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54th plenary meeting

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Official Records

President: Mr. Lykketoft (Denmark)

In the absence of the President, Mr. Tommo Monthe (Cameroon), Vice-President, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 67 (continued)

Report of the Human Rights Council

Report of the Human Rights Council (A/70/53 and A/70/53/Add.1)

Mr. Mohamed (Sudan) (*spoke in Arabic*): At the outset, I would like to welcome Mr. Joachim Rucker, President of the Human Rights Council, to the General Assembly. We take note of the latest report of the Council, contained in documents A/70/53 and A/70/53/Add.1.

The Sudan aligns itself with the statement delivered by the representative of Sierra Leone on behalf of the Group of African States (see A/70/PV.53), which details the concerns of the Group's members about human rights issues and how to address them. We also align ourselves with the statement delivered by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement (*ibid.*).

I would like to express my heartfelt condolences to the families of the victims of the recent heinous terrorist attacks in Egypt, Lebanon, Iraq and France, and to the Governments and the peoples of those countries for the deaths of those innocent people. Such terrorist attacks prove once again how important it is that the international community work together to take decisive

action to confront and eradicate, whether through security measures or international cooperation, the global threat of terrorism that has loomed for the past six or seven decades.

My country would like to emphasize its commitment to fundamental human rights, based on the principles of universality, interdependence and indivisibility. We recall that our country attaches particular importance to issues of human rights and their protection and promotion, as reflected in our Government's ratification of the relevant international and regional instruments, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as Arab and African regional instruments. At the national level, the Government of the Sudan has developed a number of legislative frameworks and updated its national laws, in line with regional and international obligations, for the implementation of which we have established various mechanisms. We have covered those issues in detail in our statements before the Third Committee under the relevant agenda items.

In regard to our cooperation with the Human Rights Council, I am pleased to note that my country participated successfully in the first cycle of the universal periodic review (UPR) mechanism. In 2013, we presented a periodic report to the Council, in which we clarified the level of implementation of the recommendations that resulted from our UPR exercise. The relevant authorities in the Sudan have finalized our report in order to present it to the second UPR cycle in May of next year, at the twenty-fifth session of the

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Working Group on the UPR. My country also continues to cooperate with the Independent Expert on the human rights situation in the Sudan, and the Government has participated effectively in every session of the Council since it was first established.

We welcomed Human Rights Council resolution 27/21, on human rights and unilateral coercive measures, adopted in September 2014. We also welcome the appointment of His Excellency Ambassador Idriss Jazairy as Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. That is an important development in the Council's work, and we look forward to the Special Rapporteur's visit to the Sudan, which is scheduled for this month. We stand ready to cooperate with him in addressing the destructive effects of unilateral coercive measures on peoples, as a first step on the way to eliminating such measures, which run counter to the norms of the United Nations, international law and human values.

The universality of human rights obliges the Council to deal in an equal and non-selective manner with all human rights issues, including economic, social and cultural rights and the right to development. The Council is also called on to address human rights issues in all regions and countries, in a balanced manner and without discriminating between poor and rich, since every country deals with human rights challenges and obstacles at different levels and in different ways. We would like to stress that the UPR mechanism is the most appropriate framework for addressing the concerns of all countries about human rights, based on productive dialogue and constructive cooperation.

The universal nature of those rights requires that we address exclusively issues of internationally agreed-on human rights, without introducing any new concepts or rights that have not been agreed on internationally, so as to respect the religious and cultural specifics of each country. In that regard, the Sudan distances itself from any attempt the Council may have made over the past two years to promote agendas that are alien to some of its members by introducing concepts that have no legal basis, such as sexual orientation and sexual identity. We urge the Council not to exceed its role, as specified in Assembly resolution 60/251, and we recommend that the family, as the main unit of society, be protected, in acknowledgement of its role in development and its potential role in helping to achieve the recently adopted Sustainable Development Goals (see resolution 70/1).

