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Chair: Mr. Tafrov (Bulgaria)

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

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

- (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (A/C.3/68/L.47, A/C.3/68/L.52/Rev.1, A/C.3/68/L.58, A/C.3/68/L.59, A/C.3/68/L.60/Rev.1, A/C.3/68/L.61/Rev.1, A/C.3/68/L.62/Rev.1 and A/C.3/68/L.74/Rev.1)

Draft resolution A/C.3/68/L.47: Globalization and its impact on the full enjoyment of all human rights

1. **The Chair** said that the draft resolution had no programme budget implications.

2. **Mr. Kandeel** (Egypt) said that Afghanistan, Algeria, Angola, Argentina, Botswana, Burundi, China, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, El Salvador, Eritrea, Gambia, Guinea, Guyana, India, Indonesia, Iraq, Malawi, Malaysia, Maldives, Mauritania, Nicaragua, Oman, Philippines, Rwanda, Saint Kitts and Nevis, Saint Lucia, Somalia, Sudan, United Arab Emirates, Uzbekistan and Viet Nam had joined the sponsors.

3. The draft resolution was an attempt to address the correlation between globalization and the global financial crisis, on the one hand, and the realization of all human rights, on the other. The text was pertinent to the post-2015 development agenda, as it emphasized that development should be at the centre of the international economic agenda and that narrowing the gap between rich and poor was essential for the full enjoyment of all human rights. It also urged transnational corporations to conduct their business operations in a responsible manner.

4. **Mr. Gustafik** (Secretary of the Committee) said that the following countries wished to join the list of sponsors: Belarus, Belize, Burkina Faso, Ethiopia, Haiti, Kenya, Lesotho, Niger, Senegal, United Republic of Tanzania and Venezuela (Bolivarian Republic of).

5. **The Chair** said that a recorded vote had been requested on draft resolution A/C.3/68/L.47.

6. **Mr. Kandeel** (Egypt) asked which delegation had requested the recorded vote.

7. **The Chair** said that the recorded vote had been requested by the delegation of the United States.

8. **Mrs. Kazragienė** (Lithuania), speaking on behalf of the European Union and its member States in explanation of vote before the voting, said that the European Union acknowledged that globalization could affect the full enjoyment of some human rights but that its impact should be assessed on a case-by-case basis. The draft resolution, however, generalized the problem by claiming that globalization had an impact on all human rights. It also focused almost exclusively on the negative aspects of globalization and ignored the positive ones, such as its potential for addressing acute problems such as extreme poverty. European Union member States would therefore vote against the draft resolution.

9. *A recorded vote was taken on draft resolution A/C.3/68/L.47.*

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Suriname, Swaziland, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

Against:

Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

10. Draft resolution [A/C.3/68/L.47](#) was adopted by 112 votes to 52, with no abstentions.¹

Draft resolution [A/C.3/68/L.52/Rev.1](#): United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region

11. **The Chair** said that the draft resolution had programme budget implications, as contained in document [A/C.3/68/L.74/Rev.1](#).

12. **Ms. Al-Mulla** (Qatar), speaking on behalf of the sponsors, said that the draft resolution was a response to the report of the Secretary-General on the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region and proposed action for the implementation of his recommendations. Increasing demand for the services of the Centre indicated that regional cooperation was central for advancing the promotion and protection of human rights.

13. **Mr. Gustafik** (Secretary of the Committee) said that Comoros, El Salvador, Ethiopia, Malawi, Niger and Nigeria had also joined the sponsors.

14. **Ms. Ali** (Bahrain), speaking on behalf of the Gulf Cooperation Council, said that the Centre was very important with regard to the human rights mandate and

helped non-governmental organizations working in the field of human rights. The Centre had promoted human rights awareness in her region, and consequently her delegation would support the resolution.

15. **The Chair** said that a recorded vote had been requested on draft resolution [A/C.3/68/L.52/Rev.1](#).

