gradually increase resources for the human rights pillar and better align OHCHR's mandated activities with adequate funding through the regular budget.

The final point we wish to stress today concerns the process of strengthening and enhancing the effective functioning of the human rights treaty body system. In view of the complexity of human rights issues, Malaysia believes that the intrinsic responsibility to promote and protect human rights requires deeper cooperation among stakeholders. While human rights treaty bodies exist to oversee compliance by States parties and to monitor their efforts to improve human-rights-related situations, it is clear that significant residual issues still need to be addressed in order to enable human rights treaty bodies to meet their objectives. Malaysia remains committed to continuing its support for efforts aimed at strengthening the human rights treaty bodies.

To conclude, we wish to acknowledge that the Human Rights Council has, in many respects, been successful. That positive development has continued under the leadership of the current President. We hope that the Council will carry on with its good work in promoting and protecting human rights for all. Malaysia would also like to underscore that, despite the many achievements to date, we believe that more can be done to enhance and uphold the rights of victims of human rights violations. Malaysia is committed to that goal and will continue to strongly support the work of the Council.

Mr. Viktorov (Russian Federation) (*spoke in Russian*): I would like, first of all, to congratulate and support the States that have been elected members of the Human Rights Council at the sixty-ninth session of the General Assembly. In 2014, the Russian Federation was once again a member of the Human Rights Council. The fact that Russia's candidature received the support of 92 per cent of the States voting demonstrates the broad recognition of the effectiveness of Russia's approach,

which is based on frank and equitable dialogue on the issues involved in ensuring fundamental human rights and freedoms.

We note that the work of the Council has recently shown an increasing bias towards the settling of political scores and the unjustified mentoring and ostracizing of States for political reasons. We believe that the primary task of the Human Rights Council should be to restore the mutually respectful nature of intergovernmental dialogue. We believe that the fundamental principles of the Council's work should be cooperation: equitable cooperation among States based on respect for their sovereignty.

In order to make the Council's activities more effective, we need to focus on the issue of providing technical assistance to States, with, however, their direct consent. The ongoing attempts to impose upon States various monitoring procedures that often duplicate each other are unfortunate. Their proliferation is a true burden to the United Nations budget, and the ends in that regard rarely justify the means. We call upon States to conscientiously approach the financial impacts of the draft resolutions they sponsor and seriously consider the budget issue relating to the High Commissioner for Human Rights.

We are concerned about the clear trend of using the Human Rights Council to include various politically charged matters on the agenda of the General Assembly with a view to further mulling over those topics. We are worried about increased attempts to refer human rights country files to the Security Council and the International Criminal Court. We think that today the only objective mechanism for monitoring the upholding of human rights is the universal periodic review, which is dependent upon the goodwill of States to follow the procedure and to accept and implement the majority of recommendations they subsequently receive. We think that all participants in the review process and the implementation of recommendations should spare no effort in ensuring that the process remain objective and impartial.

We also call attention to the fact that a number of States attempt to bring matters into the work of the Council that have no direct ties with human rights nor fall within the purview of the Council as established by resolution 60/251. That is demonstrated by ongoing attempts to include on the Council's agenda issues pertaining to the responsibility to protect. We believe that the Council, in broadening all human

rights — namely, civil, political, economic, social and cultural rights — should discuss those rights on an equal footing. Unfortunately, the issues of economic, social and cultural rights continue to garner a disproportionately small amount of attention.

The Council's system of special procedures continues to expand. As the process is extremely costly, the additional duplication of functions is problematic. That was made clear during the dialogue with the Special Rapporteurs and Independent Experts of the Council and the Third Committee. In that context, the added value was, unfortunately, not very clear. We believe that the authors of Human Rights Council resolutions should avoid instructing special rapporteurs to send reports to the General Assembly, as it would seem the Assembly should decide for itself which special procedures reports it should take on board.

In conclusion, I would like to note that Russia continues to support the work of the Council. It is important in our view to ensure that the Council not lose the credibility lent to by the General Assembly in 2006. The growing politicization in the work of the Human Rights Council, the strengthening of its quasi-judicial or monitoring aspects as well as shrinking cooperation with it could drag the Council back to the state of the Commission on Human Rights that we saw in the 1990s and early 2000s, which would once again discredit the work of the United Nations in promoting and protecting human rights. We stand ready to continue to assist in efforts aimed at ensuring that such a turn of events not take place.

Mr. Mukerji (India): At the outset, I would like to thank the President of the Human Rights Council for his statement made under agenda item 63, "Report of the Human Rights Council". It is significant that we are considering the report of the Human Rights Council (A/69/53) at this meeting today, as the sixty-ninth session of the General Assembly is beginning preparations to mark the seventieth anniversary of the United Nations in 2015.

