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Chair: Mr. Davis (Vice-Chair) (Jamaica)
later: Mr. Faye (Vice-Chair) (Senegal)

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In the absence of the Chair, Mr. Davis (Jamaica), Vice-Chair, took the Chair.

The meeting was called to order at 3.05 p.m.

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(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) ([A/69/97](#), [A/69/99](#), [A/69/121](#), [A/69/214](#), [A/69/259](#), [A/69/261](#), [A/69/263](#), [A/69/265](#), [A/69/266](#), [A/69/268](#), [A/69/269](#), [A/69/272](#), [A/69/273](#), [A/69/274](#), [A/69/275](#), [A/69/276](#), [A/69/277](#), [A/69/286](#), [A/69/287](#), [A/69/288](#), [A/69/293](#), [A/69/294](#), [A/69/295](#), [A/69/297](#), [A/69/299](#), [A/69/302](#), [A/69/333](#), [A/69/335](#), [A/69/336](#), [A/69/365](#), [A/69/366](#), [A/69/397](#), [A/69/402](#) and [A/69/518](#))

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) ([A/69/301](#), [A/69/307](#), [A/69/306](#), [A/69/356](#), [A/69/362](#) and [A/69/398](#); [A/C.3/69/2](#), [A/C.3/69/3](#), [A/C.3/69/4](#), [A/C.3/69/5](#), [A/69/639](#) and [A/69/548](#))

1. **Mr. Rodríguez Hernández** (Cuba) said that the main violation of human rights in Cuba was the unjust economic, commercial and financial blockade imposed on the country by the United States of America. With regard to the situation of Mr. Alan Gross, the United States Government should engage in serious talks to resolve the situation, taking into account the concerns surrounding the unjust 15-year prison sentences imposed on three Cuban citizens in the United States.

2. Given the economic and food crisis currently engulfing the world, the discussion of human rights should focus on placing people at the centre of development, enhancing the role of women and ensuring sound international governance. Cuba had always opposed selective initiatives that targeted individual developing countries, particularly politically-motivated ones that served only the interests of certain Powers. The country-specific procedure in the case of Palestine was different because it had been established with the consent of the Government of Palestine to assess the situation of people living under foreign occupation. The appropriate mechanism for assessing human rights was the universal periodic review, which allowed the situation in all countries to

be examined on an equal basis and without politicizing the process. Cuba was currently implementing the constructive recommendations made by most countries in its second review and would continue to cooperate with all the mandate-holders appointed by the Human Rights Council who had been established in a non-discriminatory manner and abided by the Code of Conduct ([A/HRC/5/L.3](#)).

3. Some countries were overlooking certain human rights violations. Western Powers rarely mentioned the wars of aggression, the kidnappings, the secret flights and detention centres, the extrajudicial killings using drones and the establishment of concentration camps where people were subjected to torture and other grave rights violations that still went unpunished. The hypocrisy of the situation and the promotion of ideas and approaches that served the political agendas and geostrategic interests of the large Powers must be exposed for what they were.

4. The effective enjoyment of all human rights, respect for diversity and the right to self-determination should be the cornerstone of all States' action. Any attempt to subjugate those principles and to impose the models of capitalist Powers was a serious violation of human rights. Impediments to the full enjoyment of human rights should be resolved through genuine and transparent dialogue without imposing double standards.

5. **Mr. Ghaebi** (Islamic Republic of Iran) said that cultural rights should not be used to exacerbate differences, which could lead to violence, but rather to celebrate diversity. Cultural rights must be protected to enable all to participate in, and contribute to, cultural diversity, which allowed for choice and hence the realization of every other human right as well. Cultural rights were both vectors and conditions for peace since their interpretation took into account and valued the diversity of cultural resources.

6. In recent years, however, dangerous trends based on, inter alia, notions of cultural superiority and malicious intent, had emerged that seriously undermined the principles of human rights by denigrating other religious doctrines. That unhealthy state of affairs called for collective action by the United Nations human rights machinery in particular. Unilateral measures would ultimately lead to the erosion of the noble goals and principles of the United Nations Charter, as well as international human rights

law. Indeed, unilateral coercive measures and economic sanctions should not be used as tools for political coercion and, under no circumstances should people be deprived of their basic human rights and means of subsistence and development. The principles of the Vienna Declaration and Programme of Action must be applied when assessing the impact of unilateral coercive measures on the enjoyment of human rights. In that regard, his delegation welcomed the adoption of the Human Rights Council resolution entitled “Human rights and unilateral coercive measures” (A/HRC/27/L.2), whereby a panel and a Special Rapporteur would be appointed to examine the issue. It was the hope of his delegation that, through the effective implementation of that resolution, the international community would put an end to all illegal unilateral coercive measures.

7. **Ms. Hewanpola** (Australia) said that respect for the human rights of all persons, regardless of their distinguishing characteristics, was a cornerstone of Australian values. Australia had supported the outcome document of the recent World Conference on Indigenous Peoples and was pursuing the recognition of Aboriginal and Torres Strait Islander peoples as the nation’s first peoples in the Australian Constitution.

8. As to human rights in its region, Australia remained deeply concerned by systematic, widespread and gross human rights violations in the Democratic People’s Republic of Korea and urged its Government and the international community to heed the recommendations of the commission of inquiry on human rights in that country, including the recommendation to investigate crimes against humanity. Australia also remained deeply concerned about the situation in Rakhine State in Myanmar and, while welcoming the progress made with the ambitious reform agenda and the ceasefire negotiations, it called on the Government to address the underlying causes of the unrest and ensure that the fundamental human rights of all people were respected. Fiji’s historic elections in September 2014, meanwhile, marked an important step in that country’s return to democracy, and Australia looked forward to continued progress relating to freedoms of expression, the media and association.

9. Australia condemned all the barbaric and systemic attacks on ethnic and religious minorities carried out by the Islamic State of Iraq and the Levant (ISIL) and associated groups. In the Syrian Arab

Republic, the consolidation of ISIL in the eastern region had resulted in even more civilians suffering brutal violence. All parties to the conflict in that country, including the regime of President Assad, continued to systematically violate human rights and to deny humanitarian access. All must comply with international human rights and humanitarian law, and Australia welcomed investigations by the Office of the United Nations High Commissioner for Human Rights (OHCHR) aimed at prosecuting the perpetrators of the unconscionable crimes committed in that conflict.

