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Third Committee**Summary record of the 52nd meeting**

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Chairman: Mr. Al-Hanai (Oman)

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The meeting was called to order at 10.25 a.m.

Agenda item 119: Human rights questions (continued)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued) (A/C.3/56/L.40, L.42/Rev.1, L.49, L.62, L.63, L.65, L.67/Rev.1, L.68 and L.71)

1. **Ms. Newell** (Secretary of the Committee) said that the Department of General Assembly Affairs and Conference Services had informed her that the web address given in the footnote to paragraph 14 of draft resolution A/C.3/56/L.63 had been added in keeping with the usual editorial policy on electronic sources, according to which an Internet address must be supplied whenever a text mentioned a database or a web site.

Draft resolution A/C.3/56/L.67/Rev.1: Comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities

2. **Mr. Navarrete** (Mexico), introducing the draft resolution on behalf of the original sponsors, and Argentina, Brazil, Honduras and Suriname, recalled that there were more than 600 million persons with disabilities in the world, most of them in developing countries, and their numbers were increasing, thus making their living conditions worse. The purpose of the draft resolution was to call for an extensive process of consultation with a view to elaborating a comprehensive and integral international convention to protect and promote the rights and dignity of persons with disabilities, inasmuch as there was still no United Nations mechanism for meeting those needs. Drawing attention to paragraphs 1, 3, 4 and 5, he stressed that the work of the proposed Ad Hoc Committee should begin as soon as possible.

Draft resolution A/C.3/56/L.71: Protection of migrants

3. **Ms. Monroy** (Mexico) introduced the draft resolution on behalf of the original sponsors and Bangladesh, Honduras, Mauritius, Portugal, Sri Lanka, the Sudan, Suriname, Tunisia and Turkey, and read out a number of revisions to the text. In the third preambular paragraph, the words “and the World Conference against Racism, Racial Discrimination,

Xenophobia and Related Intolerance” should be deleted. The following new fourth preambular paragraph should be added: “*Recalling* that at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance a positive approach was taken to the issue of migration; recognizing the economic, social and cultural contributions of migrants to the countries of destination and origin and reaffirming the fundamental human rights of migrants and the responsibility of States to protect them”. The last preambular paragraph should be redrafted to read “*Taking note* of Advisory Opinion OC-16/99, issued by the Inter-American Court of Human Rights on 1 October 1999, on The Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law, in the case of foreign nationals detained by the authorities of a receiving State”. In the first line of paragraph 6, the word “parties” should be inserted after the word “States”. In paragraph 13 the phrase “and the importance of reuniting them with their parents, when possible and appropriate” should be inserted after the words “in the best interests of the children”.

4. Summarizing the contents of the draft, she drew attention to the seventh, eighth and tenth preambular paragraphs and paragraphs 1, 5, 6, 11, 12 and 14. She trusted that with the revisions she had just read out, the draft resolution would be adopted without a vote.

Draft resolution A/C.3/56/L.40: Human rights education

5. **The Chairman** invited the Committee to take action on the draft resolution, which had no programme budget implications.

6. **Ms. Tobing-Klein** (Suriname), speaking on behalf of her own delegation and those of Antigua and Barbuda, Bangladesh, Belize, Benin, Burkina Faso, Cameroon, Costa Rica, the Democratic Republic of the Congo, Dominica, Fiji, Grenada, Haiti, Kenya, Namibia, the Netherlands, Saint Kitts and Nevis, Saint Lucia, Sierra Leone and Togo, announced a number of revisions to the draft resolution. In the fourth preambular paragraph, the phrase “a human-rights-based approach towards development” should be replaced by the phrase: “human rights education”. In the fifth preambular paragraph, the word “the” should be replaced by “a”. In paragraph 3, the word “relevant” should be inserted between “invites” and “regional”, and the phrase between brackets should be deleted. In

paragraph 4, the word “Encourages” should be replaced by the words “Recognizes the role that”; the words “to develop and implement” should be replaced by “play in developing and implementing”; and the words following “adults” should be deleted. Thus, the paragraph would read: “*Recognizes* the role that non-governmental organizations play in developing and implementing strategies to assist Governments to integrate human rights education into levels of education for children, youth and adults.”

7. **Ms. Reynolds** (United States of America) said that in paragraph 4 of the draft resolution, the word “all” should be inserted before the word “levels”.

8. *The draft resolution, as orally revised, was adopted without a vote.*

Draft resolution A/C.3/56/L.42/Rev.1: Enhancement of international cooperation in the field of human rights

9. **The Chairman** invited the Committee to take action on the draft resolution, which had no programme budget implications.

10. *The draft resolution was adopted without a vote.*

Draft resolution A/C.3/56/L.49: Human rights and cultural diversity

11. **The Chairman** invited the Committee to take action on the draft resolution, which had no programme budget implications.