The Human Rights Council was created with a mandate given by our leaders at the sixtieth anniversary summit of the United Nations in 2005 and came into existence in 2006. As we draw closer to completing a decade in the life of the Human Rights Council, we must remain mindful of the reasons for its creation and reflect our assessment in the outcome of the 2015 summit.

The Council must continue to perform its role in constructive international dialogue and cooperation in solving international problems within a framework of friendly relations among States. Of all the various mechanisms of the Council, the universal periodic review (UPR), which is in its second cycle, has had remarkable success in encouraging States to recognize and resolve gaps in human rights protection. Indeed, it has emerged as the most positive and constructive of processes and is accepted and valued by all Member States. We believe that the strength of the Human Rights Council lies in its adherence to the principles of universality, transparency, impartiality, objectivity, non-selectivity and constructive international dialogue, and the success of the UPR process stands testimony to that fact.

The indivisibility, interrelatedness and interdependence of all human rights, including the right to development, have been reiterated time and again by the General Assembly. We value the role of the Council in advancing the promotion and protection of fundamental rights and freedoms and appreciate the work accomplished by it in addressing a wide range of thematic issues despite funding shortfalls. At the same time, the increase in the workload of the Council must not, in our view, create problems for the participation of Member States, particularly the smaller Member States, namely, the developing countries.

The Human Rights Council's special procedures are an important Council mechanism for a genuine dialogue for strengthening the capacity of Member States. It is therefore of fundamental importance that mandate-holders remain truly independent and impartial and carry out their tasks with responsibility and sensitivity in accordance with their mandates. Their recommendations should be specific, constructive and relevant to the country — and they should not be ideologically driven — in order to enable Governments to take note of their reports and engage in any follow-up actions.

Sweeping generalizations by special procedure mandate-holders does not in any way contribute to that mutually desired objective. Any reinterpretation of the Council's code of conduct or departure from their mandates would weaken the important functions entrusted to them and erode their credibility. The effectiveness of special procedure mandate-holders would, in our view, be seriously compromised if the

process of selecting these individuals was mired in controversy.

In the context of prevention, serious attention needs to be paid on how information related to human rights situations is analysed and reported. Modern technology, especially the Internet, has transformed the speed and reach of information, and one needs to be mindful of the damaging power of misinformation. The focus should be on advocacy and consensus-building through promotion of better understanding of human rights issues among Member States and all stakeholders. This is obviously an arduous task that requires investment both in terms of time and resources.

We congratulate the new High Commissioner for Human Rights, Prince Zeid Ra'ad Al Hussein, and would like to extend our full cooperation to him for the successful discharge of his mandate. We value the efforts and expertise of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in assisting States in capacity-building. In that regard, one cannot overemphasize the need for balanced representation in its staffing patterns not only in terms of gender but also of geography and culture. That will only enhance the OHCHR's understanding of the complexities of the world we live in. We reiterate our support for an increase in the OHCHR's financial resources from the regular budget and emphasize the importance of greater transparency in the management of the extrabudgetary resources.

Greater synergy, dialogue and cooperation between the Human Rights Council and the OHCHR, particularly in the Secretary-General's strategic framework, Programme 20, the OHCHR strategic management plan and thematic strategies will, in our view, enhance the trust of Member States in the OHCHR and advance our common endeavour. It would be more effective if such linkages were developed within the framework of the General Assembly, which is the only organ mandated to oversee the work of the Human Rights Council and the High Commissioner.

Human rights are recognized as one of the three pillars of the United Nations system, the other two being development and peace and security. Without a secure and peaceful environment, universal adherence to human rights standards will remain an elusive goal. Similarly, the right to development is an inalienable human right central to the purpose and mission of the United Nations. While we strive to identify more

cooperative methods for strengthening the normative framework for human rights within the United Nations system, it is imperative that we ensure full respect for the sovereign equality, territorial integrity and political independence of all Member States, which are the core principles of Article 2 of the Charter of the United Nations. The specific situation and context of each State must be kept in mind. The commitment to the capacity-building of States should be matched by adequate resources and that support should be provided based on the request of national Governments and on mutual agreements, based on their national priorities.

India remains firmly committed to the idea of a just and equitable society through upholding the principles enshrined in the Universal Declaration of Human Rights of 10 December 1948. It is in that spirit that we reiterate our commitment, and express our happiness, at being overwhelmingly re-elected by the Assembly in October to serve on the Human Rights Council for the next three years, from 2015.

Mr. Laram (Qatar) (*spoke in Arabic*): I would like at the outset to thank Mr. Baudelaire Ndong Ella, President of the Human Rights Council, for his participation and for presenting the annual reports (A/69/53) that represent the Council's efforts to uphold, preserve and defend human rights. We wish him every success in his efforts to lead the Council.

