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## Third Committee

### Summary record of the 44th meeting

Held at Headquarters, New York, on Tuesday, 12 November 2013, at 3 p.m.

*Chair:* Mr. Tafrov . . . . . (Bulgaria)

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

**Agenda item 62: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions** *(continued)* (A/C.3/68/L.70)

*Draft resolution A/C.3/68/L.70: Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees*

1. **Ms. Hrdá** (Czech Republic), introducing the draft resolution on behalf of Afghanistan, Belarus, Latvia, Peru, Senegal, Slovakia and her own delegation, said that enlargement of the Executive Committee to include those seven Member States had been requested in letters and notes verbales addressed to the Secretary-General and the President of the Economic and Social Council. The Council had stated its position on the enlargement of the Executive Committee in its decision 2013/251. The General Assembly was being invited to take note of the Council's decision and to decide on the enlargement of the Executive Committee.

2. **Ms. Sharma** (Secretary of the Committee) announced that Cameroon and Panama had joined the list of sponsors.

**Agenda item 67: Elimination of racism, racial discrimination, xenophobia and related intolerance** *(continued)*

**(a) Elimination of racism, racial discrimination, xenophobia and related intolerance** *(continued)* (A/C.3/68/L.65)

*Draft resolution A/C.3/68/L.65: Combating glorification of Nazism: inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance*

3. **Mr. Lukiyantsev** (Russian Federation), introducing the draft resolution on behalf of the sponsors, said that Algeria, Angola, Bangladesh, Benin, Côte d'Ivoire, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Gabon, India, Iraq, Kyrgyzstan, the Lao People's Democratic Republic, Lebanon, Myanmar, Namibia, Niger, Nigeria, Rwanda, Seychelles, Sri Lanka, the Sudan, Tajikistan, Uganda, Uzbekistan, Viet Nam and Zimbabwe had joined the sponsors of the

draft resolution, which thus had broad interregional support.

4. The sponsors regretted the ongoing glorification of Nazism, as attempts to falsify history and re-evaluate the outcome of the Second World War continued. They deplored the rise in acts of violence by skinhead and neo-Nazi groups against persons of different races or beliefs and against migrants and minorities. Such acts ran counter to the very principles on which the United Nations had been founded. The draft resolution referred to recommendations contained in the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, recognized the importance of General Assembly initiatives such as the commemoration of the victims of the transatlantic slave trade and called on Member States to take into account the Human Rights Council's Universal Periodic Review mechanism.

5. It was inadmissible that those involved in crimes of Nazism should be glorified or their culpability minimized, as had occurred in the case of some former members of the SS organization, which the Nuremberg Tribunal had declared to be a criminal organization.

6. The aim of the draft resolution was to draw the General Assembly's attention not to the past, but to dangerous contemporary forms of racism that must be countered nationally and internationally. Member States that had voted against or abstained from voting on previous resolutions on that subject were urged to reconsider their position and to demonstrate the broadest possible support.

7. **Ms. Sharma** (Secretary of the Committee) announced that the Congo and the United Republic of Tanzania had also joined the sponsors.

**Agenda item 68: Right of peoples to self-determination** *(continued)* (A/C.3/68/L.66)

*Draft resolution A/C.3/68/L.66: Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*

8. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the sponsors, said that Eritrea, Myanmar, Sri Lanka, and Saint Vincent and the Grenadines had also joined the sponsors. She drew attention to the contributions of the Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

and to the importance of building on the work of the Special Rapporteur on the use of mercenaries in strengthening the international legal framework for the prevention and punishment of the recruitment, use, financing and training of mercenaries. The draft resolution aimed to enhance the promotion and protection of human rights, particularly the right to self-determination, and to help tackle the impact of the activities of private military and security companies on the enjoyment of human rights.

9. **Ms. Sharma** (Secretary of the Committee) announced that the Comoros, El Salvador and Namibia had also joined the sponsors.

**Agenda item 69: Promotion and protection of human rights** (*continued*)

- (a) **Implementation of human rights instruments** (*continued*) (A/C.3/68/L.33/Rev.1)
- (b) **Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/C.3/68/L.40, A/C.3/68/L.44, A/C.3/68/L.50, A/C.3/68/L.54, A/C.3/68/L.58, A/C.3/68/L.59, A/C.3/68/L.60 and A/C.3/68/L.62)

*Draft resolution A/C.3/68/L.62: Protection of migrants*

10. **Ms. Diaz Gras** (Mexico), introducing the draft resolution, said that the Plurinational State of Bolivia had joined the sponsors. The draft resolution recalled that the human rights enshrined in the major international human rights instruments were universal and should not be affected by a person's migration status. States should protect the rights of all migrants in their territories. The draft resolution called for the implementation of the Declaration adopted by the General Assembly at the second High-level Dialogue on International Migration and Development, held on 3 and 4 October 2013, which highlighted the importance of the inclusion of migration in the post-2015 development agenda, with a focus on human rights.