12. **Ms. Vadiati** (Islamic Republic of Iran) said that two revisions should be made to the draft resolution. The sixth preambular paragraph should be amended to read: “Welcoming the contribution made through the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa from 31 August to 7 September 2001, to the promotion of respect for cultural diversity”. In the first sentence of paragraph 6, the words “the recognition by” should be replaced by “the recognition at”. The following countries had joined the sponsors: Bangladesh, Comoros, Haiti, Senegal, Sierra Leone, Suriname, Thailand, Togo and the United Republic of Tanzania.

13. *The draft resolution, as orally revised, was adopted without a vote.*

14. **Ms. Leyton** (Chile) said that although her delegation had joined the consensus because it upheld

the principle of cultural diversity, it considered that given the universal nature of human rights, there was no reason to limit the rights embodied in the Universal Declaration of Human Rights and other international instruments on the promotion and protection of those rights.

15. **Ms. Yates** (Canada) said that although her delegation had joined the consensus because it believed that respect for cultural diversity contributed to peace and development, it felt that the draft resolutions should be compatible with international community law and should not prevent the various sectors of society from participating in political, economic and social life. Moreover, the draft resolution should have referred to the close relationship between discrimination on religious and linguistic grounds and discrimination based on racism, and it should have been more balanced in its reference to the World Conference against Racism.

Draft resolution A/C.3/56/L.62: Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

16. **The Chairman** invited the Committee to take action on draft resolution A/C.3/56/L.62, which had no programme budget implications, and announced that Cambodia, Colombia, Kenya, Lesotho, Mali, Sierra Leone, Suriname and Tunisia had become sponsors. If he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

17. *Draft resolution A/C.3/56/L.62, as orally revised, was adopted without a vote.*

18. **Ms. Al Haj Ali** (Syrian Arab Republic) said that although her delegation had joined the consensus, it wished to place on record its view that States should not interfere in the internal affairs of other States, and that delegations should not be selective in their consideration of the item. It was unfortunate that the draft resolution did not include a paragraph on the responsibility of individuals, groups and organizations to promote and protect human rights and fundamental freedoms. The omission made the draft resolution unbalanced.

19. **Mr. Bhattacharjee** (India) said that his delegation had joined the consensus, but wished to clarify one point. The words “Notes with appreciation”

at the beginning of paragraph 2 did not mean that India supported or endorsed the content of the report mentioned in the paragraph.

Draft resolution A/C.3/56/L.63: Protection of and assistance to internally displaced persons

20. **The Chairman** invited the Committee to take action on draft resolution A/C.3/56/L.63, which had no programme budget implications, and announced that Mauritius had become a sponsor.

21. **Mr. Valvatne** (Norway) said that in paragraph 14, the words “Also welcomes” should be replaced by the word “Notes”. He hoped the draft resolution would be adopted by consensus.

22. **Mr. Roshdy** (Egypt) said that in view of the alarming increase in the number of internally displaced persons, the international community must assist States to meet their needs. In that context, his delegation reiterated its request to the Representative of the Secretary-General on internally displaced persons to seek the views of Member States on the Guiding Principles which he had developed. Until that request had been met, the issue of the Guiding Principles would continue to overshadow the consideration of the item every year and divert attention from the real issue, which was the provision of assistance to internally displaced persons.

23. **The Chairman** said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

24. *Draft resolution A/C.3/56/L.63, as orally revised, was adopted.*

25. **Ms. Al Haj Ali** (Syrian Arab Republic) said that her delegation had joined the consensus because it attached great importance to assistance to internally displaced persons. However, the Guiding Principles on Internal Displacement referred to in paragraph 6 of the draft resolution should be negotiated or agreed on by an intergovernmental body.

Draft resolution A/C.3/56/L.65: Human rights and mass exoduses

26. **The Chairman** invited the Committee to take action on draft resolution A/C.3/56/L.65, which had no programme budget implications, and announced that Cape Verde and the Russian Federation had become sponsors.

27. **Ms. Vezina** (Canada) said that in the next-to-last line of paragraph 8, the word “afford” should be replaced by the word “ensure”. She hoped that the draft resolution would be adopted by consensus.

28. **The Chairman** said that if he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

29. *Draft resolution A/C.3/56/L.65, as orally revised, was adopted.*

Draft resolution A/C.3/56/L.68: Situation of human rights in Cambodia

30. **The Chairman** invited the Committee to take action on draft resolution A/C.3/56/L.68, which had no programme budget implications, and announced that Greece had become a sponsor. If he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

31. *Draft resolution A/C.3/56/L.68, as orally revised, was adopted.*

32. **Ms. Thong** (Cambodia) said that her country had always striven to strengthen democracy and promote and protect human rights, and to that end, it had cooperated with the Office of the United Nations High Commissioner for Human Rights. One week earlier, the Government had signed a memorandum of understanding with the Special Representative of the Secretary-General for human rights in Cambodia.