We greatly value the work of the Human Rights Council. We firmly believe that, eight years after its establishment, the Council has an important and vital role to play. The Council is the cornerstone for strengthening human rights and basic freedoms for all, without discrimination and in a fair and just manner. The State of Qatar attaches great importance to the promotion, respect and strengthening of human rights. That is the basis of our national policy. It is a strategic option that we have chosen in the context of the comprehensive reform of the State of Qatar. It was a key element in the Qatar National Vision 2030, which includes the important fields of education, the environment, health, the empowerment of women and the rights of children, with a view to building a safe and stable society based on the principles of justice, equality and the rule of law.

The State of Qatar plays an effective and constructive role in strengthening human rights at the national, regional and international levels. In that context, we participated actively during our membership in the Human Rights Council. As we

approach our third term, we affirm our obligations in respect of and commitment to human rights. We look forward to continuing to support and cooperate with the United Nations human rights mechanisms in every way possible to guarantee respect for human rights and basic freedoms throughout the world.

The second national report presented to the Working Group on the Universal Periodic Review was an important opportunity to introduce Qatar's important policies in the area of the promotion and protection of human rights and the relevant progress achieved. Qatar has renewed its open invitation to all special procedures mandate-holders within the framework of the Human Rights Council.

The State of Qatar has also implemented many of the recommendations that were first presented in the framework of the first interactive session in the context of the first universal periodic review report, namely, the amendment of the criminal code and the adoption of a law on trafficking in persons for the protection of victims and the promotion of international cooperation. In addition, Qatar has established a national human rights committee to protect victims of conflicts in the framework of the implementation of international humanitarian law.

The State of Qatar has strengthened its efforts in the legislative and institutional framework to promote human rights awareness and basic freedoms for persons with disabilities. We have launched the One Billion Strong global initiative, which seeks to provide adequate and decent living conditions for persons with disabilities. We have also given much consideration to the health and education sectors. We issued Law No. 6 of 2013 on health and education, which seeks to provide sustainable financial resources to support education and medical services. We also provide special care for the elderly, as an essential segment of society, and do all that is necessary to enhance their status in our society. That is an important part of our Constitution, as we support the family, motherhood, children and the elderly.

We are concerned about the situation of human rights in the occupied Palestinian territory and in other occupied Arab territories. I refer in particular to Human Rights Council resolution 25/29 on the illegality of the seizure of land by force and the attempt to dismember Palestinian land, including East Jerusalem, by continuing to build settlements. The resolution expresses concern with regard to Israel's practices in

terms of its violations of the Palestinian people's human rights, including through the excessive use of force and its military operations, which have led to the injury and victimization of many innocent women, children and peaceful demonstrators. The Council has indicated that all such practices should end immediately and the Palestinian people's human rights should be fully respected.

The Human Rights Council's response to the continuing humanitarian crisis in Syria is of the utmost importance, particularly in the light of the serious deterioration of the human rights situation and the killing and targeting of civilians, which are violations of international humanitarian law and of all principles. Human Rights Council resolution 27/16 has condemned the Syrian regime for not cooperating with the independent international commission of inquiry on the Syrian Arab Republic. It has also condemned all random attacks, including those involving the use of explosive barrels in residential areas and against civilians and civil institutions. The resolution also affirmed the responsibility of the Syrian regime for the cases of forced disappearances and demanded that the Syrian regime assume its responsibility with regard to the protection of Syrian civilians. In the light of the deteriorating humanitarian situation in Syria, we would like to reaffirm the importance of full accountability and that the international community should take all the necessary measures to protect the human rights of the brotherly Syrian people.

In conclusion, we affirm the need to continue to promote and strengthen human rights and to pursue cooperation with international organizations and relevant United Nations entities so that human rights are protected and upheld, in cooperation with the Human Rights Council and its special mechanisms and entities.

Mr. Khan (Indonesia): Allow me to begin by thanking the President of the Human Rights Council for providing us with the Council's reports (A/69/53) on its twentieth, twenty-first and twenty-second special sessions, as well as its twenty-fifth, twenty-sixth and twenty-seventh sessions. My delegation is very appreciative of the role of the President of the Council and attaches high importance to the significant work that he and the Council have been carrying out.

Indonesia greatly values the Council as a key intergovernmental body in the work of strengthening the promotion and protection of human rights around the globe. For almost three years now, Indonesia has

been serving as a member of the Council, working constructively with other countries to address human rights violations and produce recommendations.

We should recall that the General Assembly decided to establish the Human Rights Council as part of its effort to tackle the political manipulations and double standards that were often practised in the name of promoting and protecting human rights. We firmly believe that the Council should carry out its noble task of improving the protection of all human rights and fundamental freedoms for all without distinction, and in a fair and equitable manner, in accordance with the mandates set out in resolution 60/251, of 15 March 2006.

