



General Assembly

Sixty-eighth session

Official Records

Distr.: General
11 November 2013

Original: English

Third Committee

Summary record of the 37th meeting

Held at Headquarters, New York, on Friday, 1 November 2013, at 10 a.m.

Chair: Mr. Thórsson (Vice-Chair) (Iceland)

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In the absence of Mr. Tafrov (Bulgaria), Mr. Thórsson (Iceland), Vice-Chair, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 69: Promotion and protection of human rights (continued) (A/68/487)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (A/68/56, A/68/176-177, A/68/185, A/68/207-210 and Add.1, A/68/211, A/68/224-256, A/68/261-262, A/68/268, A/68/277, A/68/279, A/68/283-285, A/68/287-290, A/68/292-294, A/68/296-299, A/68/301, A/68/304, A/68/323, A/68/345, A/68/362, A/68/382 and Corr.1, A/68/389-390, A/68/496 and A/67/931)

(c) Human rights situations and reports of special rapporteurs and representatives (continued) (A/68/276, A/68/319, A/68/331, A/68/376-377, A/68/392, A/68/397, A/68/503, A/C.3/68/3 and A/C.3/68/4)

1. **Ms. Alsaleh** (Syrian Arab Republic) said that certain countries refused to accept the fact that the dangerous Al-Qaida terrorist organization was operating in her country and, with Saudi and Qatari funding and Turkish and French weapons, perpetrating the most barbarous violations of the human rights of the Syrian people. Shocking images of terrorists slaughtering and eating the hearts of innocent Syrians had been broadcast around the world. The only crimes of the victims had been to oppose Al-Qaida's extremist ideology and perverse, un-Islamic conception of religion and to defend a unified, secular Syria free of discrimination in which all lived in security.

2. It was plain for all to see that weapons were being smuggled to terrorists and mercenaries across the Syrian borders with Turkey, guided by the Turkish regime, which had opened 900 kilometres of those borders to thousands of foreign mercenaries and Al-Qaida fighters to sneak into Syria and kill its people. American, Qatari and Saudi intelligence services had become involved in the conflict to destabilize Syria and were terrorizing its people and accusing the Syrian Government of doing so, using the media as their proxy. A prominent French newspaper had recently confirmed American involvement in the smuggling of weapons into Syria under Saudi supervision. International reports had also confirmed the involvement of Qatari

officers in transferring toxic chemical materials to armed terrorist groups from Libya through Turkish territory, with the knowledge of the Turkish authorities. Her delegation assured the Turkish regime that those terrorists would soon return to the training camps on Turkish soil and that neither Turkey nor the other neighbouring countries would remain unscathed. The ongoing demonstrations of the Turkish people against the Turkish regime and its senseless domestic and foreign policy gave cause for concern.

3. Despite the ongoing events, her Government was continuing to implement a series of political and other reforms and had adopted a number of decrees granting amnesty to the perpetrators of crimes prior to and during the crisis, provided that those persons turned themselves in, surrendered their weapons and declared their willingness to no longer bear arms against the Syrian people and State. As a result, dozens of former combatants were being released monthly. The Syrian Arab Republic had also secured the passage of international organizations involved in the humanitarian response to Syrians harmed by the events, making every effort to protect humanitarian staff and ensure that their assistance reached all those in need of it. Visitors to the country in recent times, including Mr. Lakhdar Brahimi, had left with a positive impression of her Government and the Syrian people, which demonstrated that the Syrian Arab Republic had nothing to hide. The success of any political solution in the Syrian Arab Republic would require discontinuing all support for terrorist groups and pressuring those States which backed them to stop providing them with weapons and logistical assistance, thereby putting an end to terrorism in her country.

4. **Mr. Vu Anh Quang** (Viet Nam) said that unprecedented progress towards the promotion and protection of human rights had been achieved since the adoption of the Universal Declaration of Human Rights in 1948. However, increasingly complex and unpredictable challenges persisted, with poverty, malnutrition, disease, illiteracy and social, political and economic instability having negative repercussions on the enjoyment of human rights and fundamental freedoms worldwide. International cooperation and coordination efforts must therefore be redoubled in order to address those challenges. The role of the United Nations human rights mechanisms, including that of the special-procedures mandate holders, was of particular importance in that regard.

5. A party to nearly all the main international human rights instruments, Viet Nam had enshrined the protection of human rights in its Constitution, domestic legislation and national protection mechanisms, which were underpinned by the rule of law, ensuring a constant improvement in the protection of human rights and fundamental freedoms. His Government would be signing the Convention against Torture and ratifying the Convention on the Rights of Persons with Disabilities in the next few months. It had recently taken steps to strengthen dialogue and cooperation with the United Nations special-procedures mandate holders, four of whom had visited the country since 2010; a fifth, the Special Rapporteur in the field of cultural rights, was slated to visit in late 2013. His Government had extended an invitation to the Special Rapporteurs on freedom of religion or belief, on the right to education and on the right to food.