16. **Ms. Alsaleh** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that the Qatari delegation had once again contravened the simplest procedural matters in the work of the Committee by presenting to the Third Committee a draft resolution pertaining to budgetary matters that should be considered by the Fifth Committee. Before any discussion of allocating United Nations budgetary funds took place, the mandate, objectives, activities and achievements of the Centre must be examined, something that had yet to be done since its creation in 2005, indicating an absence of transparency in the process. Moreover, Qatar had pledged to cover the Centre's expenses when it had offered to host it. Against that backdrop, her delegation was mystified by Qatar's attempt to obtain funding for the Centre from the United Nations budget, particularly given the ongoing financial crisis of the Office of the United Nations High Commissioner for Human Rights. The Organization's dwindling resources should be put to more effective use.

17. The Centre had not carried out enough activities since its establishment to justify the attempt to obtain funding. The Centre had its headquarters in Doha, but was not a regional centre, as mandated by the General Assembly, but rather a national centre employed by the Qatari authorities in the service of their agenda of supporting non-governmental organizations and opposition elements in the States of the region in order to sow chaos and division and lay waste to their societies. For all those reasons, her delegation had requested a recorded vote on the draft resolution and would vote against it; she urged all other delegations to do the same.

18. **Ms. Robl** (United States of America), speaking in explanation of vote before the voting, said she was disappointed that one delegation had found it necessary to politicize the resolution. The United States delegation would vote in favour and encouraged other delegations to do the same.

19. A recorded vote was taken on draft resolution [A/C.3/68/L.52/Rev.1](#).

¹ The delegations of Azerbaijan, Bolivia (Plurinational State of), Brazil, Democratic Republic of the Congo, Djibouti, Eritrea, Jamaica, Paraguay, Peru, Sudan and United Arab Emirates subsequently informed the Committee that they had intended to vote in favour of the resolution; and the delegation of Australia that it had intended to vote against.

In favour:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cabo Verde, Cambodia, Cameroon, Canada, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zambia.

Against:

Syrian Arab Republic.

Abstaining:

Angola, Democratic People's Republic of Korea, Namibia, Togo and Zimbabwe.

20. *Draft resolution A/C.3/68/L.52/Rev.1 was adopted by 170 votes to 1, with 5 abstentions.*²

21. **Mr. Hisajima** (Japan) said that Japan had voted in favour of the resolution and supported the activities of the Centre, but remained concerned about the programme budget implications.

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

22. **The Chair** said that the draft resolution had no programme budget implications.

23. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution, said that Algeria, Angola, Bangladesh, Benin, Côte d'Ivoire, Democratic Republic of the Congo, El Salvador, Ethiopia, Ghana, India, Indonesia, Jamaica, Lesotho, Madagascar, Malawi, Malaysia, Mauritania, Somalia, Swaziland, Vanuatu and Viet Nam had joined the sponsors.

24. The draft resolution requested the Secretary-General and the United Nations High Commissioner for Human Rights to support, and Governments to cooperate with, the Independent Expert on the promotion of a democratic and equitable international order in the discharge of his mandate.

25. **Mr. Gustafik** (Secretary of the Committee) said that China, Dominican Republic, Kenya, Saint Lucia, Senegal and United Republic of Tanzania had joined the sponsors.

26. **The Chair** said that a recorded vote had been requested on draft resolution [A/C.3/68/L.58](#).

27. **Ms. Astiasarán Arias** (Cuba) asked which delegation had requested the recorded vote.

28. **The Chair** said that the recorded vote had been requested by the delegation of Lithuania, on behalf of the European Union.

29. **Ms. Kazragienė** (Lithuania), speaking on behalf of the European Union in explanation of vote before the voting, said that it was necessary to work towards a democratic and equitable international order and the

² The delegations of Djibouti and Paraguay subsequently informed the Committee that they had intended to vote in favour of the draft resolution.

issues raised in the draft resolution required careful analysis and action by all nations. The European Union had been founded on a determination to promote peace and stability and to build a world based on respect for human rights, democracy and the rule of law. However, the member States of the European Union remained of the view that many elements of the draft resolution extended far beyond the scope of the United Nations human rights agenda and therefore they would vote against it.

30. *A recorded vote was taken on draft resolution A/C.3/68/L.58.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

Abstaining:

Chile, Costa Rica, Mexico, Peru and Samoa.