Against that backdrop, Indonesia would like to highlight the following crucial points. First, as of 1 October, the Council has seen a record number of 53 special procedures with thematic and country mandates. While some may consider that trend necessary, my delegation would like to underline the need for the Council to avoid duplication and politicization and to prioritize an equitable representation of each regional group in establishing special procedures. My delegation also wishes to reiterate how critical it is that the special procedures receive the necessary political and financial support and are able to discharge their mandates in a coherent, effective, objective, independent and non-politicized manner.

Secondly, in addressing specific human rights situations, it is important that the Council engage with the countries concerned in a spirit of genuine partnership and constructive dialogue. No country is truly immune to human rights violations. Every situation requires careful observation if a long-term and sustainable solution is to be found. We would also like to underline the critical role of the universal periodic review (UPR) as a peer review among countries on an equal footing, and an important mechanism for strengthening efforts to foster the values of democracy and human rights. We stress the importance of the UPR process in creating realistic and implementable recommendations for addressing specific human rights situations. As a developing country, we would also like to highlight the need to provide more technical assistance in the preparation of the report and in implementing the UPR recommendations.

Our third point is that the Council should respect and be sensitive to different values, norms and traditions, and should exercise restraint in promoting

certain values, behaviours and practices that do not enjoy international consensus or acceptance. Since we all see the Human Rights Council as the main United Nations mechanism for addressing global human rights concerns, Indonesia would like to encourage it not to engage in unclear or controversial subjects that tend to be divisive and lacking in recognition of the various values, norms, cultures and traditions of others.

For its part, Indonesia is always ready to strengthen its engagement with human rights mechanisms, especially in the Human Rights Council. Just a few weeks ago, Indonesia was re-elected to the Council. We are truly grateful for all the support we have been given. I would like once again to reiterate Indonesia's commitment to continuing to work with others to make the Council more effective and ensure that its work benefits all States Members of the United Nations.

In conclusion, Indonesia would again like to thank the President of the Human Rights Council for his updates and reports. It is our fervent hope that the Council's deliberations will continue to help to support our efforts in the field of human rights and in achieving a tangible impact on the ground.

Mr. Ahsan (Bangladesh): I would like to begin by thanking the President of the Human Rights Council for his presentation of the Council's annual report (A/69/53). We greatly appreciate his leadership in taking the work of the Council forward.

In the short period of time since its inception in 2006, the Human Rights Council's work has proliferated immensely. Guided by the principles of universality, impartiality, objectivity and non-selectivity, it has covered considerable ground in assisting Member States in meeting their obligations regarding the promotion and protection of human rights. During this year it has adopted a total of 105 resolutions and 47 decisions, while also holding a huge number of panel discussions.

The Office of the High Commissioner for Human Rights has also successfully discharged the responsibilities entrusted to it by the Human Rights Council. The universal periodic review (UPR), the Council's ubiquitous peer-review mechanism, has proved its worth, too. With universality and non-selectivity as its strengths, the mechanism has made countries face scrutiny regardless of their region, size, influence or level of development. As a founding member of the Council, Bangladesh has been supportive of the UPR. We have already been through our second

cycle of the review and have accepted as many as 164 recommendations.

We also believe that the system of special procedures is important to pursuing the effective promotion and protection of human rights. If those mechanisms are to succeed, their credibility, objectivity and impartiality must be upheld. We should also be careful that efforts aimed at realizing human rights do not violate the principles of the Charter of the United Nations — the principles of respect for State sovereignty and non-interference in countries' internal affairs.

While the Council is engaging in new areas of concern, we are still struggling to adequately address some areas of long-standing gross violations of human rights. We remain concerned about the continuing denial of the rights of the Palestinian people in the occupied territories. The Council must make more serious and sincere efforts to address such gross violations of human rights.

Climate change is the greatest environmental challenge facing the world today. The international community has a moral obligation to support the populations of countries that are victims of climate change. This is a global problem. From Alaska to the Pacific Islands, climate change affects a large majority of countries to varying degrees and in different patterns. However, its impact is felt more acutely by the populations of developing countries, who are already in a vulnerable situation, mostly for economic reasons. We are therefore particularly happy with the Human Rights Council's adoption by consensus of a resolution on human rights and climate change. We look forward to the panel discussion on the subject to be held during the March session of the Council.

During the High-level Dialogue on International Migration and Development held in October 2013 (see A/68/PV.25 through A/68/PV.28), States agreed, among other things, to effectively promote and protect the human rights and fundamental freedoms of all migrants, regardless of their migration status, to respect and promote the rights of migrants in their workplaces, and to cooperate on labour-mobility programmes. We have yet to witness any effort or political will to implement those commitments. It is alarming that the plight of migrants around the world, which is rooted in their status in most cases and amplified by the discrimination and xenophobia that migrants increasingly face, continues unabated. We are equally disturbed by the continued manifestation of

racial crimes, intolerance, Islamophobia and religious profiling. Such acts and all related forms of intolerance must continue to be forcefully combated, as prescribed in the Durban Declaration and Programme of Action.