6. **Ms. Vadiati** (Islamic Republic of Iran) said that, after the recent presidential election, the Islamic Republic of Iran had reemphasized its dedication to the promotion and protection of human rights and the rule of law at national and international levels. She wondered whether any Member State could claim a perfect record on human rights issues that would exempt it from international scrutiny. A biased approach to human rights situations in some countries and not in others eroded the credibility and effectiveness of the United Nations human rights monitoring mechanisms. It was regrettable that the current system of human rights monitoring opened the way to selective and counter-productive treatment by a group of countries which claimed to be champions of human rights. Her delegation deplored the rise in the number of country-specific mandates and resolutions — despite the existence of the Human Rights Council's universal periodic review mechanism — a phenomenon that turned the concept of human rights into a tool of foreign policy for certain States. It was no wonder that under such a system, Canada, whose human rights record was questionable, particularly with regard to indigenous peoples and religious, linguistic and ethnic minorities, presumed to be a champion of human rights. Despite Canada's recent engagement with the Special Rapporteur on the rights of indigenous peoples, daunting challenges remained. Indigenous women, and women of African and Asian origin, continued to face serious discrimination in law and practice. Her Government called on Canada to address the issue of human rights abuse in a more comprehensive manner

and to establish a formal mechanism for fulfilment of its international human rights obligations.

7. Her Government invited the European Union to use the momentum engendered by the recent presidential election in the Islamic Republic of Iran to take a new approach to human rights that was based on dialogue, constructive engagement, cooperation and mutual respect. It expressed concern about increased human rights violations in some European Union countries. Such emerging forms of human rights violations as the mass and unwarranted surveillance of the private and public life of people across the world, the continued use of drones as a means of escaping accountability for military actions and the imposition of unilateral and extraterritorial sanctions reminded the international community of the obligation to take an impartial, balanced and non-politicized approach to human rights situations.

8. **Mr. Sareer** (Maldives) said that the Constitution of the Maldives included a comprehensive bill of rights and provided for a democratic governance structure. However, respect for human rights must be cultivated at the national and international levels in order to complement formal and statutory measures for the promotion of human rights. His Government had been proud to use its tenure on the Human Rights Council to create a voice for small island developing States within the Council, in addition to helping those States and new and emerging democracies to bring their national human rights mechanisms up to international standards. It had led and supported a number of initiatives, including the establishment of a voluntary fund to support participation of least developed countries and small island developing States in the work of the Council and the provision of assistance to enable countries without representation in Geneva to continue with their universal periodic review presentations. At the Council, his Government had continued to forge a strong partnership with international stakeholders with a view to attaining an effective and results-oriented global human rights protection system underpinned by several key principles, including the inviolable and universal nature of human rights, the need for non-selective, equitable and non-politicized promotion and protection of human rights and the need for human rights promotion to be inclusive of all peoples regardless of nationality, religion or ethnicity.

9. The Maldives had achieved a great deal in the eight years since its democratic transition had begun in

2004, in part through its engagement with the United Nations human rights mechanisms, and its partnership with other countries and relevant civil society organizations. While his Government welcomed all the country reports on the Maldives by special-procedures mandate holders, it sometimes had difficulty in implementing all the recommendations at once, given the country's small size and its technical, financial and capacity-related limitations and environmental vulnerabilities. Given that meaningful change could only come with time, through the consolidation of democracy and the cultivation of the value of respect for human rights, his delegation was confident that its ongoing efforts would result in sustainable change in the long run. It believed that its membership in the Human Rights Council would greatly enhance those efforts and had already led his Government to enact important human rights legislation, such as the Disabilities Act and the Domestic Violence Act, and ratify several relevant international instruments.