(c) Human rights situations and reports of special rapporteurs and representatives (continued)

Draft resolution A/C.3/56/L.56: Situation of human rights in the Democratic Republic of the Congo

33. **Ms. Stevens** (Belgium) introduced the draft resolution on behalf of the European Union and the other original sponsors, as well as Australia, the Czech Republic, Estonia, Japan, Malta, San Marino and Slovenia, and read out a number of revisions to the text. The following phrase should be added at the end of the fourth preambular paragraph: “and welcoming the decision of the Security Council to authorize the start-up of phase III of the deployment of MONUC”. In the first line of the seventh preambular paragraph, the phrase “for the development of the inter-Congolese dialogue” should be replaced by the phrase “for the continuation of the inter-Congolese dialogue”. In

paragraph 1 (h), the following text should be inserted after the phrase “child soldiers would in future no longer be recruited”: “and, in that context, the ratification by the Democratic Republic of the Congo of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict”. At the end of paragraph 2 (b) the following words should be added: “while welcoming the scheduled resumption of the process in South Africa”. In paragraph 2 (c), the words “all the forces present in the territory of the Democratic Republic of the Congo” should be replaced by “the occupying forces”. In paragraph 2 (c) (v), the words “and execution” should be deleted. In paragraph 3 (b), the text following “Lusaka Ceasefire Agreement” should be deleted, and the following phrase should be added at the end of paragraph 4 (b): “while encouraging the continuation of the moratorium on executions in force.”

34. Among other things, the draft resolution recognized the progress achieved in the field of human rights, expressed concern at the continuing violations of human rights, recognized the serious effect of the conflict on human rights and stressed the importance of the inter-Congolese dialogue and of compliance with the Lusaka Ceasefire Agreement.

Agenda item 112: Advancement of women (*continued*) (A/C.3/56/L.21/Rev.1)

Draft resolution A/C.3/56/L.21/Rev.1: The situation of older women in society

35. **The Chairman** invited the Committee to take action on the revised draft resolution, which had no programme budget implications.

36. **Ms. Tobing-Klein** (Suriname) announced that Belgium, Germany, Luxembourg, the Netherlands, Portugal, Saint Kitts and Nevis, Spain and Trinidad and Tobago had become sponsors of the draft resolution. In the first preambular paragraph, the words “the obligations contained in human rights instruments, in particular the Convention” should be replaced by “their obligations under human rights instruments, in particular the Convention”. Afghanistan, Bangladesh, Bolivia, Burkina Faso, Chile, Colombia, Croatia, Cyprus, Fiji, Greece, Guatemala, Guinea, Honduras, Ireland, Italy, Panama, the Philippines and Uganda had also joined the sponsors of the revised draft resolution.

37. *The draft resolution, as orally revised, was adopted without a vote.*

Agenda item 114: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/C.3/56/L.72 and L.73)

Draft resolution A/C.3/56/L.72: Assistance to refugees, returnees and displaced persons in Africa

38. **The Chairman** invited the Committee to take action on the draft resolution, which had no programme budget implications.

39. **Ms. Otiti** (Uganda), speaking on behalf of the Group of African States, announced that Austria, Brazil, Chile, Spain, the United Kingdom and the United States had become sponsors of the draft resolution.

40. *The draft resolution was adopted without a vote.*

Draft resolution A/C.3/56/L.73: Assistance to unaccompanied refugee minors

41. **The Chairman** invited the Committee to take action on the draft resolution, which had no programme budget implications, and announced that Angola had become a sponsor.

42. *The draft resolution was adopted without a vote.*

43. **The Chairman** suggested that the Committee should recommend to the General Assembly that it should take note of the Note by the Secretary-General on the Audit of the United Nations High Commissioner for Refugees Operations in Albania (A/56/128).

44. *It was so decided.*

Agenda item 113: Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled “Women 2000: Gender equality, development and peace for the twenty-first century” (*continued*) (A/C.3/56/L.80)

45. **Mr. García González** (El Salvador), Vice-Chairman, reporting on the consultations held on the text suggested by the Chairman entitled “Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and

Platform for Action and the outcome of the twenty-third special session of the General Assembly” (A/C.3/56/L.80) said that after complex but fruitful informal consultations, a compromise text had been agreed on which reflected the delicate balance achieved by members of the Committee and which took into account the interests of all delegations.

46. The draft resolution recalled the main activities carried out by all the bodies of the United Nations system to implement the commitments undertaken in the context of the Beijing Declaration and Platform for Action and the twenty-third special session of the General Assembly. It emphasized the importance of strengthening international cooperation in carrying out those commitments and, in particular, the mainstreaming of the gender perspective in all areas of the work of the United Nations. Since the report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance had not yet been presented, it had been necessary, during the consultations, to change slightly the eighth preambular paragraph; that change was incorporated in the text before the Committee. With that amendment, the draft resolution could be adopted by consensus by the Third Committee.

The meeting rose at 12.10 p.m.