The full enjoyment of human rights cannot be possible unless the challenges of development are met. That requires concerted national and international efforts to eliminate economic deprivation, hunger and disease in all parts of the world. Due to inherent socioeconomic, environmental and demographic situations, developing countries, including the least developed countries (LDCs), face a number of impediments in their efforts to ensure the full enjoyment of human rights, including the right to development for all its citizens. Some key challenges include poverty and income inequality, resource constraints, capacity deficits, the gap between national priorities and donor policies, the impact of climate change and gaps in legal enforcement. Those challenges can be overcome by seeking solutions from within countries — keeping in view the particularities of each situation and the priorities set by national Governments, based on national interest — and not by imposing ideas, policies and strategies from outside, which may undermine national priorities, sovereignty and independence.

Technical cooperation that is in line with the aforementioned principles and premised on its conception as a right, not a charity, is crucial in that regard. It should recognize the essential right to development and be supported by the principles of equality at all levels, non-discrimination, participation, transparency and accountability for all. Technical cooperation should be aimed at the maintenance of stable and sustained economic growth. This must be supported by simultaneous actions, such as offering increased concessional assistance to developing countries, including LDCs, and eliminating trade barriers and resolving the debt crisis.

I should like to conclude by thanking Member States for electing Bangladesh as a member of the Human Rights Council for the term 2015-2017. The Government of Bangladesh remains deeply committed to the promotion and protection of universal human rights and fundamental freedoms at the national and international levels. As a new member of the Council, we look forward to remaining constructively engaged with the work of the Council.

Mr. Tesfay (Eritrea): My delegation wishes to welcome the President of the Human Rights Council

and takes note of his briefing. Eritrea associates itself with the statement delivered by the representative of Mauritania on behalf of the Group of African States. I should like to take advantage of the presence of the President of the Human Rights Council to express Eritrea's view on certain issues concerning the Council's activities.

First, concerning the principles and procedures for handling human right issues, Eritrea believes, and as it is strongly stressed by the African Group, the Non-Aligned Movement (NAM) and other regional groups, the universal periodic review (UPR) remains a valid mechanism for enhancing constructive dialogue and cooperation among Member States. This has been and remains a novel approach in which every country, rich or poor, big or small, has its human rights record put under scrutiny. Objectivity and impartiality must be the guiding principles.

Article 2 of the Charter of the United Nations clearly stresses that non-interference in the internal affairs of States must also be a guiding principle of the Organization, including the Human Rights Council. Human rights is a universal concept. As clearly articulated by the African Group and NAM, selectivity, naming and shaming, and country-specific resolutions must be rejected. It is because those principles were violated and abused by certain countries for political expediency that in 2006 the Commission on Human Rights was dismantled and replaced with the Human Rights Council.

We were sure that we were establishing a new body with higher standards of principles and procedures than the defunct Commission on Human Rights, which had not been up to that level. Yet today, history is repeating itself. The Human Rights Council is once again becoming a forum that some countries are using to advance their interests and geopolitical agendas, including that of regime change. Naming and shaming declarations and country-specific resolutions are becoming the norm rather than the exception. That has to stop.

The Human Rights Council should not allow itself to be used by any country, big or small, rich or poor. Eritrea is deeply concerned by the current behaviour of some Member States in the Human Rights Council in the implementation and interpretation of the rules of procedure of the Council. This is a serious challenge that has to be addressed by the Human Rights Council in order to uphold its credibility and legitimacy. I hope

that when the Council President returns to Geneva, he will ask the Council to verify the credibility and reliability of the allegations and the accusers.

Secondly, concerning the disbursement and rationalization of funding, every year the number of country mandate resolutions adopted by the Human Rights Council grows. The proliferation of country mandates ought to be reviewed as a way of limiting expenditures and rationalizing the work of the Human Rights Council. For example, the establishment of the post of Special Rapporteur and a commission of inquiry for the same issue and the same country, in this case Eritrea, is not only redundant, but also a waste of time and resources that cannot be justified and rationalized.

Given the fact that there are no nations or Governments that do not have human rights issues and problems, it is not possible to create country mandate holders for all States Members of the United Nations. The Fund allocated for such redundant activities could be utilized for enhancing other important activities in which the Human Rights Council is engaged, such as technical assistance and capacity-building. Given the fact that the Human Rights Council is facing major financial constraints to fully implement its mandated activities, this is an area where unnecessary expenditure can be cut.