10. Australia remained concerned by executions carried out in the Islamic Republic of Iran, as well as by restrictions on civil and political rights and the persecution of minorities there. Her delegation urged the Iranian Government to translate recent positive statements on freedom of expression and non-discrimination into actions and to engage in a transparent manner with United Nations human rights mechanisms.

11. Turning to Ukraine, her delegation called on all parties to respect the ceasefire agreement, which had restored law and order to some areas in the east, as an essential step towards achieving a lasting political solution based on respect for Ukraine’s sovereignty and territorial integrity. In relation to South Sudan, Australia was concerned by the disregard for human rights shown by the political leadership and urged all parties there to immediately halt hostilities and commit to inclusive reconciliation. In challenging times, the nations of the world must remember that human rights were universal, inherent and indivisible. They must not be taken for granted, and progress towards their implementation must not be allowed to slow.

12. **Mr. Joshi** (India) said that development was at the heart of the globalization process and that the right to development must be mainstreamed into the policies and operations of relevant actors at the national, regional and international levels, including the multilateral financial, trade and development institutions. Global economic governance was equally vital so as to ensure that all countries and peoples could equitably benefit from globalization. Terrorism was an attack on democracy, human dignity and development, as well as one of the major threats to the full enjoyment of human rights. The international community had to take an unequivocal position against terrorism; the challenge for States lay in striking the right balance between effectively tackling terrorism

and fully observing international law and human rights standards.

13. The primary responsibility to promote and protect human rights rested with the States, and the consideration of human rights issues and strategies must respect the sovereignty, independence and territorial integrity of States. The human rights situation in a country was more likely to improve by actions taken by the State and its citizens than through outside intervention. Attempts to single out countries for intrusive monitoring could be counterproductive. The best approach was to strengthen national institutions through capacity-building.

14. India had consistently demonstrated its commitment to human rights and fundamental freedoms. Human rights defenders played a key role in safeguarding democracy, and it was India's considered view that all law-abiding citizens were human rights defenders, and all enjoyed equal protection under the law. India had a strong, independent and impartial judiciary, a progressive Parliament, a vibrant civil society, free media and an independent national human rights institution. Landmark legislation had been introduced to implement the rights to food, education and information, together with new laws to protect women and children from exploitation and violence. Based on its foundations as a democratic, secular, multi-ethnic, multi-religious, multilingual and multicultural society, India would continue to promote and protect the human rights and fundamental freedoms of each of its citizens.

15. **Mr. Okamura** (Japan) said that Japan attached great importance to human rights, democracy and the rule of law as universal values and would seek to achieve progress through dialogue and cooperation. The universal periodic review, which could and should contribute to the improvement of human rights situations around the world, and the special procedures, which were indispensable tools for firmly tackling human rights violations in a timely manner, should be mutually reinforcing.

16. The human rights situation in the Democratic People's Republic of Korea was a very serious concern, and it was important for the international community to follow up on the report of the commission of inquiry and the relevant Human Rights Council resolution. In that regard, Japan and the European Union had co-sponsored a draft resolution on

the situation, which they hoped would gain broad support from Member States. Japan attached great importance to the abduction issue, which, in addition to representing an attempt on Japan's sovereignty and the lives and security of its citizens, was a violation of fundamental human rights that should be of concern to the international community as a whole.

17. Japan was also deeply concerned by the fundamental challenge that ISIL posed, not only to the Middle East, but to the international order itself and firmly condemned all its acts of violence. With regard to the Syrian Arab Republic and the alarming humanitarian situation there, Japan urged the Syrian Government to fully cooperate with the commission of inquiry and called on all parties to halt the violence and protect civilians. A political solution based on the Geneva communiqué of June 2012 was urgently needed to end to the suffering of the Syrian people.

18. Japan was pleased with the engagement of the Islamic Republic of Iran in the human rights dialogue between the two countries and welcomed the commitment of President Rouhani to improve the human rights situation in his country. Japan was concerned, however, by the many unresolved issues, such as the execution of minors, the use of cruel punishment, limitations on freedom of expression, and the detention of journalists and human rights defenders. His delegation urged the Iranian Government to fully engage with its forthcoming universal periodic review, to accept a visit by the Special Rapporteur on the Islamic Republic of Iran, and to cooperate with other United Nations human rights mechanisms.

19. Japan and Myanmar had held a second dialogue on human rights in May 2014, and Japan looked forward to continuing the process. Japan was greatly encouraged by the measures taken in Myanmar in relation to democratization, national reconciliation, protecting the rights to freedom of opinion and expression, the establishment of ceasefires with minority groups and the release of prisoners of conscience. Cooperation with and support from the international community would help Myanmar in those efforts, and Japan provided a wide range of assistance to the country. The international standing of Myanmar had recently been enhanced by its assumption of the chairmanship of the Association of Southeast Asian Nations (ASEAN) in 2014.

20. In Cambodia, Japan had been supporting the development of a Civil Code and a Code of Civil Procedure, providing technical assistance to judges and prosecutors and actively supporting the Khmer Rouge trials. Japan had submitted a resolution to the Human Rights Council to extend the mandate of the Special Rapporteur on the situation of human rights in Cambodia and hoped that the Special Rapporteur and Cambodia would continue to cooperate in the construction of a rights-oriented nation.

21. **Ms. Loew** (Switzerland) said that Switzerland was concerned by the restraints, threats and risks faced by human rights defenders. All individuals who worked for human rights should be able to do so without fear of reprisals. Switzerland thus called on States to guarantee, in compliance with international law, each individual's right to freedom of expression, peaceful assembly and association, and their right to life.