The Human Rights Council has been urged to improve the work of the special procedures mechanism by compelling mandate holders to adhere to the Code of Conduct that the Council adopted by resolution 5/2. The mandate holders should also comply with other relevant documents, including Council resolution 5/1, on institution-building.

We support the efforts of members of the General Assembly and the Security Council to strengthen and promote internationally agreed human rights. We wish to reiterate that the involvement of treaty bodies and the Office of the United Nations High Commissioner for Human Rights should not extend into legislation, which is the exclusive right of Member States. By that, we mean that any interpretation presented should be exclusively based on Member State decisions.

In conclusion, we stress our cooperation with the Human Rights Council as a General Assembly organ. We call on the Council to adopt a comprehensive approach in addressing human rights issues across the world, an approach that takes into consideration the need to promote development, forgive the debts of developing States, lift unilateral sanctions imposed on those States, lift restrictions on their exports and address the effects of climate change.

Mr. Marani (Argentina) (*spoke in Spanish*): At the outset, I wish to express condolences, both personally and on behalf of my country, to the families, the people and the Governments of France and Lebanon for the victims of terrorist attacks in the past week. The problem of terrorism and its solution deserves an urgent and broad-based debate by the international community in the framework of absolute respect for the norms and the instruments of human rights and international humanitarian law and the purposes and principles of the Charter of the United Nations.

Argentina especially wishes to thank Ambassador Rücker, President of the Human Rights Council, for his presence in the General Assembly and welcomes the Council's report on its activities in the twenty-third special session and from the twenty-eighth session to the present (A/70/53).

We believe that maintaining fluid coordination between New York and Geneva on the human rights agenda is important, and we appreciate this opportunity to express our views on the Council's recent work. Argentina has always been, and will continue to be, a consistent and resolute defender of the independence of

the work and achievements of the Office of the United Nations High Commissioner for Human Rights and the Human Rights Council in the promotion of, respect for and protection of human rights around the world. We firmly believe that the Council should be on an equal footing with the principal organs of the United Nations.

On 31 December, after two consecutive terms, Argentina will no longer be a member of the Human Rights Council. It has been an honour for my country to serve on the Council. Particularly since the restoration of democracy, notably after 2003, the promotion and protection of human rights is a State policy that takes in the principal demands of Argentine society. The defence and promotion of human rights constitute the central axis of our country's foreign policy.

During its time on the Council, Argentina introduced innovative and diverse draft resolutions. Noteworthy among them is the introduction into the international agenda of the theme of the right to truth as an autonomous right. The development of that right centres on the prevention of mass violations of human rights throughout the world. In addition, since 2009 we have promoted initiatives on forensic genetics and human rights, placing our country in a position of leadership with regard to this issue at the international level. Indeed, at the twenty-eighth session of the Council, the guide was presented on best practices on the use of forensic genetics in investigations regarding human rights and international humanitarian law, prepared with the International Committee of the Red Cross.

We also want to note the Council's adoption in September 2014 of resolution 27/30, on human rights and vulture funds, understanding that the international community must tackle the foreign debt problem in an integral manner, as the debt burden on developing countries is unsustainable and constitutes one of the main obstacles to their achieving human-centred sustainable development and to eradicating poverty.

Activities related to the universalization of the International Convention for the Protection of All Persons from Enforced Disappearance form a major focus of our country's foreign policy, through which we have strongly promoted the mandate and the work of both the Committee on Enforced Disappearances and the Working Group on Enforced or Involuntary Disappearances. We consider that their comprehensive and coordinated work is essential to combat enforced disappearances. We are happy that nearly five years after

the entry into force of the International Convention, more than 50 States have ratified it.

In the framework of the Human Rights Council, Argentina also pushed for the establishment of an Independent Expert on the enjoyment of all human rights by older persons; the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; and the Independent Expert on the effects of foreign debt and other related international obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights, convinced that Council's special procedures constitute a fundamental tool for the promotion of human rights.