The Human Rights Council must avoid overlapping mandates and activities. Before asking for extra funding, it must address issues of redundancy and duplication seriously. It must clearly articulate, justify and rationalize its expenditures before coming up with lump-sum amounts. The Fifth Committee, the Advisory Committee on Administrative and Budgetary Questions and other concerned United Nations bodies must have a thorough discussion on whether the Council's request is justifiable and cost-effective.

Thirdly, on the *modus operandi*, or rules of engagement, of the Human Rights Council, Eritrea strongly believes that the Council must follow a clear procedure that will safeguard it from certain politically motivated resolutions and from being railroaded under the pretext of human rights violations, in particular when this is done at the last minute while the concerned State is going through the UPR process. The Human Rights Council, which is mandated by the General Assembly to make sure that all types of human rights are respected and protected, must implement the letter and spirit of the rule of law. It must provide an opportunity for the concerned and accused State to defend itself and

explain the human rights situation in the country. The dictum that one is innocent until proven guilty must be respected by all Member States, as well as by the Council. The Council must constantly be reminded that, according to the Charter, it does not have the right or the mandate to intervene in the internal affairs of any Member State. The political independence and sovereignty of every Member State must be respected.

The Council must base its decisions and resolutions on concrete information and evidence, rather than on politically motivated, sweeping statements or allegations compiled by one or two individuals in the name of a special rapporteur or commission of inquiry. To depend on a report by one or two individuals is not only procedurally wrong; it is also a substantial travesty of justice.

The members of the Council should thoroughly interrogate the country mandate-holders to ascertain the facts. The Council must look into each country's specific situation and stage of development. Its analysis of the Eritrean situation, in this case, is not only off the mark; it also does not take into consideration that certain parts of Eritrea's sovereign territory, including the town of Badme, are occupied. Unjust sanctions have been imposed on the people of Eritrea.

There are human rights issues that the Human Rights Council must deal with. Eritrea's right to development must be respected. The Human Rights Council, as the body mandated to enhance and promote human rights, must be reminded that its decisions and resolutions can have serious financial and political ramifications. Its noble mandate should not be compromised under any pretext or circumstance.

In conclusion, Eritrea is fully committed to human rights values and principles. To cite some of those, women's rights are fully respected. They have the right to own property. They earn equal pay for equal work. Female genital mutilation has been criminalized. Under the motto "education for all", education is free for all from kindergarten to the tertiary level. Eritrea has achieved Millennium Development Goals 4, 5 and 6 and is on track to achieve Goals 2, 3 and 7. Eritrea is the most peaceful country in the volatile Horn of Africa and the Red Sea region. It must be commended, not targeted. Once again, Eritrea's right to development must be respected.

Mrs. Natividad (Philippines): The Philippines thanks Mr. Baudelaire Ndong Ella for his report on the

2014 sessions of the Human Rights Council (A/69/53), in which the Philippines was privileged to take part. In our participation as a member of the Human Rights Council, the Philippines has been guided by the directive of resolution 60/251, to the effect that the work of the Council should be based on universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation.

It is in this light that we wish to continue to underline the primacy of the universal periodic review (UPR) as the foremost mechanism for reviewing the human rights records of Member States. By affording States a singular opportunity to engage in dialogue with other States and stakeholders, including civil society, the UPR ensures that best practices and recommendations are exchanged, processed and filtered through to the domestic level. We therefore take heart that the second cycle of the UPR has achieved not just 100 per cent participation, but also high-level participation, illustrating the commitment of States to the process.

The year 2014 saw the establishment of three new mandates in the special procedures: a Special Rapporteur on the rights of persons with disabilities, a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights and an Independent Expert on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights. We laud the hard work and passion of our special procedures mandate-holders. Even as our delegation recognizes the vital role of the special procedures, we continue to assert, as we have done in previous sessions, that the performance of the mandates must always be in accordance with resolution 60/251, which recognizes that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue, and aimed at strengthening the capacity of member States to comply with their human rights obligations.

In the review of States' human rights records, mandate-holders often speak of accountability, but they must also show responsibility. They ask for openness, but they must also provide balance. And most importantly, they must inspire trust among all stakeholders, for the effective performance of the special procedures can be achieved only if there is trust on the part of the States and all stakeholders concerned, and such trust can exist only when States are assured that special procedures are faithful to and respectful of

their mandates, as expressly defined by the resolutions creating them.

The growing number of special procedures mandates, commissions of inquiry and fact-finding missions, together with the multitude of resolutions adopted this year by the Human Rights Council, is illustrative of the increasing complexity and breadth of human rights issues in today's world. Those are not stand-alone issues, but are interdependent, cross-cutting and part of what High Commissioner for Human Rights Prince Ra'ad Zeid Al Hussein refers to as a complex web of violations of economic, social, cultural, civil and political rights requiring solutions that can come only from more emphatic and comprehensive protection of human rights.