22. Switzerland opposed the use of the death penalty anywhere and in any circumstances. Capital punishment was incompatible with respect for the human rights of the condemned and their loved ones. If the right to life was a fundamental right, the question of the death penalty must be approached in a manner that was consistent with other human rights obligations. Switzerland and seven other countries had therefore submitted a resolution to the Human Rights Council in June 2014 asking the Secretary-General to report on human rights violations arising from the use of the death penalty and requesting the Council to hold regular panel discussions on the question. Those activities were intended to complement the talks on a universal moratorium on executions, which Switzerland supported with the same conviction.

23. The success of the future sustainable development agenda depended on the integration of human rights and efforts to strengthen the rule of law and good governance. Due attention must be paid to the rights to live free from fear, to a fair and independent judicial system, to personal security and to genuine and effective participation in political processes. Sustainable development and economic growth could also only be achieved if women enjoyed the same rights as men, and if their contributions were accorded the same recognition as those of men. The issues of early and forced marriage, female genital mutilation, violence against women, maternal mortality, obstetric fistula, as well as the economic and

political empowerment of women, must be explicitly included in the goals of the post-2015 agenda.

24. **Ms. Diaz Gras** (Mexico) said that two-way cooperation within the international human rights system was particularly useful for sharing experiences and promoting good practices that strengthened national capacities for addressing human rights issues. Mexico's dialogue with the United Nations human rights treaty bodies had improved the promotion and protection of human rights in Mexico in recent years. It now had a solid institutional framework for following up on its treaty obligations and safeguarding human rights, which included mechanisms for inter-agency cooperation and civil society participation, as well as independent monitoring bodies. Constitutional reforms had been introduced to establish a rights-based society, guarantee all human rights and ensure the investigation, prosecution and punishment of human rights violations, as well as reparation for the victims. The strategies for implementing those reforms were now being analysed.

25. To protect the rights of vulnerable groups, special programmes had been introduced, *inter alia*, for migrants, persons with disabilities and indigenous peoples, together with new legislation on the protection and care of victims of human rights abuses. In addition, the Code of Criminal Procedure had been amended to increase the transparency of justice system. Much still remained to be done, but the Government was committed to tackling impunity and removing any structural obstacle impeding the full enjoyment of human rights in the country.

26. **Mr. Bamrungphong** (Thailand) said that Thailand had striven to improve the promotion and protection of human rights through action on the legal and administrative fronts. It was working towards becoming party to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by 2015, and its third national human rights plan (2014-2018), which was based on inter-agency coordination, contained clear targets and indicators. In addition, comprehensive plans and mechanisms had been put in place to protect the rights of children, women, persons with disabilities and the elderly. Moreover, there was universal health coverage and education for children was free in Thailand despite it being a developing country.

27. At the international level, the Thai authorities had cooperated with other countries to address human trafficking. Thailand had also submitted a resolution each year at the Human Rights Council, on increasing technical cooperation and capacity-building in the field of human rights, in addition to spearheading a cross-regional joint statement calling for the next global development agenda to be inclusive and rights-based. As the chair of the upcoming fifty-ninth session of the Commission on the Status of Women, Thailand would be making every effort to ensure that the twentieth anniversary of the Beijing Declaration and the Platform for Action contributed to the advancement of women's rights.

28. **Ms. Abdulbaqi** (Saudi Arabia) said that the serious incidents that had occurred in many parts of the world should not make the international community forget the plight of the Palestinian people, who, under occupation, had suffered serious human rights violations for over six decades, including the recent barbaric war waged against them by Israel that had resulted in the tragic deaths of women, children and elderly persons, over 100,000 more displaced civilians, violations of the sanctity of the holy places and other heinous crimes that violated the most basic human rights principles, all because of their legitimate demands to live freely in their homeland without occupation, blockades or bloodshed, in accordance with their right to self-determination, and to establish their independent State with Jerusalem as its capital. All Member States must shoulder their responsibility by working towards the implementation of the relevant resolutions of the Security Council and the General Assembly. The Government of Saudi Arabia specifically called upon the international community to compel Israel to grant entry to the United Nations fact-finding mission to investigate the violations and crimes Israel had committed, and still committed, on Palestinian land.

29. Her delegation was deeply concerned about the worsening of the situation in the Syrian Arab Republic, brought about by the current regime, which had lost its legitimacy by killing and displacing the Syrian people and committing systematic heinous crimes, including the use of chemical weapons. The Government of Saudi Arabia held the international community responsible for the rapid and serious deterioration of the humanitarian situation in the Syrian Arab Republic

and called upon it to take a swift action to end the suffering of the Syrian people.

30. Muslim communities in many countries were exposed to discrimination, intolerance, and violence. The most striking example was the persecution and genocide of Muslims in Rohingya, Myanmar, and in Central Africa. Her delegation called for a legally binding instrument on preventing intolerance, discrimination, and hatred based on religion, to promote and ensure respect for all religions and prevent and criminalize the desecration of religious symbols.

31. The principle of cultural diversity and common values must be upheld; States and societies had the right to embrace the values and principles to which they consented, though that should not be used as a pretext to violate human rights. Universality should refer to the accommodation of the cultures and values of different peoples in the promotion and protection of human rights, not to the imposition of one culture or set of values. Cultural unilateralism led only to confrontation, not to dialogue and peace. In particular, the universality of human rights must not be used as a pretext to intervene in matters that were essentially internal affairs or to pursue a political, ideological or other agenda.

32. The Islamic sharia, which was the source of all laws in Saudi Arabia, made the protection of human rights an obligation and provided optimal methods for their promotion and protection. Many reforms had been introduced to establish a fair and effective justice system and the rule of law as prerequisites for peace and security, the promotion and protection of human rights and the achievement of sustainable development. New regulations had been enacted to protect the rights of migrant workers, and a sizeable portion of the 2014 budget had been allocated to social development.

33. In terms of international cooperation, Saudi Arabia had made many generous donations, including \$500 million to the Office for the Coordination of Humanitarian Affairs (OCHA) for its work in Iraq, a pledge of \$500 million for the reconstruction of Gaza; and \$780 million to support people in need in the Syrian Arab Republic.

34. In short, Saudi Arabia continued to support the promotion and protection of all human rights in accordance with its international commitments, based on respect for the religious, cultural, social, and

historical particularities of each country. Dialogue, not hostility and hatred, was the way to achieve advancement.