We especially wish to note the adoption at the Council's thirtieth session of resolutions on the promotion and the protection of the human rights of indigenous peoples (Human Rights Council resolution 30/4), on the Council's contribution to the high-level meeting on HIV/AIDS in 2016 (resolution 30/8), on the promotion of international cooperation to support national follow-up systems and processes (resolution 30/25), on the issue of the death penalty (resolution 30/5), and on the promotion and protection of the human rights of peasants and other people working in rural areas (resolution 30/13).

Finally, we wish to reaffirm that the Argentine Republic has an abiding commitment to the defence and promotion of human rights. We reiterate our commitment to the Council to continuing to advocate the broadening of the protection of human rights throughout the world.

Mr. León González (Cuba) (*spoke in Spanish*): Cuba fully associates itself with the statement delivered by the Deputy Permanent Representative of the Islamic Republic of Iran this morning on behalf of the Movement of Non-Aligned Countries (see A/70/PV.53).

We strongly condemn the terrorist attacks committed in the past week in France, Iraq and Lebanon. We also wish to express our heartfelt condolences to the Governments and the peoples of those countries and to the victims and their relatives.

The emergence of the Human Rights Council was a response to the need to address the double standards of confrontation and political manipulation in the former Commission on Human Rights. Those practices, which discredited the former Commission, must not be enthroned in an organ created to replace it. That

continues to be Cuba's belief, born out of a conviction that the former practices did not represent the best way to contribute to the promotion and protection of human rights.

We regret the fact that the report of the Human Rights Council (A/70/53) presented to us today continues to show a tendency to use a punitive focuses and selective treatment in the consideration of various human rights situations. We are still quite far from placing at the centre of our work on human rights the cooperation and respectful dialogue that should guide the work of this body.

We urge that the universal periodic review be given the recognition and importance that it should have as the sole existing universal mechanism for a comprehensive analysis of the situation of human rights in all countries. Let us recall that when we agreed to establish that mechanism — which differs essentially from that of its predecessor, the Commission on Human Rights — we did so convinced that in that way we were giving the body a means for international cooperation on human rights issues on the basis of constructive dialogue and respect for the principles of universality, objectivity, impartiality and non-selectivity. The defence of such principles should not be only an oral commitment, but rather a daily practice if we truly want the Council to contribute to promoting progress in the promotion and protection of human rights on a global scale.

The subjects of the Council's competence are many and varied, and all contribute in some fashion to the fundamental purpose of that body. In order to effectively protect human rights, we must continue promoting an international political and economic order that is democratic and fair to replace the current unjust and exclusionary one. Nor is it beyond the Council's competence to assess the impact of imposing unilateral coercive measures and the consequent rejecting of such practices, on the protection of human rights.

The harmful impact on Cuba of a blockade policy for more than 50 years is an irrefutable example of the importance of tackling and assessing the scope of measures of this kind. We will continue to work tirelessly with a group of like-minded countries to ensure that the Council restores the right to international solidarity — a task that cannot be postponed if we want to be better positioned to deal with the serious challenges of the profound economic, financial, energy, environmental and food crises that are affecting the planet.

Likewise, we will continue to advocate ensuring that the special procedures of the Council are carried out with strict respect for the principles of objectivity and impartiality and for the Code of Conduct adopted during the institution-building process of the Council (Human Rights Council resolution 5/2, annex). The work of the human rights treaty bodies should be carried out under similar guidelines.

Cuba will continue to promote the rights of people to self-determination, peace and development, and the achievement of the right to food and the establishment of a democratic and equitable international order. Cuba will continue to fight racism, xenophobia and all forms of discrimination, as well as to protect cultural rights and respect for diversity. Cuba reiterates its undying commitment to the promotion and respect of all human rights for everyone.

Ms. Didi (Maldives): My delegation echoes others in expressing our deep shock and sadness over the recent attacks in Lebanon, Iraq and France. We offer our deepest sympathy and condolences to those affected by the acts of terror.