10. **Ms. Boissiere** (Trinidad and Tobago) said that her Government endeavoured to promote and protect human rights and fundamental freedoms not merely through its legislature but also through social policies and programmes. The Constitution mandated that the State and all those acting on its behalf must respect and uphold the rights enshrined in the international human rights instruments to which Trinidad and Tobago was a party. Her Government was a signatory to the Convention on the Rights of Persons with Disabilities and was working towards its ratification

11. Bearing in mind the importance of the family as the fundamental unit of society, her Government had taken steps to protect the family unit; it had adopted programmes to support the most vulnerable families, including large and single-parent households, and had enacted legislation on family law. Trinidad and Tobago also accorded high priority to gender equality and the advancement of women; the right to education and to the highest attainable standard of health; and the promotion and protection of the rights of children, as evinced by relevant national laws, policies and programmes. Primary and secondary school education was compulsory and free for all children, and increasing access to skills training and tertiary education remained high on the national agenda. Moreover, a series of programmes aimed at individuals qualified to pursue tertiary education covered the cost of tuition and related expenses. Other steps taken

included broadening access to information and communication technology and offering public education programmes on such issues as health, safety, human rights, drug abuse and spousal abuse. In the area of health, a number of public hospitals and clinics offered services at no cost to citizens, and there were other programmes, including a chronic disease assistance programme through which medications for non-communicable diseases were provided free of charge through public health facilities.

12. In spite of the efforts being made, challenges remained; Trinidad and Tobago, as a developing country, faced practical constraints, including the haemorrhaging of health professionals through aggressive foreign recruitment. In that regard, cooperation and assistance were required to enable her Government to develop the capacity necessary to collect data and monitor and evaluate progress towards the achievement of targets. In closing, she recalled that all States enjoyed the sovereign right to determine their national laws, policies and priorities and the manner in which they would be implemented at the national level. However, Trinidad and Tobago would continue to work with the international community towards ensuring the promotion and protection of human rights.

13. **Mr. Mnisi** (Swaziland) said that his country's Constitution enshrined human rights and fundamental freedoms in accordance with a number of regional and international instruments. Swaziland trusted the professionalism and political impartiality of the special procedures of the Human Rights Council and sought constructive engagement with the United Nations human rights mechanisms, including the universal periodic review, which constituted the main intergovernmental mechanism for the review of human rights issues at the national level. It therefore rejected the establishment of any additional country-specific tools, which would lead to politicization, double standards and selectivity.

14. The comments about his Government contained in paragraph 55 of the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association (A/68/299) were non-objective and non-factual. The deregistration of the Trade Union Congress of Swaziland (TUCOSWA) had not been linked to the 2013 electoral process but had instead resulted from the failure of the parties concerned to follow all due processes of law when applying for recognition. In January 2012 the Commissioner of

Labour had issued a certificate of registration to TUCOSWA on the understanding that the registration had been in conformity with the provisions of the Industrial Relations Act of 2000. However, the Office of the Attorney-General had subsequently advised TUCOSWA that its registration was null and void because TUCOSWA was not an organization as defined in that Act, which contained no provision for a combination of several trade unions, as seemed to be the intention of TUCOSWA. Moreover, the failure to provide certain information to the Commissioner of Labour in the prescribed form required for registration had resulted in another irregularity. Following the advice of the Attorney-General, the Commissioner of Labour had since withdrawn the certificate of registration, and would soon begin to facilitate the amendment of the act, in consultation with employers and workers, in order to fast track the registration of federations in general and the merger of federations applied for by TUCOSWA. He wished to clarify that although the Swaziland Federation of Trade Unions and the Swaziland Federation of Labour still existed, there was no law that provided for the existence of two federations; however, their existence could be nullified only by invoking the provisions of section 38 of the Industrial Relations Act.

15. **Ms. Semasinghe** (Sri Lanka) said that in the aftermath of a debilitating terrorist conflict, her country was making every effort to consolidate the hard-won peace by strengthening its democratic institutions while proactively seeking reconciliation and promoting human rights. It was continuing its engagement with United Nations mechanisms and bilateral partners. Despite being a middle-income country, Sri Lanka had achieved or was on its way to achieving the Millennium Development Goals, as demonstrated by several statistics indicating a significant decline in poverty. The goal of universal primary education would be easily achieved by 2015, as countrywide net enrolment had reached 99 per cent in 2010. Moreover, thanks to the country's strong educational infrastructure, the unemployment level had dropped to 3.9 per cent in 2012. In order to maintain a stable economy during the transition from humanitarian assistance to development and reconciliation, significant resources had been allocated for investment in the conflict-affected North and East of the country between 2006 and 2011. Both areas had registered strong economic growth rates as a result.

16. Her Government had taken a proactive approach to post-conflict reconstruction and reconciliation. It had established a Lessons Learnt and Reconciliation Commission which had made recommendations on the reasons for the conflict and how to avoid a recurrence, recommendations that had been the basis for a national plan of action consistent with the national plan of action on the promotion and protection of human rights, an outcome of Sri Lanka's engagement with the universal periodic review since 2008. In order to address the people's development needs while achieving sustainable national reconciliation, her Government had taken a number of legislative, administrative, institutional and confidence-building measures, including extending an invitation to the High Commissioner for Human Rights to the country. During her visit, in August 2013, the High Commissioner had been given unrestricted access to all parts of the country and had met with a wide spectrum of people from the Government and the opposition, civil society, the youth parliament and human rights activists.