31. *Draft resolution A/C.3/67/L.58 was adopted by 120 votes to 54, with 5 abstentions.*³

32. **Ms. Robl** (United States of America) said that the United States had voted against the resolution because the text did not accurately reflect international legal principles and did not advance human rights. The resolution challenged the sovereign right of all States to freely conduct their economic relations and protect their legitimate national interests. International development was a critical element of United States foreign policy; nevertheless the country remained concerned about the resolution's reference to the right to development. It was not appropriate to use any criteria relating to the right to development as a basis for consideration of an international legal standard of a binding nature. In addition, markets should operate freely, and countries should work together to create a more favourable investment climate instead of relying on Governments and international institutions to direct private capital.

33. Development assistance was not best used to distribute or redistribute wealth, but to assist countries in their efforts to attract private capital flows and participate in global trade. In the Monterrey Consensus, the international community had acknowledged that there was a role for developed countries to assist developing countries in achieving

³ The delegation of Malaysia subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

the types of structural reforms that would invite foreign direct investment. She called on groups such as the World Trade Organization (WTO) to grant preferential treatment to developing economies. While her delegation had reservations about the resolution and its treatment of development-related issues, there should be no doubt that the United States was committed to aiding global development efforts. The United States encouraged all countries to invest in a better future for their citizens by pursuing an approach to development that respected human rights, involved local stakeholders, promoted transparency and accountability and built the institutions underpinning sustainable democracy.

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

34. **The Chair** said that the draft resolution had no programme budget implications.

35. **Ms. Astiasarán Arias** (Cuba) said that Algeria, Bangladesh, Benin, Colombia, Côte d'Ivoire, El Salvador, Ethiopia, India, Indonesia, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Myanmar, Swaziland, Uganda and Vanuatu had joined the sponsors.

36. **Mr. Gustafik** (Secretary of the Committee) said that Burkina Faso, China, the Dominican Republic, Kenya and Sri Lanka had become sponsors.

37. *Draft resolution A/C.3/68/L.59 was adopted.*

Draft resolution A/C.3/68/L.60/Rev.1: The right to food

38. **The Chair** said that the draft resolution had no programme budget implications.

39. **Ms. Astiasarán Arias** (Cuba) said that Bahrain, Cabo Verde, Cambodia, Costa Rica, Croatia, Cyprus, Fiji, Finland, France, Ghana, Guyana, Iceland, Jamaica, Japan, Kenya, Mexico, Mongolia, Nepal, Netherlands, New Zealand, Palau, Philippines, Portugal, the Republic of Korea, Republic of Moldova, Saudi Arabia, Sierra Leone, the Solomon Islands, Spain, Suriname, Swaziland, Switzerland and Thailand had joined the sponsors. The full enjoyment of the right to food remained a utopia for many, despite its recognition in human rights instruments and

declarations. The food crisis had caused a dramatic increase in the number of people suffering from hunger — currently estimated at over 870 million — most of whom lived in developing countries. The draft resolution called upon the United Nations funds and programmes, the international financial institutions and States to take the necessary measures to end the food crisis, ensure food security and guarantee everyone the right to food.

40. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Andorra, Antigua and Barbuda, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, China, the Democratic Republic of the Congo, Djibouti, Dominican Republic, Equatorial Guinea, Germany, Greece, Hungary, Ireland, Italy, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Montenegro, Mozambique, Poland, Romania, San Marino, Serbia, Slovakia, Slovenia, Sri Lanka, Tajikistan, the former Yugoslav Republic of Macedonia, Uganda, Ukraine, United Arab Emirates and United Kingdom had joined the sponsors.

41. *Draft resolution A/C.3/68/L.60/Rev.1 was adopted.*

42. **Ms. Robl** (United States of America) said that her delegation had joined the consensus on the annual resolution because of its continuing support of efforts to achieve worldwide food security. However, it was disappointed that the text continued to employ language that distracted from larger issues at play. Statements on trade negotiations were inappropriate for the Committee to address as they were beyond both its expertise and its subject matter. Furthermore, the resolution would in no way modify her Government's commitments or those of any other Government vis-à-vis existing trade agreements or the mandates of ongoing trade negotiations. Her delegation was pleased that the text underlined the important link between the empowerment of women and the progressive realization of the right to food in the context of national food security.