My delegation wishes to thank His Excellency Mr. Joachim R  cker, Permanent Representative of Germany to the United Nations Office in Geneva, for his commendable work as President of the Human Rights Council and for presenting its report (A/70/53) to the General Assembly. We will continue to engage constructively with the Office of the United Nations High Commissioner for Human Rights (OHCHR) to strengthen the promotion and protection of human rights across the globe, working hand in hand with Member States.

The Maldives is honoured to have been a member of the Human Rights Council since 2011 and to have seen the work of the Council steadily increase over those five years, as is evident by the panels created and the resolutions adopted. As we approach the tenth anniversary of the Council in 2016, we are provided with an opportunity to reflect upon the achievements and challenges that the Council has faced. With an ever-forward-looking mindset, we must be open to exploring ways to improve the work of the Council and its mechanisms.

Nonetheless, our collective achievements through the Human Rights Council have been abundant, and the work we do is ever increasing. The Maldives is pleased to note that this year's work has continued at a

progressive trend, which reflects the active engagement of many United Nations Member States in the Council in Geneva. Most notably, the special sessions on human rights abuses and violations — such as the past sessions on Palestine, Syria and, most recently, the terrorist group Boko Haram this year — are clear indications of the growing importance of the Council and its mechanisms.

The Maldives is grateful to all the members of the Human Rights Council for their commitment to steering the Council through the human rights challenges of the past year. As a member of the Council, the Maldives is proud of what the Council has achieved in a year marred by violence, acts of aggression, natural disasters and the intensification of the effects of climate change. While that does not reflect a positive image of the state of the world today, we are given hope by the reports of progress from the Human Rights Council to the General Assembly.

We would like to express our appreciation for the efforts of the current Council President to improve the working methods of the Council, a major organ of the United Nations, so as to make it more efficient and effective in carrying out its mandate. Efforts to avoid duplication, as well as the biennialization of resolutions, are welcome measures, especially for smaller delegations that are struggling to cope with the weight of the work provided by an ever-more-active Council.

As the work of the Council increases, the Maldives also takes note of the corresponding increase in the work of the Office of the High Commissioner for Human Rights. The Maldives expresses its concern that the OHCHR is required to rely increasingly on extrabudgetary resources. We assert that, in order for the Office of the High Commissioner to function in a truly independent manner, without partisanship, it is necessary that it be financed primarily through the regular budget of the United Nations.

The three pillars of the work of the United Nations are peace and security, development, and human rights. Unfortunately, human rights continues to be allocated a mere fraction of the priority and budget available to other areas of work. It is important that greater focus be put on implementing the ideals that we espouse so loudly. It is important that the Council and its mechanisms work hand in hand with Member States with a view to promoting efficacy rather than

rhetoric. It is a travesty that, in spite of our best efforts, the situations in Syria and the State of Palestine have continued to deteriorate.

The importance of the work of the Human Rights Council and its mechanisms, including special mandate holders, cannot be overemphasized. Special mandate holders, whether on thematic areas or specific countries, fulfil an important role in the process. However, it is equally important that special mandate holders maintain their independence and impartiality. They should also follow their Code of Conduct and act in a manner reflecting the integrity of the position they hold and the Organization they represent. The Organization deserves the best.

The Maldives believes that engagement with the United Nations Human Rights Council is an obligation of every Member State. In fact, in 2016 we will complete our second cycle of the universal periodic review (UPR). Although the UPR remains universal, the Maldives notes that many small island developing States are not represented in Geneva, and many delegations do not take an interest in participating in those reviews. Without a doubt, the UPR is among the most constructive and successful mechanisms of its kind to date. The Maldives notes that all States should endeavour to maintain and strengthen the functioning of that mechanism. For the UPR to be truly universal and transparent, more attention should be given to evaluating and reviewing the human rights situations in all countries, so as to ensure that vulnerable populations are protected everywhere and to reaffirm that all lives matter.