35. **Mr. Meza-Cuadra** (Peru) said that the promotion and protection of human rights as well as compliance with international law, including international humanitarian and refugee law, were essential to the functioning of democratic societies. His Government had strengthened its institutions in order to foster political dialogue, participation and an inclusive society that respected the equality of all its citizens. It had approved a national human rights plan for 2014-2016, created a national anti-discrimination commission and developed a national human rights education plan to strengthen the promotion and protection of human rights and to ensure that national legislation was in line with international standards. In 2011, it had passed a law giving indigenous peoples the right to prior consultation, in line with International Labour Organization Convention No. 169.

36. Peru was taking steps to create a culture of peace in order to prevent the recurrence of past human rights violations and was continuing to promote democracy and sustainable development. It sought to achieve reconciliation through truth, justice, inclusion and reparation, including through legal action against those responsible. It had been a founding member of the Human Rights Council and had continued to actively participate in its activities as well as in other regional and international mechanisms.

37. States and the international community had a responsibility to eradicate extreme poverty, which was compromising the dignity of millions of people around the world, by implementing social protection measures based on equality, non-discrimination, participation and transparency as well as the respect for national legal frameworks and international human rights standards. Achieving the goal of creating an inclusive society would require the promotion and protection of human rights and fundamental freedoms and respect for democracy and the rule of law. There should be a focus at both the national and the international level on protecting the most vulnerable members of society, such as those at risk of suffering abuse or discrimination.

38. **Mr. Wang** (China) said that civil and political rights and economic, social and cultural rights, including the right to development, were equally

important. The international community must place poverty eradication and promotion of development at the core of the post-2015 development agenda in order to support the efforts of developing countries to promote inclusive economic growth and social progress.

39. Governments and peoples had the right to choose the path of human rights development most suitable to their national conditions and set their own priorities. Rather than imposing a concept and model on others, States should transcend differences in social systems and ideologies so as to achieve an international paradigm for human rights development that would allow different forms to prosper. The international community should oppose the politicization of human rights issues and double standards. His delegation thus strongly opposed the groundless accusations made by the United States of America in its statement during the previous meeting.

40. The promotion and protection of human rights could only be carried out in keeping with national conditions and the aspirations of peoples. His country had embarked on a path of human rights development with Chinese characteristics and had seen a major leap forward in the development of human rights, resulting in effective guarantees of the economic, social, cultural, civil and political rights of the Chinese people.

41. The decision on major issues concerning the comprehensive advancement of the rule of law recently adopted by the Communist Party Central Committee demonstrated the great importance his country attached to the comprehensive promotion of the rule of law and further strengthened the legal basis for the protection of human rights in China. His country was confident that, with the attainment of the “two 100 years” goal, the realization of the Chinese Dream and the implementation of the decision, the Chinese people’s enjoyment of human rights would be elevated to an unprecedented level. It was ready to continue to strengthen exchanges and cooperation with other countries in the field of human rights and help to build a harmonious world of lasting peace and common prosperity.

42. **Ms. Ali** (Singapore) said that as the international community worked together to promote and protect human rights, it must give due respect to historical and cultural differences. Singapore had sought to balance

the exercise of individual rights with societal rights, enabling its citizens to live in peace and harmony and enjoy not only civil and political rights, but also economic, social and cultural rights.

43. It was for each country to determine where the exact balance of individual and societal rights lay, based on its unique history, circumstances and stage of development. Recognizing that it was accountable to its citizens to calibrate rights and responsibilities in a way that maximized the benefit to them, as well as to society as a whole, her Government had established a system of accountability that included consultations with stakeholders on policy formulation, numerous feedback channels, and elections. Appreciating that every country faced different challenges, her country did not seek to impose its formula on others. Without understanding the domestic context, forcing a position on a country could create unrealistic expectations and polarize societies. Its success in promoting and protecting human rights would depend on its ability to empathize and respect the views of others. Such understanding and tolerance, however, should never be an excuse for condoning gross violations of human rights since Governments had the responsibility to protect their citizens.

44. In order to make real progress in forging a strong international consensus on human rights, States would have to appreciate each other's differences and approach each other with humility and openness through dialogue. The promotion of human rights would not be served by confrontation, grandstanding or the passing of resolutions to which countries merely paid lip service. The best path to improving the well-being of citizens was to put in place concrete policies. Citizens needed to see tangible results, such as law and order, affordable housing, employment and good quality health care.

45. **Mr. Barriga** (Liechtenstein) said that his country was particularly concerned about the rise of religious intolerance. Persecution of religious groups was becoming a regular feature of conflicts and anti-Semitism was rising. Violence committed in the name of religion, particularly by ISIL, had taken on new proportions.

46. For many of those human rights questions, clear answers could be found in the Universal Declaration of Human Rights, which had been worded in sweeping and general terms, so as to ensure that it covered future

and unforeseeable developments, for example, the right to privacy in the digital age. According to the Declaration, everyone everywhere had the right to privacy and the right to be protected against interference or attacks. It was almost as if the Declaration had anticipated the advent of the Internet and the absurdity of the claim that in cyberspace, which had no territory, only the territorial State must respect the right to privacy.

47. His country had for many years advocated for guarantees to ensure that global cooperation against terrorism would not lead to the erosion of fundamental rights and freedoms. The fight against terrorism relied heavily on the blacklisting of individuals, which had sparked ongoing debates on how to address the procedural rights of the persons concerned. According to the Universal Declaration, full due process, in particular through an independent tribunal, was required for blacklisting, whether domestically or internationally.

48. It had become almost impossible in the context of the General Assembly to refer to democratic values, and claims were frequently heard that the manner in which a country was governed should be a purely internal matter. Yet the Declaration set out a number of core democratic values that must be respected by all, including the right to take part in government, directly or through freely chosen representatives, and the right to periodic and genuine universal elections.

49. His delegation believed that human rights and the rule of law deserved greater recognition and more explicit mention in the proposed Sustainable Development Goals submitted by the Open Working Group.