43. The use of the term "global food crisis" detracted from more important challenges such as long-term conflicts or lack of strong governing institutions that could contribute significantly to the recurring state of regional food insecurity, yet those issues had not been mentioned in the resolution. A well-balanced text would refer not only to the actions of donor nations and investors, but also to the responsibilities of

countries receiving assistance, namely, accountability, transparency, good governance and creating a climate conducive to investment in agriculture.

44. Her Government supported the right of everyone to an adequate standard of living as recognized in the Universal Declaration of Human Rights. The United States was not a party to the International Covenant on Economic, Social and Cultural Rights; joining the consensus on the draft resolution did not imply recognition of any change in the current state of conventional or customary international law regarding rights related to food. While the goal was to ensure that everyone had adequate access to food, the right to food was not an enforceable obligation. The references in the draft resolution to the right to food were interpreted in the light of article 2, paragraph 1, of the Covenant, in which the States parties undertook to progressively achieve the full realization of economic, social and cultural rights to the extent they had assumed such obligations. While her Government was the world's largest food aid donor, it did not concur with any reading of the draft resolution that would suggest that States had particular extraterritorial obligations arising from the right to food.

45. **Ms. Burgess** (Canada) said that her delegation had joined the consensus but had concerns with some aspects of the draft resolution. The TRIPS agreement contained no reference to the concepts of food security and the right to food. Her delegation interpreted paragraph 31 of the draft resolution to mean that it encouraged WTO members to consider the manner in which they implemented TRIPS but did not suggest that Member States should make substantive interpretations of the TRIPS agreement or instruct WTO members on how to implement the agreement. Her Government saw nothing in the agreement that prevented States from pursuing the right to food or food security. Canada supported the progressive realization of the right to food as part of the right to an adequate standard of living.

Draft resolution A/C.3/68/L.61/Rev.1: Protection of human rights and fundamental freedoms while countering terrorism

46. **The Chair** said that the draft resolution had no programme budget implications.

47. **Ms. Diaz Gras** (Mexico) said that Armenia, Australia, Austria, Azerbaijan, Belgium, Bulgaria,

Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, New Zealand, Nicaragua, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States of America and Venezuela (Bolivarian Republic of), had joined the sponsors.

48. The broad support for the resolution clearly conveyed the international community's commitment to respect for human rights, international humanitarian law and international refugee law in the context of the fight against terrorism. It was the first draft resolution in which the international community had addressed the topic of remotely piloted aircraft and sought international agreement regarding their use.

49. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Algeria, Andorra, Bolivia (Plurinational State of), Bosnia and Herzegovina, Burkina Faso, Lebanon, the former Yugoslav Republic of Macedonia and Ukraine had joined the sponsors.

50. *Draft resolution A/C.3/68/L.61/Rev.1 was adopted.*

51. **Mr. Masood Khan** (Pakistan) said that his delegation had joined the consensus on the draft resolution in the interest of moving forward on the issue. However, the resolution did not fully reflect established legal opinion and norms on the use of armed drones for extra-territorial strikes on the territories of Member States. He welcomed the inclusion in the text, for the first time, of references to the use of unmanned aircraft for counter-terrorism; to the need to reach agreement on legal questions pertaining to the use of such aircraft; and to the imperative of ensuring accountability in the event of breaches of obligations under international human rights law.

52. It had been disturbing to discover that the use of armed drones was increasing, according to the interim report of the Special Rapporteur on the protection of human rights and fundamental freedoms while countering terrorism. The use of drones violated international law and human rights law and had violated Pakistan's sovereignty and territorial integrity.

The well-established humanitarian principles of distinction, proportionality and precaution were not being observed in the asymmetric war against terrorism, with obvious geographical disjunction between the location of drone strikes and the primary battlefield. Under international humanitarian law and international human rights law, it was not justifiable to launch strikes in the context of non-international armed conflict in the Pakistan-Afghanistan border area. Drone strikes put all Pakistanis at risk and were counterproductive: the killing of civilians in an inhumane manner incited hatred and radicalized more people. His delegation urged the Special Rapporteur to make stronger recommendations in his final report that would regiment the use of drones more strictly in order to save civilians from death, injury and disability; and to suggest practical measures to advance the debate in United Nations forums on the legality of armed drone use and on their disastrous humanitarian and human rights consequences. Pakistan called for immediate cessation of illegal drone strikes in its territory.