We could not agree more. Indeed, we must closely examine and understand the hows and whys of these crises so that we can learn to prevent and address them. Our delegation believes that the integration of human rights concerns into the shaping of the sustainable development goals is a step in that direction. Equally critical is the fulfilment of the Council's mandate to promote advisory services, technical assistance and capacity-building, in consultation with and with the consent of States concerned.

On 8 November, the Philippines and the international community marked the first-year anniversary of the devastating typhoon Haiyan. We are thankful for the continuing assistance provided to us in the rebuilding of Tacloban and the other areas destroyed by Haiyan. The typhoon showed all of us the necessary link between sustainable development and human rights, and we welcome in that regard the Human Rights Council's discussions on the promotion and protection of human rights, including the development of a repertoire of best practices, in post-disaster situations.

As the Philippines concludes its membership of the Council this year, we congratulate the newly elected members of the Council and wish them strength and fortitude as they continue the Council's directive of helping States build an enabling environment to better promote the human rights of their peoples.

Mr. Mahmoud (Egypt): Egypt aligns itself with the statement delivered by the representative of Mauritania on behalf of Group of African States. At the outset, I wish to welcome Ambassador Baudelaire Ndong Ella, President of the Human Rights Council, to

this debate on the report of the Council (see (A/69/53), in accordance with resolution 65/281.

In that resolution, the General Assembly affirmed that the Council is a subsidiary organ of the Assembly, and that the discussion on the report of the Council shall take place in the Third Committee, where the President of the Council will present an annual briefing on the report of the Council to the Committee, and a briefing on the activities of the Council to the General Assembly. Although the resolution on the review of the Council consolidated important practices and principles pertaining to the Council's working methods and reaffirmed its subsidiary status, the adoption of the resolution by a recorded vote undermined, without a doubt, the main objective of the Council, which is to promote respect for all human rights.

The Human Rights Council has an important role to play in supporting the efforts of Member States, which have the primary responsibility for the protection of all human rights. The Council should work to ensure the promotion and realization of those rights and provide greatly needed support to national efforts. In this field, while maintaining a balanced approach to avoid the challenges that hindered the work of the Commission on Human Rights, such as politicization, selectivity and double standards, the annual report of the Council on its regular and special sessions presented in documents A/69/53 reaffirm that the Council plays an important role in building national capacities, monitoring the human rights situation in the world and promoting economic, social, cultural, civic and political rights on equal footing.

The Council has also played an important role with regard to the protection of human rights of the Palestinian people and those living in the occupied Arab territories, and strengthened the international community's efforts to combat racial discrimination, xenophobia and related intolerances and to promote all human rights through the universal periodic review, the complaint mechanisms, the Forum on Minority Issues and mandate holders. The latter should carry out their duties and work in accordance with the clear mandates given to them by the Council and with full respect for the Code of Conduct for Special Procedures Mandate Holders of the Human Rights Council.

Despite the efforts of the members of the Council during its early years to work in accordance with the principles of understanding, cooperation and transparency, and to avoid confrontation, selectivity,

and politicization in dealing with human rights issues, those efforts seem to be waning and will result in the Council facing similar challenges to those faced by the Commission on Human Rights in the past. We have a responsibility to avoid repeating past mistakes by addressing the following important challenges: politicization of Council resolutions that do not necessarily conform to efforts to ensure respect for all human rights and fundamental freedoms; attempts to use the Council to uphold certain controversial notions, such as sexual orientation and gender identity, in the absence of an international consensus in a bid to legitimize them; and systematic attempts to use the Council as a tool to legitimize Security Council interference in situations of human rights around the world in a manner that undermines the effectiveness of the role of the Human Rights Council and the roles of the principal organs of the United Nations as set forth in the Charter.

Such challenges are, *inter alia*, driving us away from cooperation and towards a path of confrontation. The international community has the responsibility to ensure that the Council carries out its responsibilities and functions within a transparent and cooperative framework, avoid turning the Council into a political tool to enforce the trusteeship of the few on human rights issues, or enforce controversial notions that have no legal foundations in international humanitarian and human rights law in complete disregard of the diversity of social, cultural, legal and religious values of Member States.

Egypt reaffirms its commitment to supporting the work of the Council to promote respect for all human rights and fundamental freedoms by supporting the implementation of the recommendations of the universal periodic review by all States without distinction in collaboration with non-governmental organizations and civil society, by encouraging interaction of all States with mandate-holders who should fully respect their mandates and the Code of Conduct, and by establishing a dialogue with the Member States on the basis of transparency and mutual cooperation. Furthermore, the international community has a responsibility to strengthen the role of the Council by ensuring the full cooperation of all Member States.