Despite our constraints, and although we are a small island developing State, the Maldives has maintained a strong presence at the Human Rights Council and continues to advocate for the most vulnerable, both at home and abroad. We call on all nations, large and small, to truly realize the vision that no one should be left behind, that the human rights of all peoples should be ensured and that we will craft a system that delivers for all.

Mr. Manongi (United Republic of Tanzania): At the outset, the United Republic of Tanzania joins in expressing its condolences to the victims of the horrific terrorist attacks in Paris.

We also associate ourselves with the statements made by the representatives of the Islamic Republic of Iran and Sierra Leone, on behalf of the Movement

of Non-Aligned Countries and the Group of African States, respectively (see A/70/PV.53).

We note the report of the Human Rights Council (A/70/53), presented by its President earlier today (see A/70/PV.53). We welcome the work of the Council in promoting human rights around the world in accordance with its mandate, conferred by the General Assembly and in line with the purposes and principles of the Charter of the United Nations. We also note that the work of the Council has grown exponentially to cover many areas of human rights, some of which have received little or no attention from the Member States for the past 50 years. Of course, this is a welcome development. It demonstrates the evolution and wider appreciation of human rights globally. But it is one that presents some challenges, especially on notions that are controversial and divisive. I need not mention them in my brief remarks.

Instead, I want to focus on one aspect of the report, that concerning the plight of persons with albinism. The Council's adoption of resolutions 23/13, 24/33, 26/10 and 28/6 is truly welcome, as it seeks to address the human rights concerns of persons with albinism globally. As noted in some of the resolutions, persons with albinism in many parts of the world continue to face various social, economic and political violations and abuses of their human rights. We need to pay greater attention to their challenges in a non-discriminatory manner. Undeniably, the issue deserves our collective efforts as we bear in mind the indivisibility of human rights. That is why the United Republic of Tanzania, Malawi and other like-minded countries are championing a draft resolution in the Third Committee that seeks to address the social and development challenges facing that persons with albinism. We hope and believe that the draft resolution, once adopted, will contribute to redressing the plight of persons with albinism through the provision of basic social services, inclusion and empowerment. We therefore call on Member States to support that important initiative.

Violent attacks against persons with albinism are truly regrettable. My Government has categorically condemned such abhorrent attacks and is taking stringent penal measures against the culprits. Since 2006, we have also been engaging in advocacy to raise awareness of the issue. The Tanzania Albinism Society has been doing a commendable job with limited resources. Partnerships have also been instrumental in that regard.

However, we have expressed regret about an event involving a film entitled *The Boy from Geita*, a story of inhumanity transformed by humanity, which premiered on 15 October at the United Nations. The event was co-sponsored by the Canadian Mission, the Office of the United Nations High Commissioner for Human Rights and UNICEF. The irony is that, while the film was about the challenges that people with albinism face in Tanzania, our Mission was neither invited to co-sponsor the event nor consulted about the validity of a number of assertions being advanced therein. That is utterly unacceptable, and it calls into question the intentions of its authors and sponsors, regardless of their purported good faith.

To our dismay, promotional materials on the film made a number of shocking claims, namely, that persons with albinism in Tanzania and other parts of Africa live in fear of violent attacks; that the film was meant to shed light on the horrible reality that persons with albinism in Tanzania face daily; that there was no political way in Tanzania to combat the tragedy; and that "pressure from the outside world was necessary to eradicate the horrible practice". It was said that "Ignorance among the people is the worst curse Africa suffers. Educating people is the answer." It was also said that the film was meant "to inspire more people to be part of the action that is needed to create change" and "to celebrate the human spirit, the capacity for goodness and the good works of Canadians". Based on such misleading assertions, it is no wonder that our Permanent Mission was not invited to sponsor the event here at the United Nations.