17. Sri Lanka's human rights protection framework was based on its ratification of seven core human rights treaties and other related international instruments. Fundamental rights were enshrined in the Constitution and enforced by the judiciary. Her Government had consistently maintained that the universal periodic review mechanism was the most appropriate platform for addressing human rights situations in all countries in an objective and constructive spirit. Visits from the Special Rapporteurs on the human rights of internally displaced persons and on the right to education were planned for the coming months. The budgetary challenges faced by the Office of the High Commissioner for Human Rights must be addressed through more sustainable resourcing, most of which should come from the United Nations regular budget. Moreover, the activities of the Office must be planned in a more predictable and transparent way. Economic, social and cultural rights remained disproportionately marginalized and, as such, efforts to mainstream them must be redoubled. Lastly, while prescriptions relating to national reconciliation developed elsewhere might not always suit Sri Lanka's sociocultural needs, her Government would continue to work with the Human Rights Council and its mechanisms and called for constructive, fair and objective assessments of its post-conflict situation based on realities on the ground.

18. **Mr. Richter** (International Organization for Migration (IOM)) said that respect for the human dignity and promotion of the well-being of migrants, in accordance with international law, was central to his organization's mandate. Migrants' rights were human rights. In connection with the report (A/68/283) of the Special Rapporteur on the human rights of migrants, IOM fully agreed that the issue of the human rights of migrants underpinned all other migration issues, which were themselves interwoven. IOM programmes and projects were rights-based, and the organization helped States design rights-based migration policies, which reduced migration-related risks and helped increase awareness and protection of migrants' rights. IOM also agreed that migration governance should be focused on human rights, and would welcome increased dialogue and collaboration with the Special Rapporteur. It endorsed the view that irregular migration status should be decriminalized, and diversity should be promoted in order to combat xenophobia and violence against migrants.

19. Regarding the report of the Secretary-General on the promotion and protection of human rights, including ways and means to promote the human rights of migrants (A/68/292), the emerging consensus on the post-2015 development agenda was that it must leave no one behind. However, if that agenda was to truly tackle exclusion and inequality, it must address all migrants' experiences of discrimination, violence, abuse and exploitation, and should keep track of their human development outcomes compared to the general population. The labour rights, human rights and well-being of migrants should be addressed in the new agenda through appropriately disaggregated indicators on health, education and productive employment, among others.

20. With regard to the report of the Special Rapporteur on the human rights of internally displaced persons (A/68/225), he said that the work of IOM in that area involved a wide variety of emergency response activities focusing on persons displaced by conflict or natural disasters. IOM assisted and protected internally displaced persons, returnees and host communities with the aim of contributing to durable solutions; internally displaced persons were assisted both within and outside camps. IOM worked closely within the humanitarian system to support national and local authorities in carrying out their responsibilities to provide protection and assistance

within their territories. In the light of the strong partnership, coordination and leveraging of expertise required by that work, he underscored the Special Rapporteur's recommendation on ensuring systematic and early engagement of humanitarian and development actors in order to promote an integrated approach from the early stages of displacement onwards, and on integrating durable solutions into peacebuilding and stabilization processes.

21. **Ms. Al-Temimi** (Qatar), speaking in exercise of the right of reply, said that the false allegations made by the Syrian delegation were an attempt to distract the Committee's attention away from the fact that, as indicated in United Nations reports, the Syrian regime was perpetrating horrific violations against its own people. Qatar would continue to support the Syrian people and work to alleviate its suffering, and would make its voice heard in the work of the Human Rights Council.

22. **Ms. Alsaleh** (Syrian Arab Republic), speaking in exercise of the right of reply, said that the delegation of Qatar was intent on remaining divorced from reality, merely restating the false allegations of its regime while ignoring its brutal policies with respect to the Syrian people. A single family held power in Qatar, with 250 members of that family joining the ranks of the opposition in exile. The Qatari citizenry was divided into unequal classes; and the Qatari regime committed grave human rights violations against its own people, including trafficking in women, penalizing thousands of nationals who opposed the regime by rescinding their citizenship, meddling in the internal affairs of other States to foment discord, and restricting public freedoms, using the so-called terrorism law as a pretext. Qatar's production of abundant oil revenue would not suffice to convince the world that it was a democratic State interested in protecting human rights in Syria.

The meeting rose at 11.05 p.m.