50. As human rights challenges were growing ever more complex, the international community should revert to the core values of its past commitments, as exemplified in Universal Declaration of Human Rights. There was no need to develop new norms and standards in order to address current human rights challenges; there was sufficient guidance for Governments on virtually all of those challenges. Governments should take those norms and standards seriously and implement them fully.

51. *Mr. Faye (Senegal), Vice-Chair, took the Chair.*

52. **Mr. Almazrouei** (United Arab Emirates) said that human rights had been the mainstay of his country's

Constitution and values, and it had signed a number of international human rights conventions, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Having made significant progress in human rights, his country had been ranked at the top of the list of countries where there was peaceful coexistence between different nationalities, religions and cultures in 2014, according to the World Peace Council.

53. Regarding gender equality, his country had promoted initiatives to promote girls' education. In response to the recommendations from the recent universal periodic review in the Human Rights Council accepted by his country, the Monitoring Committee was examining the measures adopted by relevant authorities to ensure they were implemented. It had adopted a bill on children's rights and was considering withdrawal of its reservations to the Convention on the Rights of the Child and was in the process of acceding to the Optional Protocol to the Convention. The Government was consolidating all national human rights institutions, such as the National Committee to Combat Human Trafficking, and was setting up a national body in line with the Paris Principles. It was striving to amend national legislation, such as, *inter alia*, the bill on the freedom of the press. The Ministry of Labour had adopted legislation for the protection of foreign contractual workers guaranteeing their legal and social protection. His country had given priority to assisting developing countries in achieving the Millennium Development Goals.

54. **Mr. Choe Myong Nam** (Democratic People's Republic of Korea) said that the international community must strictly observe the principles of respect for sovereignty and non-interference in the internal affairs of States, without which genuine enjoyment of human rights was inconceivable. The United States of America and other Western countries had breached those principles by invading sovereign States under the pretext of the war on terror and attempting to interfere in the internal affairs of developing countries with a view to eliminating their legitimate Governments.

55. Politicization, selectivity and double standards in field of human rights must be removed once and for all. Western countries still behaved as human rights judges attempting to impose their values on developing countries. In the event of any disobedience on their part, Western countries tried to impose collective

pressure and sanctions by depicting them as human rights violators. The conspiracy undertaken by the United States of America and its allies against his country in the field of human rights constituted an extreme manifestation of politicization, selectivity and double standards. Rather than being truly concerned about the human rights situation, they were simply attempting to defame his country and eliminate the ideology and social system freely chosen by the people. Selectively "naming and shaming" individual countries and tabling draft resolutions against them based on political motivations should no longer be tolerated.

56. Furthermore, his delegation urged an immediate solution to the crimes against humanity committed by Japan when invading his and other Asian countries during the last century.

57. In his country, the popular masses enjoyed all their human rights as genuine masters of the country. Despite constant political pressure, economic sanctions and military threats posed by hostile forces, his Government would continue to take every measure to improve the enjoyment of human rights by the people and strengthen genuine dialogue and cooperation in that field.

58. His delegation categorically rejected the unsubstantiated and politically motivated allegations about his country made by countries including the United States of America, Japan and Australia. Such allegations were a product of the hostility of the United States of America to his country and had no relevance in a genuine human rights discussion.

59. **Mr. Zamri** (Malaysia) said that every State had an inalienable right to choose its political, economic, social and cultural systems without interference in any form by another State or from external influences. In the increasingly globalized world of shared ideas, the international community was collectively obliged to ensure the promotion and protection of economic, social and cultural rights, particularly for developing countries, which were among the most disadvantaged.

60. Malaysia was convinced that the mutually beneficial partnership fostered with the Human Rights Council and the Office of the High Commissioner for Human Rights contributed significantly to the advancement of human rights in the country. Its commitment to promoting and protecting human rights at the national, regional and international levels was

reaffirmed in its efforts to implement the 150 recommendations accepted by his Government during Malaysia's second universal periodic review in 2013. The percentage of recommendations accepted had increased and the interactive dialogue with Member States had enabled it to highlight its progress and achievements, share its best practices and take stock of the challenges that it faced towards the better realization of human rights for the population.

61. Its commitment was further demonstrated through the establishment of the human rights commission of Malaysia, known as SUHAKAM, which was empowered to inquire into complaints of human rights violations and mandated to promote awareness through education.

62. Every effort must be made to ensure the right to development, including by continuing to support the work of the Working Group on the Right to Development. In light of the fact that ongoing instability in global and national financial markets could have an adverse effect on the enjoyment of the right to development, Malaysia along with the Movement of Non-Aligned Countries had reiterated the crucial need to promote that right at various international meetings.

63. His delegation wished to reaffirm the importance it attached to the continued promotion and protection of human rights. Malaysia would continue to engage constructively and positively with all delegations, partners and stakeholders on the full range of human rights and fundamental freedoms.

64. **Ms. Stener** (Norway) said that the international community must better respond to signs of a worsening human rights situation, prevent armed conflicts and mass atrocities, and create a climate conducive to economic growth and development. Governments had the primary responsibility for promoting and protecting human rights and building inclusive and open societies where conflicts of interest were resolved peacefully. The prevention of grave human rights violations and emergencies must be an immediate and urgent priority for the international community.

65. The human rights pillar of the United Nations must be strengthened. Although there had been significant improvements in the United Nations human rights system over the past decades, there were large gaps in implementation. The United Nations must be more confident, coherent and assertive about the

importance of its human rights pillar and integrate human rights across the board. The impact of the limited resources available to the Office of the High Commissioner must be increased and the ability to respond adequately to complex challenges in the field must be strengthened. Although the United Nations strove to protect human rights in a smart and cost-effective manner, its human rights pillar was chronically underfunded. Norway therefore called once again for an increase in the share of the United Nations regular budget allocated to human rights.

66. Her country was deeply concerned that human rights violations were continuing in spite of the international community's best efforts. The United Nations system and its agencies must put human rights at the forefront of the agenda and Member States must be active supporters and civil society must be allowed to play its part. The fulfilment of human rights depended on a change of mindsets and priorities throughout the international community.