11. The draft resolution also required the Secretary-General to submit to the General Assembly at its next session a report on its implementation that included an analysis of ways and means of promoting and protecting the rights of migrant children, particularly unaccompanied migrant children and children separated from their families.

12. **Ms. Sharma** (Secretary of the Committee) announced that Angola, Armenia, Burkina Faso, Burundi, Chile, Ecuador, Egypt, Haiti, Kyrgyzstan, Nigeria, Paraguay, Senegal and Uruguay had also joined the sponsors.

*Draft resolution A/C.3/68/L.40: The safety of journalists and the issue of impunity*

13. **Mr. Iakovidis** (Greece), introducing the draft resolution, said that Armenia, Colombia, Croatia, Cyprus, El Salvador, France, Luxembourg, the Netherlands, Peru, Poland, Slovenia, Spain and Turkey had joined the sponsors.

14. The killing of two French journalists in Mali on 2 November 2013 had not been an isolated incident: over the past 10 years, more than 600 journalists, media professionals and associated personnel had lost their lives while performing their duties. Security Council resolution 1738 (2006) of 23 December 2006, which urged Member States to do their utmost to prevent violence against journalists and media workers, to investigate crimes against them and to bring the perpetrators to justice, had been a milestone, but more than 80 per cent of the journalists killed recently had had their lives taken not while carrying out their duties as foreign correspondents, but in their offices, on their way to or from work or in their homes, mostly outside the context of armed conflict.

15. The draft resolution contained a reference to the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, on which the United Nations Educational, Scientific and Cultural Organization (UNESCO) Work Plan on Safety of Journalists and the Issue of Impunity, adopted in March 2013, had been based. It invited Member States to work towards a free and safe environment for journalists and media workers in both conflict and non-conflict situations.

16. **Ms. Sharma** (Secretary of the Committee) announced that Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Mali, Nigeria, Panama, Paraguay, the Republic of Korea and Serbia had also joined the sponsors.

*Draft resolution A/C.3/68/L.44: International Convention for the Protection of All Persons from Enforced Disappearance*

17. **Mr. Cabouat** (France), introducing the draft resolution, said that Armenia, Azerbaijan, Bosnia and Herzegovina, Colombia, Croatia, the Czech Republic, Denmark, Ecuador, Estonia, Gabon, Iceland, Ireland, Jordan, Latvia, Malta, Mexico, Mongolia, Peru, Portugal, Romania, Slovakia, The former Yugoslav Republic of Macedonia and Uruguay had joined the sponsors.

18. The draft resolution would make a significant contribution towards protecting victims of enforced or involuntary disappearance and combating impunity. The International Convention for the Protection of All Persons from Enforced Disappearance had been signed by 93 States, and 40 States had become parties to it. He commended the Working Group on Enforced or Involuntary Disappearances on the assistance that it had been providing to victims' families over the past 30 years in order to shed light on cases of enforced disappearance.

19. **Ms. Sharma** (Secretary of the Committee) announced that Andorra, Burkina Faso, Côte d'Ivoire, Georgia, Honduras, Mali, Norway, Panama, Serbia and Venezuela (Bolivarian Republic of) had also joined the sponsors.

*Draft resolution A/C.3/68/L.50: National institutions for the promotion and protection of human rights*

20. **Mr. Wittig** (Germany), introducing the draft resolution, said that Armenia, Belgium, Latvia, Luxembourg, New Zealand, Romania, Spain and the United Kingdom had joined the sponsors. The main goal of the draft resolution was to underscore the crucial role that national human rights institutions played in the promotion and protection of human rights both at the domestic level and within the international human rights protection system, especially the Human Rights Council and its Universal Periodic Review mechanism, special procedures and human rights treaty bodies. The draft resolution stressed the importance of the independence of national institutions, in line with the Paris Principles.

21. The draft resolution sought to keep pace with developments that could have an impact on the functioning of national human rights institutions. Such developments included new legislation and administrative

regulations that were making it increasingly difficult for non-governmental organizations and human rights defenders to pursue their human rights activities, reprisals against human rights defenders for cooperating with regional or international human rights institutions and reprisals or intimidation against members and staff of national institutions. The draft resolution took up some of the recommendations contained in the report of the Special Rapporteur on the situation of human rights defenders to the twenty-second session of the Human Rights Council.