Draft resolution A/C.3/68/L.62/Rev.1: Protection of migrants

53. **The Chair** said that the draft resolution had no programme budget implications.

54. **Ms. Diaz Gras** (Mexico) said that Bangladesh, Belarus, Costa Rica, Ethiopia, Indonesia, Mali, Morocco, Nicaragua, Philippines, Portugal and Uganda had joined the sponsors. The draft resolution reflected the Organization-wide consensus on addressing the protection of migrants in a balanced manner and integrating international migration into the post-2015 development agenda. The text acknowledged the responsibilities of origin, transit and destination countries in promoting and protecting the human rights of all migrants independent of their migratory status and highlighted the universal character of those rights, which States were required to respect at all times.

55. **Mr. Gustafik** (Secretary of the Committee) said that Algeria, Belize, Brazil, Costa Rica, Malawi, Tajikistan and Tunisia had become sponsors.

56. *Draft resolution A/C.3/68/L.62/Rev.1 was adopted.*

57. **Ms. Robl** (United States of America) said that her delegation had been pleased to join the consensus on the resolution and appreciate the efforts of the main sponsor, Mexico, for the constructive negotiations and

the progress made. Her delegation would provide its full explanation of position, which would address certain points raised during consultations, to the Secretariat.

Agenda item 108: Crime prevention and criminal justice (*continued*) (A/C.3/68/L.18/Rev.1 and A/C.3/68/L.21/Rev.1)

Draft resolution A/C.3/68/L.18/Rev.1: Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity

58. **Mr. Gustafik** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that paragraph 6 of the draft resolution provided for a comprehensive study on cybercrime to be conducted by the open-ended intergovernmental expert group. If the General Assembly were to adopt the resolution, additional extrabudgetary resources in the amount of \$235,300 would be required to convene one intergovernmental expert group meeting in Vienna for a total of 8 meetings, with interpretation services in the six official languages. The documentation requirements would include pre-session documentation and one report of the expert group meeting in the six official languages. Those resources would also provide for two months of a professional post at the P-2 level and two months of two general service posts. It was estimated that additional extrabudgetary resources in the amount of \$634,600 would be required for translation and dissemination of the 287-page comprehensive study on cybercrime in the six official languages. Lastly, adoption of the draft resolution would not entail any appropriation for the programme budget for the 2012-2013 biennium.

59. **Mr. Cardi** (Italy) said that crime had a direct impact on all Member States without discrimination, affecting human welfare, State stability, economic growth and social development. A common, holistic and global response was therefore needed to combat the scourge. After several rounds of transparent and constructive informal consultations, several improvements had been made and such important issues as the elimination and prevention of all forms of violence against women and girls; prevention of criminal activities, including terrorism, in the tourism sector; smuggling of migrants; support for the United

Nations Trust Fund on Contemporary Forms of Slavery; combating trafficking in persons for the purpose of extracting organs; and the need to improve the financial situation of the United Nations Office on Drugs and Crime had been incorporated into the text.

60. After consensus had been reached, Indonesia had raised concerns about paragraph 17. Italy was grateful for the flexibility and spirit of compromise of that country, which had joined the consensus. The paragraph in question contained neutral and balanced language, with several clauses that fairly reflected the interests of each Member State. In future, his delegation would remain willing to consider improvements to that or any other part of the resolution to address concerns countries might have. He was confident that all Member States would find their views reflected in the draft and looked forward to their support.

61. **Mr. Gustafik** (Secretary of the Committee) said that Burundi, Lao People's Democratic Republic, Lesotho, Niger, Turkey and United Arab Emirates had become sponsors.

62. **Mr. Percaya** (Indonesia), speaking in explanation of position before the decision, said that his delegation would support the consensus on the draft resolution but had a strong reservation concerning the reference to the Financial Action Task Force in paragraph 17. His Government supported common efforts to combat transnational organized crime and had participated in multilateral initiatives such as the Global Counterterrorism Forum, the United Nations Counter-Terrorism Centre and the Asia-Pacific Economic Cooperation Counter-Terrorism Task Force. The nature of such crime required inclusive global cooperation which acknowledged States' varying capacities and the challenges they faced. The recommendations and interpretative note of the Financial Action Task Force, however, had been produced by its members only. Their inclusion in the draft resolution was tantamount to their imposition on States which were not members, in violation of the principle of the sovereign equality of States enshrined in the Charter of the United Nations.