67. **Ms. Dávila Dávila** (Colombia) said that her delegation welcomed the note of the Secretary-General as well as the report from the Special Rapporteur on the right to education. The three priority areas for her Government were peace, equity and education, which it saw as interrelated. Peace was dependant on equity, which was, in turn, dependent on an educated population. Her Government was committed to the promotion and protection human rights and international humanitarian law for all citizens, despite the challenges posed by the armed conflict it had been dealing with for some fifty years. Achieving sustainable peace would involve guaranteeing human rights, overcoming the challenges of post-conflict transition and ensuring that reconciliation was achieved. Recent policy and institutional changes to guarantee the full exercise of human rights largely fell into two categories: ensuring that the entire population had full enjoyment of their human rights, and respecting the rights of victims through comprehensive reparation and reconciliation programmes in order to lay a foundation for the end of the armed conflict. The national human rights and international humanitarian law system covered the country's obligations and commitments and included dialogue with local organizations as well as the international community.

68. The 2011 law on victims and land restitution had been the State's most ambitious initiative for providing reparations to victims of violence. It aimed to give

victims a way to rebuild their livelihoods, included non-recurrence measures and took ethnicity and gender into account. As of July 2014, around 6,658,000 victims had been identified, 49 per cent of whom were women. One of its most significant achievements had been the establishment of all of the proposed departmental and municipal transitional justice committees. In consultation with human rights organizations, her Government had also created a unit dedicated to protecting the rights to life, freedom, physical integrity and safety of groups and communities that were at particular risk owing to their political, public, social or humanitarian activities. Colombia was also committed to the promotion of labour rights, the creation of opportunities for decent work, social protection and social dialogue. As a result of State policy, unemployment had fallen to below 10 per cent in 2013 and had further declined in 2014. The State had also taken decisive action to prevent discrimination against ethnic minorities by increasing the gravity of such offences in the legal system.

69. **Mr. Mahmoud** (Egypt) said that efforts towards more democracy, political reform, respect for human rights and confronting extremism and intolerance coincided with the increasing attempts of some to impose their views on how to apply those concepts. It was incumbent on the international community to consolidate its efforts in order to deal with the increasing sense of superiority of some States, which was based on a flawed assumption that their values, cultures and legal justice systems were superior to others, and their subsequent attempts to impose their own standards.

70. The international community must strive to avoid dealing with civil and political rights at the expense of economic, social and cultural rights. It must respect the prerogatives of the General Assembly and the Economic and Social Council and refrain from attempting to supersede the mandate of the Third Committee through broad interpretation of other mandates. Finally, it must combat all forms of extremism, discrimination and racism, as well as disrespect and defamation of religions and the scorning of symbols and beliefs of other religions under the pretext of freedom of opinion and expression. Developing countries must be supported in realizing the legitimate aspirations of their people for development and prosperity.

71. Egypt rejected the content of the statement delivered by the United States of America during the previous meeting, as it was misleading and counterproductive. The statement failed to take into account his country's political and economic context. It rejected the attempts to comment on and interfere with its national process of elaborating a new law on non-governmental organizations. It wished to confirm that there were no political prisoners in Egypt. According to the law, all those accused of committing crimes were subject to the authority of the Prosecutor General of Egypt, as well as full judicial guarantees.

72. Any fair assessment of the overall human rights situation in his country would recognize the huge progress achieved since 2011. The ongoing transformation process was based on internationally recognized standards and norms, as well as a clear vision and earnest national determination within the framework of partnership between the government, civil society organizations and the private sector. The Constitution adopted by national referendum in January 2014 contained three chapters on the protection of all human rights and fundamental freedoms and combating discrimination, ensuring equality for all under the law and in practice. The role of the General Assembly in dealing with human rights issues needed to be revitalized in order to ensure the legitimacy and relevance of the United Nations.

73. **Mr. Al-Obaidi** (Iraq) said his country respected its obligations under the various human rights instruments it had ratified and had brought its national legislation into conformity with international standards. In 2014, it had reported to the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women and would soon undergo its second universal periodic review. It was also preparing to report to the Committee on the Rights of the Child.

74. Following the parliamentary elections in 2013, which had seen wide participation in spite of the difficult security conditions, a democratic Government had been formed whose strategic priorities including making Iraq a safe and stable country, improving living conditions and building a strong national front to combat terrorism. ISIS had perpetrated terrorist attacks in many parts of Iraq, and since June 2014 those terrorists had committed widespread human rights violations, including mass executions of Iraqi prisoners, killings of religious leaders and unarmed

soldiers, forced displacement, indiscriminate killings, torture, sexual violence, forced marriage, attacks on ethnic and religious minorities, the destruction of religious and historical monuments and buildings as well as imposing traditions and practices in the name of Islam that were in reality unrelated to its teachings. Terrorist attacks in areas under control of ISIS groups as well as the consistent attacks in other regions were aimed at depriving Iraqi citizens of their right to live in dignity, and could also affect other States. Therefore, an international alliance had been formed to confront ISIS and support his country's forces in their actions against terrorism. He thanked all States that had supported his country and urged the international community to continue to support its efforts in its war against terrorism and to provide humanitarian assistance to those affected by terrorist operations.

75. **Monsignor Auza** (Observer for the Holy See) said that trust in the ability of the human rights system to uphold fundamental human rights must be rebuilt. Since the right to life as enshrined in natural law and protected by international human rights law was the foundation of all human rights and all life must, therefore, be fully protected from conception until natural death, his delegation welcomed the reduction of the use of the death penalty that had occurred over the past two years. Life imprisonment should likewise be abolished, because it too precluded any possibility of redemption, rehabilitation and recuperation. A more rigorous pursuit of social justice and preventive measures should be favoured over punishment, particularly for crimes committed by minors and the elderly. Prison conditions should also be improved, out of respect for the human dignity of prisoners, many of whom had been detained for long periods without trial.