22. Since participation by national human rights institutions in the work of the General Assembly had thus far been somewhat ad hoc, the Secretary-General was asked to take stock of the level and forms of their current participation in his next report to the General Assembly and to explore ways of enabling them to participate independently in the relevant United Nations mechanisms and processes, in accordance with their mandates.

23. **Ms. Sharma** (Secretary of the Committee) announced that Andorra, Bulgaria, the Dominican Republic, Guatemala, Honduras, Malta, Mongolia, Morocco, Panama, Paraguay, the Republic of Korea, Serbia and Uruguay had also joined the sponsors.

*Draft resolution A/C.3/68/L.54: Subregional Centre for Human Rights and Democracy in Central Africa*

24. **Ms. Mballa Eyenga** (Cameroon), introducing the draft resolution, said that Angola, Burundi, Chad, the Democratic Republic of the Congo, Equatorial Guinea, Guinea, Israel, Nigeria and Sao Tomé and Príncipe had joined the sponsors. The draft resolution was based on General Assembly resolution 66/162, but featured two new paragraphs, 5 and 6, inspired by the Secretary-General's report on the Subregional Centre for Human Rights and Democracy in Central Africa (A/68/390). That report showed that, after 12 years in operation, the Centre had achieved some of its goals in different countries of the subregion and increasingly was being called upon to act by Member States in the subregion. The Secretary-General and the United Nations High Commissioner for Human Rights were therefore requested to continue to support the Centre's work.

25. **Ms. Sharma** (Secretary of the Committee) announced that Chile, Comoros, Egypt, Haiti, Liberia, Mauritania, Niger and Pakistan had also joined the sponsors.

*Draft resolution A/C.3/68/L.58: Promotion of a democratic and equitable international order*

26. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution, said that Armenia, Eritrea, Myanmar, the Russian Federation, Sri Lanka, Saint Vincent and the Grenadines had joined the sponsors.

27. **Ms. Sharma** (Secretary of the Committee) announced that Burkina Faso, Burundi, Comoros, the Congo, Ecuador, Mali, Namibia, Niger, Pakistan, Tunisia and Uganda had also joined the sponsors.

*Draft resolution A/C.3/68/L.59: Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity*

28. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution, said that Eritrea, Myanmar, the Russian Federation, Saint Vincent and the Grenadines, Sri Lanka, and Turkmenistan had joined the sponsors.

29. **Ms. Sharma** (Secretary of the Committee) announced that Comoros, Gabon, Guinea, Mali, Pakistan, Saint Lucia and Viet Nam had also joined the sponsors.

*Draft resolution A/C.3/68/L.60: Right to food*

30. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution, said that Armenia, Azerbaijan, Eritrea, Myanmar, Oman, Qatar, the Russian Federation, Saint Vincent and the Grenadines and Turkmenistan had joined the sponsors of the draft resolution and noted that while the right to food had been reaffirmed in numerous international instruments, for many people it remained remote.

31. **Ms. Sharma** (Secretary of the Committee) announced that Comoros, the Congo, the Democratic Republic of the Congo, El Salvador, Gabon, Guinea, Kuwait, Kyrgyzstan, Mali, Monaco, Morocco, Namibia, Niger, Pakistan, Saint Lucia, Samoa, South Sudan, Togo, Tunisia, the United Arab Emirates and Viet Nam had also joined the sponsors.

*Draft resolution A/C.3/68/L.33/Rev.1: Torture and other cruel, inhuman or degrading treatment or punishment*

32. **The Chair** announced that the draft resolution had no programme budget implications.

33. **Ms. Kofoed** (Denmark), speaking on behalf of the sponsors listed in the draft resolution as well as Spain and Timor-Leste, said that Angola, Belize, Canada, Côte d'Ivoire, the Dominican Republic, Ecuador, Haiti, Israel, Montenegro, Mongolia, Morocco, Nicaragua, Panama, the Republic of Moldova, Ukraine and Venezuela (Bolivarian Republic of) had joined the sponsors of the draft resolution, which was aimed at addressing the continuing reports of torture in all parts of the world.

34. **Ms. Sharma** (Secretary of the Committee) announced that Gabon, Tunisia had also joined the sponsors.

*Draft resolution A/C.3/68/L.33/Rev.1 was adopted.*

35. **Mr. Elbahi** (Sudan) said that his delegation had joined in the consensus on the draft resolution because the laws of his country prohibited torture and did not tolerate impunity. He nevertheless expressed reservations about the references to the International Criminal Court in the seventh preambular paragraph and in paragraph 16.

*The meeting rose at 4.05 p.m.*