In presenting the report of the Human Rights Council this morning, its President underscored the importance of transparency and accountability. Sadly, the incident of the film fell short on both counts. It is in that regard that the United Republic of Tanzania calls on United Nations agencies and offices to strive for greater transparency, accountability and impartiality. United Nations agencies and offices should neither take, nor be seen to be taking, positions that are prejudicial or even favourable to some Member States to the detriment of others, particularly when the agencies and offices have not themselves engaged in a serious review or analysis of the assertions or claims with which they wish to be associated.

The President of the Council also spoke of the important role of civil society organizations in enhancing human rights. We could not agree more.

While it is essential that they be supported in their work, they must also demonstrate objectivity and fairness in doing such work. Accountability is not and cannot be the responsibility of Governments alone.

Ms. Belskaya (Belarus) (*spoke in Russian*): At the outset, Belarus aligns itself with the statement delivered by the representative of the Islamic Republic of Iran on behalf of the Movement of Non-Aligned Countries (see A/70/PV.53).

In establishing the Human Rights Council (HRC), States expected that the Council would work on the basis of the principles of universality, impartiality, objectivity and non-selectivity. The core of the work of the Human Rights Council should be based on mutually respectful dialogue and the cooperation of the Governments of the countries concerned, as Governments have the prime responsibility and have the real levers to ensure human rights on the ground.

It was with that goal that the universal periodic review (UPR) mechanism was set up. It has proven its effectiveness in ensuring equal dialogue between participants and balanced attention to all human rights categories, as well as States' efforts to protect the most vulnerable segments of the population. Belarus successfully completed the second UPR cycle, voluntarily committed to implement most of the UPR recommendations, and is prepared to cooperate with United Nations human rights bodies on the basis of an objective and impartial approach. It will expand the list of invitees under the Council's special procedures.

We welcome the Council's focus on social and economic rights, the right to development, combating human trafficking and protecting its victims, and the situation of children, women, people with disabilities and the elderly. We also welcome the Council's call to support the institution of the family.

At the same time, unfortunately, Belarus must note that the Council is increasingly becoming a platform whereby individual countries and groups of countries artificially heighten disagreements on human rights issues. They are persistently trying to use the Council forum to settle political scores and to promote standards and approaches that are not internationally agreed upon. Such a flawed practice encourages unwarranted links to human rights on practically any problematic issue of bilateral and regional relations.

The HRC mechanism entails, first and foremost, its country-specific resolutions and mandates, which make

it possible for countries and groups of countries with the necessary financial and organizational resources to legitimize their own unilateral measures against unruly States and Governments. Belarus has consistently continued to call for an end to such practices. We hope that the establishment of the post of Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights will ultimately lead to a change in the approaches of the Council and its individual members in that regard. We also hope that it will prevent the principles of the Charter of the United Nations being undermined by such unlawful rules.

At the same time, carried away by non-issues such as the situation of human rights in Belarus, the Council has demonstrated its inability to adequately respond to obvious international humanitarian crises such as the growing problems of the rights of migrants, refugees and internally displaced persons.

While organizing campaigns to promote questionable standards on sexual orientation and gender identity, the Council has not paid appropriate attention to issues of discrimination on the grounds of race, ethnicity or religion, or to offering practical assistance to States on such issues as ensuring the right to life, food and education in many corners of the world. This should not be so.

Belarus is also concerned about attempts by the Human Rights Council to review its working methods even though the relevant review on the activities of the Council was completed in 2012, and its results were affirmed in General Assembly resolutions. We call on the Council to comply with its mandate and not to duplicate the work of other bodies, thus creating an unreasonable burden on the budget of the United Nations.

The commitment of Belarus to the promotion and protection of human rights is unwavering. It is based on equal attention being paid to all types of human rights — social, economic, political and civil rights — and on preventing the politicization of human rights topics, which contravenes the spirit of the United Nations and the principles on which the Council was established.

Mr. Mminele (South Africa): The South African delegation wishes to join other delegations in conveying its heartfelt condolences to the Government and the people of France for the recent terrorist attacks, which

claimed the lives of more than 120 innocent people. We express our abhorrence for those senseless acts of violence in the strongest possible terms.