76. Freedom of thought, conscience and religion continued to face challenges. In some regions of the world, violations of religious freedom had multiplied and intensified in their brutality. Such violations must be treated first and foremost as blatant violations of fundamental human rights. In other parts of the world, religious freedom faced legal barriers and condescending, if not outright discriminatory, treatment. Some authorities were seeking to restrict religious observance to the private realm and impose legal obligations that conflicted with personal conscience and religious beliefs, a misconstrued understanding of religious freedom. The struggle for religious freedom had been at the origins of many

nations, and the right to freedom of thought, conscience and religion was an inalienable and fundamental human right. As such, it had always been and always would be at the core of the struggle for the recognition and free exercise of fundamental human rights. His delegation therefore welcomed document [A/69/261](#), which identified measures of reasonable accommodation to overcome discrimination and violation of that fundamental human right in the workplace. A world that truly respected religious freedom must move beyond mere toleration and uphold the right of all individuals to practice their faith alone or in community, in public or private, and to change their beliefs, as set out in the Universal Declaration of Human Rights.

77. In order to address those challenges, it would be necessary to strengthen the international human rights system. His delegation hoped that General Assembly resolution 68/268, "Strengthening and enhancing the effective functioning of the human rights treaty body system", would translate into meaningful reform towards greater observance of treaties and their faithful and objective monitoring. His delegation looked forward to working with all to reinvigorate respect and appreciation for fundamental human rights.

78. **Mr. Milanović** (Serbia) said that increased efforts, more frequent recourse to cooperation mechanisms and extensive dialogue were needed to improve and promote human rights. States should act together to overcome challenges such as the protracted effects of the economic crisis, climate change, man-made disasters and the current Ebola outbreak. Serbia was a multi-ethnic country and, therefore, paid special attention to the rights of minorities. In particular, the right to language and script was a precondition for the realization of many other rights, while the denial of that right created fear and mistrust. His country expected members of the Serbian community in neighbouring countries to enjoy the same rights and level of protection as minority communities were afforded in Serbia, including, in this case, the right to use the Serbian language and Cyrillic script.

79. His country was prepared to cooperate with all United Nations human rights mechanisms, including the special procedures. Amending the normative framework and increasing the effectiveness of its implementation of the existing norms were priorities, as were the recommendations it had adopted within its universal periodic review. It was fully committed to

establishing the fate of missing persons and bringing those responsible to trial, and it expected the same level of commitment to be shown by other actors in the region. His Government had invited the Working Group on Enforced or Involuntary Disappearances to visit in June 2014 and, along with the presidents of three other States in the region, had ratified a declaration on the role of the State in tracing missing persons.

80. In October 2014, his Government had adopted an action plan to implement the strategy for the prevention of and protection against discrimination against vulnerable groups, including the Roma and lesbian, gay, bisexual and transgender populations.

81. Many aspects of the protection of and respect for human rights were deficient in Kosovo and Metohija. Conditions had not been created for the safety and security of the members of ethnic communities nor had the conditions for the sustainable return of around 204,000 internally displaced persons from other areas of Serbia been established. According to the most optimistic estimates, less than five per cent of internally displaced persons had returned, while only 3,000 to 4,000 had been able to realize sustainable returns. The continued decline in the already small number of returnees was of particular concern. Additional efforts to create the conditions for dignified and sustainable returns were clearly required. Making returns contingent on the approval of local communities, which affected the return of non-Albanians to their homes, was unacceptable in the context of human rights. The perpetrators of many criminal offences committed since 1999, including murders, abductions and attacks, had never been found or tried. The investigation by the Special Investigative Task Force of the European Union Rule of Law Mission in Kosovo was therefore of paramount importance. It had stated that witnesses were being intimidated and that evidence was being destroyed, which was a reflection of the human rights situation that the Province had seen since 1999. It was also alleged that high-ranking members of the so-called Kosovo Liberation Army had been responsible for murders, abductions, enforced disappearances, illegal detentions, sexual violence, enforced displacement and the destruction of churches and other religious sites in an attempt to ethnically cleanse the Serbs and Roma south of the Ibar River. His delegation concurred with the assessment of the Chief Prosecutor that the

systemic nature of those crimes qualified them as war crimes and crimes against humanity and expected that a special tribunal to prosecute the perpetrators would be established no later than the beginning of 2015. It also expected that mistakes made in previous trials would not be repeated and that perpetrators would not be acquitted because of insufficient evidence owing to the intimidation, disappearance or sudden death of witnesses. Evidence preservation systems and protection for victims and witnesses were frequently lacking in Kosovo and Metohija, and such a situation should not be tolerated. The human rights of Serbs were also being violated by frequent arbitrary arrests. If they were acquitted, it was only following long and exhausting trials, while the justice system in Kosovo and Metohija had consistently failed to punish those responsible for the pogrom of March 2004 or the killing, abduction and disappearance of many innocent Serbs. His country was fully committed to the quest for sustainable and mutually acceptable solutions for Kosovo and Metohija in accordance with Security Council resolution 1244 (1999) and on the basis of respect and protection of human rights for all.

82. **Ms. Mohamed** (Ethiopia) said that the full enjoyment of human rights and fundamental freedoms for all citizens was enshrined in the constitution of her country, which had also been consistently applying the core international and regional human rights instruments. Measures to ensure the participation of citizens were not confined to the political domain; they were also being enabled to fully participate in economic and social development. Human rights were at the heart of Ethiopia's development strategy, which aimed to allow citizens to participate in decisions that affected their daily lives and create an environment favourable to equitable development. The 2010-2015 growth plan, which aimed to raise the national economy to middle-income status by 2025, included efforts to bring about sustainable development that would help ensure the right to social justice through a long-term economic empowerment process. Her country had seen double-digit economic growth over the past ten years; as a result it had been able to significantly reduce poverty rates and achieve the Millennium Development Goal child mortality target before the deadline. It remained committed to further reducing extreme poverty with the full participation of its citizens.