63. His Government had adopted an act on the prevention of terrorist financing in 2013, with a view to implementing the International Convention for the Suppression of the Financing of Terrorism. The act authorized law enforcement bodies to trace transactions by individuals or entities suspected of involvement

with terrorism. The Financial Action Task Force, however, refused to acknowledge his Government's efforts to counter terrorist financing. It should take a more constructive approach, offering solutions and assistance to States rather than undermining their efforts.

64. Since Indonesia was a democratic country which upheld the rule of law, his Government must respect the principle of due process when freezing terrorist assets. Failure to do so would violate the Constitution and the principle of respect for human rights enshrined in the United Nations Global Counter-Terrorism Strategy.

65. **Mr. Dehghani** (Islamic Republic of Iran), speaking in explanation of position before the decision, said that his Government was committed to strengthening the United Nations crime prevention and criminal justice programme. His delegation had engaged in the consultations on the draft resolution and had joined the consensus, but still had a strong reservation concerning the unnecessary reference to the Financial Action Task Force in paragraph 17. That reference could have been deleted without changing the sense of the paragraph.

66. *Draft resolution [A/C.3/68/L.18/Rev.1](#) was adopted.*

67. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation had supported the consensus on the draft resolution but had a reservation about the twentieth preambular paragraph. Although transnational organized crime negatively affected human rights, the rule of law and national stability and development, it had no impact on international peace and security.

68. With regard to the twenty-fifth preambular paragraph, her delegation did not recognize the existence of automatic links between crimes. To make such links was to be unaware of the universally recognized human rights principles of due process and the presumption of innocence. The links between terrorism and transnational organized crime were neither automatic nor permanent and should be analysed on a case-by-case basis.

69. It was claimed in the twenty-eighth preambular paragraph that States' actions against terrorism were a common and shared responsibility. No such responsibility, however, was mentioned in the

international or regional instruments relating to the fight against terrorism, nor was it possible in the absence of an internationally agreed definition of terrorism, including State terrorism.

70. Her delegation felt that terrorism should be addressed by the Sixth Committee and that the references to it exceeded the scope of the draft resolution. The terrorism mandate of the United Nations Office on Drugs and Crime was limited to helping States implement international legal instruments.

71. **Ms. Robl** (United States of America) said that her delegation had sponsored the draft resolution, which reinforced the commitments made by Member States at the twenty-second session of the Commission on Crime Prevention and Criminal Justice and underlined the importance of implementing the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption.

Draft resolution A/C.3/68/L.21/Rev.1: Preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption

72. **The Chair** said that the draft resolution had no programme budget implications.

73. **Mr. Calderón** (Colombia), introducing the draft resolution, said that Australia, Canada, Chile, El Salvador, Ethiopia, France, Greece, Honduras, Israel, Italy, Kyrgyzstan, Mexico, Morocco, the Netherlands, Niger, Philippines, Poland, Portugal, South Sudan, Spain, Thailand, Vanuatu and Venezuela (Bolivarian Republic of) had become sponsors. He introduced an oral revision to the draft resolution: paragraph 10 should be deleted since its content was still under discussion.

74. **Mr. Gustafik** (Secretary of the Committee) said that Liberia, Montenegro, the Russian Federation, Senegal and Swaziland had joined the sponsors.

75. *Draft resolution A/C.3/68/L.21/Rev.1, as orally revised, was adopted.*

76. **Ms. Sigrist** (Switzerland) said that the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption stipulated that the Mechanism

should be transparent and inclusive. Her delegation therefore regretted that that requirement was not reflected in the text of the draft resolution.

77. **Mr. Nardi** (Liechtenstein) said that his delegation welcomed the improvements to the text, in which more importance was attached to the human rights dimension of the fight against corruption than in the previous year's resolution. The draft resolution was the first condemnation by the international community of all forms of corruption at all levels, including through abuse of authority by government officials. So-called petty corruption disproportionately affected disadvantaged groups. He hoped that the draft resolution would lead to a more elaborate approach to the human rights consequences of corruption in subsequent resolutions.