Ms. Murillo (Costa Rica) (*spoke in Spanish*): We thank the President of the Human Rights Council for his briefing and welcome the report on the essential work performed by this body (A/69/53). Costa Rica is pleased

with the progressive consolidation of the Council, the fulfilment of its mandates and the strengthening of its working methods.

My country has had the honour of being a member of the Council for the period 2011-2014 and has contributed to its strengthening by actively participating in the forging of purposeful partnerships with countries from different regions, fostering dialogue in negotiations and helping to build agreements. Our participation has been based on our deep conviction that the vision set forth by General Assembly in 2006 when it created the Human Rights Council — to endow a body responsible for promoting universal respect for and protection of all human rights and fundamental freedoms of all persons, without distinction of any kind and in a fair and equitable manner, guided by impartiality, objectivity, non-selectivity, dialogue and cooperation — should be realized. The Council was created to serve as a forum for dialogue on thematic issues on all human rights, to maintain a system of special procedures, expert advice and a complaint procedure, and to address situations in which human rights are violated, in particular through serious and systematic violations.

In order to strengthen Member States' capacities to fulfil their obligations with regard to human rights, based on the principles of cooperation and constructive international dialogue, we note with satisfaction the progress seen in the universal periodic review (UPR) mechanism, which puts all States on an equal footing by analysing their situation in that area. The exercise enhances dialogue, the sharing of good practices and can help improve human rights in all Member States, if used constructively.

Convinced of the importance of the UPR, my country has contributed to its ongoing validity by actively participating in more than 100 sessions and by making constructive and respectful recommendations. Furthermore, in May we presented the results of our second UPR, which we considered to be an opportunity for accountability and assess progress and challenges as a nation. The preparation of the UPR was done within the framework of the Inter-agency Commission for Monitoring and Implementation of International Human Rights Obligations, which comprises 21 institutions of the executive branch of our national Government, representatives of the judiciary, the legislature, the Supreme Electoral Tribunal and the Office of the Ombudsperson, which was a step forward in terms of

strengthening inter-agency coordination and dialogue with civil society.

Without undermining the importance of the UPR, as stated, the Council also has the responsibility to look into specific situations that, by their seriousness, require a particular, country-specific approach. Therefore, we actively participate in the negotiation of country resolutions and in special meetings convened in the context of special sessions.

During its membership of the Council, Costa Rica has promoted important initiatives for human rights. We continue our traditional work in human rights education and, for the past three years, we have been working in conjunction with the Platform for Human Rights Education and Training, in order to promote continuity with the Global Programme in that area. We are gradually outlining the approach of the third phase of the Programme for 2015-2019, dedicated to journalists and other media workers, with a view to approving the plan of action during the session last September.

We have also been taking the lead on other important Council resolutions, such as those on the promotion and protection of human rights in the context of peaceful demonstrations, on which we are working with Switzerland and Turkey; on conscientious objection to military service, with Croatia and Poland; and on the establishment of a special rapporteur on human rights and the environment, with such countries as Switzerland, Slovenia, the Philippines and Maldives.

Similarly, Costa Rica has been intensely involved in several working groups and processes. We actively participate in the review process of the work and functioning of the Council, which signalled a new stage in the work of that body. We have also shown leadership in and contributed to the consolidation of the complaint mechanism, occupying the chairmanship of the Working Group on Situations for two years, during which we introduced group decisions by consensus, held periodic information sessions on the functioning of our discussions, and institutionalized an annual exchange meeting with the Advisory Group's Working Group on Communications.

Costa Rica also assumed the chairmanship of the working group tasked with drafting a declaration on the right to peace. That process has continued to develop in a favourable manner. A new dynamic of trust has evolved that has strengthened dialogue, and links to

academia have been established that have also yielded new contributions. We are working on reaching a common understanding in order to finalize the process and the draft proposal for the declaration.

Our country is a good example of the way in which the Council's special procedures help to advance human rights. With respect to the past triennium, we should take special note of the cooperation we received from the former Special Rapporteur on the rights of indigenous peoples, James Anaya. Mr. Anaya made a number of visits and supported State authorities and the indigenous peoples of Costa Rica in the consultative process regarding a hydroelectric dam in the south of our country. As a result, an open forum was established; work continues on the bases established in

those talks. Moreover, in 2013 we received a visit from the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, whose mandate, as I have already stated, we support. Costa Rica also highly values the assistance of the Office of the High Commissioner for Human Rights, with whose support we developed our national policy for a society free of racism, racial discrimination and xenophobia.

Finally, we call on all Member States to demonstrate their commitment to the Council as a central organ of the Organization on the issue of human rights and to safeguard its important work.

The meeting rose at 1 p.m.