83. Ethiopia was working with the Human Rights Council and the Office of the High Commissioner to ensure the implementation of the various international human rights conventions to which it was a party. It had successfully implemented most of the recommendations it had accepted following the first cycle of the universal periodic review in 2009 and had recently adopted a human rights action plan that covered all issues related to civil and political, economic, social and cultural rights as well as the rights of vulnerable groups and the right to a clean environment and development. Ethiopia had submitted its periodic reports under various international conventions and taken concrete steps with regard to freedom of religion, freedom of expression, freedom from arbitrary arrest and detention and engagement with civil societies. Laws on terrorism and social health insurance as well as an electoral code of conduct for political parties and a financing agreement for women's entrepreneurship had been put in place to further strengthen the human rights system.

84. While notable progress had been made, the limited resources available for education on human and civic rights, grass-roots-level awareness programmes and capacity-building in general was a significant practical challenge. Such challenges highlighted the need for the international community to provide financial and technical support to States to enable them to continue taking steps to meet their obligations under universally accepted human rights instruments.

85. **Ms. Al-Temimi** (Qatar) said that her country's belief in the importance of protecting and promoting human rights and dignity had led it to accede to many international and regional human rights conventions. It had also designated 11 November as National Human Rights Day. The importance her Government attached to human rights as an inherent part of the country's identity and culture was reflected in its National Vision 2030, which included many important human rights issues. A Department of Human Rights had been established within the Ministry of Foreign Affairs and a National Human Rights Committee and the Doha International Centre for Interfaith Dialogue had been set up. Her country was also hosting the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, which would play an important role in increasing respect for human rights and combatting human trafficking in the region. Qatar's efforts to protect

human rights had been widely commended, and its achievements were demonstrated in its universal periodic review where its efforts to combat trafficking as well as its other achievements in such areas as education, health and children's rights had been commended. Dialogue with the working group and other international mechanisms was crucial in order to protect human rights. Recalling that it had been nominated for the third time to the Human Rights Council, she reiterated the commitment of her country to promoting and protecting human rights and freedom throughout the world.

Statements in exercise of the right of reply

86. **Ms. Bamrungphong** (Thailand) said that her country's actions on 22 May 2014 had followed a series of demonstrations by people with different ideologies and had been necessary in order to put a stop to violence and attacks on unarmed protestors, prevent loss of life or injuries, create a conciliatory atmosphere and address challenges through their root causes. There had been steady progress since then, and a three-phase roadmap towards the general elections had been announced. A provisional constitution had been released on 22 July 2014, followed by the establishment of a national legislative assembly and a national reform council to undertake comprehensive reforms in 11 areas, ranging from strengthening good governance to reducing income inequality. The reform also involved modernizing domestic laws to bring them in line with international obligations, including anti-corruption, anti-human trafficking and human rights laws. The majority of the restrictions put in place immediately following the demonstrations in order to maintain peace and security had already been lifted, and mainstream media outlets were operating as normal. Any remaining restrictions were being constantly reviewed and would be progressively lifted. Stability had returned to her country, and economic recovery had been extremely strong. The principles of human dignity, rights, freedom and equality enshrined in the provisional constitution were protected under existing laws and continued to constitute the core values of the country. Thailand had entered a time of consolidation, as it moved forward through the second stage of the road map, strengthening democratic governance with a view to achieving better checks and balances, respect for the rule of law and better economic integration. Currently it needed, and would

much appreciate, the understanding and support of its friends and allies.

87. **Mr. Barkan** (Israel) said that he had been distressed to hear criticism of his country from one Member State. His country was striving for negotiations, but Palestine unfortunately refused to enter into them. Gaza was controlled by a terrorist organization, Hamas, whose wishes and view of life were very close to those of ISIS, a group which many States in the Middle East were struggling against. The brutal Hamas attack that had taken place in the summer of 2014 and its endless attempts over fifty days of fighting to kill Israeli citizens was terror on a larger scale, involving not one beheading but an attempt to kill hundreds of Israelis. As had been said in the Committee, terror was a gross violation of human rights. Therefore, States could not fail to support his country's right to defend itself; it would be unacceptable for Israel not to have the right to defend itself against the barbaric attack on its citizens that only a technological miracle had prevented. Citizens of his country had the same rights to life and self-defence as everyone else, and they deserved to be protected. It was disappointing that Member States did not see or admit that. It was also disappointing that, as had been pointed out at the previous meeting, Member States would generally criticize selective rapporteurs but support them where Israel was concerned.

88. **Mr. Hisajima** (Japan), responding to the statement made by the Democratic People's Republic of Korea, said that Japan had on various occasions expressed its feelings of deep remorse and its heartfelt apology. The current Cabinet took the same position as the previous government with regard to the recognition of history.

89. **Mr. Choe** Myong Nam (Democratic People's Republic of Korea) said that his delegation had very strong reservations about the remarks made by Japan. It was known that Japan had committed crimes against humanity in the twentieth century by invading and plundering Asian countries. In Korea alone, during its 40-year military occupation Japan had perpetrated crimes including forcibly drafting 8.4 million people, carrying out 1 million genocidal killings and forcing 200,000 people into military sexual slavery. In spite of the egregious nature of those crimes, Japan had thus far been reluctant to resolve those crimes, which affected the lives and human rights of millions of people. The continued delays, therefore, gave rise to serious

concern on the part of the international community. His country reiterated its call for Japan to take immediate measures to make reparations for the crimes against humanity that it had committed, as a matter of utmost priority.

90. **Mr. Hisajima** (Japan) said that the numbers stated by the representative of the Democratic People's Republic of Korea had no basis in fact.

91. **Mr. Choe** Myong Nam (Democratic People's Republic of Korea) said that the numbers he had cited were well documented. For example, in 1999 the United Nations Special Rapporteur on violence against women had stated that Japan had committed crimes against humanity, including forcing 200,000 women and girls into military sexual slavery. The crimes against humanity committed by Japan had already been the focus of the international community. There was no doubt that Japan had committed those crimes, and international human rights law did not apply a statute of limitations to such crimes. Therefore, the more Japan tried to avoid its legal and moral responsibility to address those crimes against humanity, the stronger the resistance on the part of the international community would be. He reiterated the call for Japan to take immediate action to provide redress for the aforementioned crimes against humanity as a matter of utmost priority.

The meeting rose at 5.40 p.m.