78. **Mr. Dehghani** (Islamic Republic of Iran) said that the term "good governance" in paragraph 5 could be synonymous with the concept of proper management of public affairs and property, which had been accepted during the negotiations on the United Nations Convention against Corruption. Good governance should thus not be construed as a new concept.

79. It was also premature to establish a general link between all aspects of corruption and human rights; the matter needed further consideration and his delegation maintained its reservation about references to such a link.

80. **Mr. Escalante Hasbún** (El Salvador) said that his delegation regretted the deletion of paragraph 10. Since corruption threatened democratic governance, the rule of law, social and economic development and stability, his Government gave a high priority to the fight against it. International cooperation and assistance were essential to establishing the solid institutions needed for the investigation and prosecution of corruption allegations. Developing countries should be the strategic allies of developed countries in the common fight against corruption.

81. His Government had participated in mechanisms for the review of compliance with the Inter-American Convention against Corruption and within the United Nations framework. It had pioneered country visits in those contexts because review processes depended on openness among peer States. The report which it had produced through the Inter-American Convention

against Corruption compliance review mechanism was in the public domain.

82. Civil society should participate in initiatives to improve transparency and fight corruption not only because of its potential contribution to the achievement of their objectives but also because it was entitled to accountability from both the public and private sectors; it was the largest source of wealth for those sectors and lost many development benefits if they were corrupt. He urged all delegations to ensure that civil society participation was promoted in future resolutions. Such participation should be the theme of the sixth session of the Conference of States Parties to the United Nations Convention against Corruption, with a view to the participation of civil society organizations as observers in the working groups linked to the Convention, thus enhancing the Convention's implementation and allowing delegations to reaffirm their commitment to transparency in their deliberations.

83. **The Chair** said that, in accordance with General Assembly decision [55/488](#), the Committee should take note of the report of the Secretary-General on the follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice ([A/68/128](#)).

84. *It was so decided.*

Agenda item 109: International drug control
(continued) ([A/C.3/68/L.19/Rev.1](#))

85. **The Chair** said that the draft resolution had no programme budget implications.

86. **Ms. Morgan** (Mexico) said that Antigua and Barbuda, Armenia, Australia, the Bahamas, Burkina Faso, Cameroon, Chile, Costa Rica, Côte d'Ivoire, Egypt, El Salvador, France, Guyana, Iceland, Italy, Jamaica, Japan, Liechtenstein, Malaysia, Mongolia, Morocco, New Zealand, Niger, Nigeria, Paraguay, the Philippines, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Spain, Suriname, Thailand, Trinidad and Tobago and United States of America had become sponsors.

87. She asked the secretariat to correct the twelfth preambular paragraph by deleting the words "illicit use" and replacing them with "use and abuse".

88. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Andorra, Antigua and Barbuda, Belize, Benin, Bosnia and Herzegovina, Burkina Faso, Croatia, Cyprus, Denmark, Ecuador, Equatorial Guinea, Gabon, Greece, Grenada, Hungary, Ireland, Liberia, Lithuania, Malawi, Montenegro, Namibia, Norway, Poland, Portugal, the Republic of Moldova, Romania, Saint Kitts and Nevis, San Marino, Serbia, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Tunisia and Vanuatu had become sponsors.

89. *Draft resolution [A/C.3/68/L.19/Rev.1](#), as orally corrected, was adopted.*

90. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation had supported the consensus on the draft resolution but reiterated its opposition to the claim made in paragraphs 23 and 24 that automatic links existed among crimes or between terrorism and transnational organized crime.

91. **Ms. Hampe** (Lithuania), speaking on behalf of the European Union, emphasized the importance to Member States of the 2016 special session of the General Assembly on the world drug problem. The European Union looked forward to the recommendations of the Commission on Narcotic Drugs following the high-level review of the progress made in the implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, to be held at the Commission's fifty-seventh session in March 2014. The Commission was the United Nations body primarily responsible for drug control and should take the lead in the preparations for the special session. The European Union recognized the cross-cutting nature of the world drug problem, its consequences for health, human rights and development, and the need for participation by stakeholders, including civil society, in the preparations for the special session.

The meeting rose at 5.20 p.m.