The South African delegation extends a warm welcome to His Excellency Mr. Joachim Rücker and thanks him for his presentation (see A/70/PV.53). South Africa commends Ambassador Rücker on his work since 1 January 2015 and on the level of professionalism and engagement that he has maintained.

We wish to clarify and emphasize our position in relation to the issues of sexual orientation and gender identity. South Africa's Constitution clearly states that South Africa is a sovereign democracy founded on the basis of human dignity, the achievement of equality and the advancement of human rights. Our Constitution seeks to promote and respect the rights of all people without distinction of any kind. Discrimination based on sexual orientation and gender identity is therefore explicitly prohibited in our Constitution.

South Africa is firmly committed to the mandate of the Human Rights Council, cognizant of the huge responsibility that it carries in that regard. We should at all times be guided by a common desire and collective vision to constantly develop certain norms and standards for the promotion, protection and fulfilment of human rights and fundamental freedoms, including respect for international humanitarian law. That will ensure that the Council guarantees, first, maximum protection; secondly, adequate remedies to all victims of human rights abuses and violations through a uniform regulatory framework; and thirdly, that there is no impunity for human rights violations.

The Government of South Africa wishes to affirm the importance of elaborating norms and standards in the rubric of the International Covenant on Economic, Social and Cultural Rights and the Declaration on the Right to Development. That is an area of international human rights law that has been clearly neglected and resisted. It is therefore important that constructive work be undertaken in order to give true meaning to the spirit of the Vienna Declaration and Programme of Action, namely, that all human rights are universal, indivisible, interdependent and interrelated.

The Council has an important role to play in the fight against racism, racial discrimination, xenophobia and other forms of related intolerance by adopting ambitious and practical resolutions aimed at the full and effective implementation of the Durban Declaration

and Programme of Action. Establishing a United Nations forum for people of African descent, with a focus on the improvement of the quality of life and livelihoods of the African diaspora, remains critical. We support the convening of the regional consultations in the regions where people of African descent live in the diaspora as citizens, with a view to obtaining first-hand information and views on the structure, scope and format of the proposed forum. That remains key. In that regard, we wish to underline the importance of civil society participation in matters directly affecting their day-to-day lives.

In welcoming the 2030 Agenda for Sustainable Development (resolution 70/1), we need to bear in mind that the centrality of the development agenda beyond 2015 is about development and the eradication of poverty. We need to ensure that the agenda is implemented with the support of the necessary resource mobilization and political commitment. Effective accountability mechanisms must be established that address not only the duties of States but also those of the corporate sector, including, first, transnational corporations and other business enterprises; secondly, private military and security companies; and thirdly, the extractive industries. These multinationals are the owners of global wealth and key drivers of globalization, whose operational activities cannot escape accountability and scrutiny in international human rights law. The current slanted and biased approach cannot be tolerated.

In line with this imperative, the first session of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, whose mandate is to elaborate an international legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises, was held from 6 to 10 July.

My delegation remains concerned at the numerous Human Rights Council and General Assembly resolutions that continue to reaffirm a human-rights-based approach to development. We urge the sponsors of those resolutions not to resort to notions that have not been intergovernmentally negotiated and that are open to interpretation, including the use of human rights as a conditionality for development cooperation.

In this regard, we maintain that the right to development is a process through which all human rights — that is, civil, cultural, economic, political and

social — and fundamental freedoms are progressively realized.

In conclusion, South Africa reiterates its concern at the continued undermining of and total disregard for the provisions of Assembly resolution 68/144 that pertain to the deferral of action on Human Rights Council resolution 24/24. The non-implementation of that Assembly resolution has led to the Council's continued implementation of the provisions of its resolution 24/24.

In that context, we are not in a position to support the recently elaborated Guidelines against Intimidation or Reprisals, that is, the San José Guidelines. We further make an appeal to the President of the General Assembly to heed the instructions of resolution 68/144.

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 67.

The meeting rose at 4.05 p.m.