



# General Assembly

Seventy-first session

Official Records

Distr.: General  
28 October 2016

Original: English

---

## Third Committee

### Summary record of the 36th meeting

Held at Headquarters, New York, on Friday, 28 October 2016, at 3 p.m.

*Chair:* Mr. Glossner (Vice-Chair) . . . . . (Germany)  
*later:* Ms. Mejía Vélez (Chair) . . . . . (Colombia)

## Contents

Agenda item 26: Social development (*continued*)

- (a) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*)
- (b) Literacy for life: shaping future agendas (*continued*)

Agenda item 64: Promotion and protection of the rights of children (*continued*)

- (a) Promotion and protection of the rights of children (*continued*)

Agenda item 68: 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 (*continued*)
- (c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

---

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Control Unit ([srcorrections@un.org](mailto:srcorrections@un.org)), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org/>).

16-18849 (E)



Please recycle A small graphic of a recycling symbol, consisting of three chasing arrows forming a triangle.



*In the absence of Ms. Mejía Vélez (Colombia), Chair, Mr. Glossner (Germany), Vice-Chair, took the Chair.*

*The meeting was called to order at 10 a.m.*

#### **Agenda item 26: Social development (continued)**

##### **(a) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (continued)**

*Draft resolution A/C.3/71/L.5: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly*

1. **Mr. Plasai** (Thailand), introducing draft resolution [A/C.3/71/L.5](#) on behalf of the Group of 77 and China, said that the 2016 text was based on previous resolutions adopted in the General Assembly, the Commission for Social Development and previous reports of the Secretary-General.

*Draft resolution A/C.3/71/L.6: Follow-up to the twentieth anniversary of the international year of the family and beyond*

2. **Mr. Plasai** (Thailand), introducing the draft resolution on behalf of the Group of 77 and China, said that the 2016 text was based on previous resolutions adopted in the General Assembly, the Commission for Social Development and previous reports of the Secretary-General. As 2016 was the first implementation year of the 2030 Agenda for Sustainable Development, the Secretary-General had suggested that family-oriented policies and programmes be implemented as part of the 2030 Agenda, in particular relating to goals such as ending poverty and hunger.

*Draft resolution A/C.3/71/L.7: Follow-up to the Second World Assembly on Ageing*

3. **Mr. Plasai** (Thailand), introducing the draft resolution on behalf of the Group of 77 and China, said that the 2016 text was based on positive developments in the area of ageing in various forums, such as the General Assembly, the Human Rights Council, the Commission for Social Development and the Open-ended Working Group on Ageing. The Group believed

that the international community must prepare itself to respond better to the new realities of ageing populations, and the adoption of the 2030 Agenda, with its inclusion of references to older persons, had prompted further efforts on that issue.

##### **(b) Literacy for life: shaping future agendas (continued)**

*Draft resolution A/C.3/71/L.9: Literacy for life: shaping future agendas*

4. **Mr. Sukhee** (Mongolia), introducing the draft resolution, said that at least 250 million children around the world were not acquiring basic reading and mathematics skills, and an estimated 124 million were not enrolled in school, especially in rural areas. Those challenges were distributed unevenly across countries and populations. The international community had recognized literacy as an indispensable foundation for independent learning in the 2030 Agenda, and in order to create a more literate world, it was important to develop the capacities of Member States in the areas of policy, programme delivery and literacy assessment and to reinforce innovative literacy methods through communications technology and by increasing literacy among girls and women. The United Nations Educational, Scientific and Cultural Organization was continuing to play a catalytic role in that regard.

5. **Ms. Emelina-Sarte** (Assistant Secretary of the Committee) announced that Argentina, Bosnia and Herzegovina, Costa Rica, Czechia, Finland, Georgia, Kazakhstan, Lithuania, Madagascar, Morocco, New Zealand, Panama, Moldova, Sweden and Thailand had become sponsors of the draft resolution.

#### **Agenda item 64: Promotion and protection of the rights of children (continued)**

##### **(a) Promotion and protection of the rights of children (continued)**

*Draft resolution A/C.3/71/L.13: Child, early and forced marriage*

6. **Mr. Bonser** (Canada), introducing the draft resolution on behalf of the sponsors, said that the draft resolution was intended to follow up on the first resolution on the issue of child, early and forced marriage adopted by the General Assembly in 2014 (resolution [69/156](#)). Millions of girls under the age of

18 were married every year and the number would grow, undermining the development of entire communities and countries. However, progress was being made. In March 2016, the Global Programme to Accelerate Action to End Child Marriage had been launched by the United Nations Population Fund and UNICEF. Regional initiatives were under way in Africa and South Asia, and many countries were taking steps at the national level to combat the practice.

7. The draft resolution built on the achievements of past resolutions, including Human Rights Council resolution 29/8. It placed an emphasis on concrete actions and coordination needed at all levels of government and in all sectors of society.

8. **Ms. Emelina-Sarte** (Assistant Secretary of the Committee) announced that Argentina, Armenia, Bosnia and Herzegovina, Burkina Faso, Cabo Verde, Georgia, Kenya, Morocco, and Rwanda had become sponsors of the draft resolution.

#### **Agenda item 68: 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** (*continued*)

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

9. **Ms. Izsák-Ndiaye** (Special Rapporteur on minority issues), introducing her report ([A/71/254](#)), said that she had prepared the report on the basis of a desk review of existing literature, findings from her country visits, and information received in the context of her communications procedure. She noted that there appeared to be a correlation between crises and their impact on those with minority status. For example, during her October 2016 visit to Sri Lanka, she had heard the testimony of many Muslims who had been displaced during the conflict between the Sinhala and Tamil populations on account of their distinct religious identity.

10. **Ms. Bogyay** (Hungary) said that national, ethnic and religious minorities were especially vulnerable during and in the aftermath of natural and man-made disasters, and that was particularly true for women and girls. Hungary was particularly concerned about the

persecution of Christians, Yazidis and other minorities by Islamic State in Iraq and the Levant. Her country condemned the systematic and widespread violation of their human rights, and called for holding the perpetrators to account. Women from minority groups faced sexual and gender-based violence, and Hungary was very concerned in particular about modern-day slavery. The appointment of Nadia Murad Basee Taha as United Nations Goodwill Ambassador for the Dignity of Survivors of Human Trafficking was helping to raise awareness of that issue.

11. **Mr. Charwath** (Austria) said that the Forum on Minority Issues mentioned by the Special Rapporteur had demonstrated its potential in providing both valuable guidance to the international community and concrete tools and resources to Governments, political actors, minority groups and civil society. The Forum's operational recommendations could be adapted to different countries and situations. He asked how implementation of the recommendations could be enhanced, and whether the Special Rapporteur could elaborate on any existing coordination with the work of other United Nations bodies such as the treaty review bodies, the universal periodic review or relevant special procedures.

12. **Ms. Vydmantas** (United States) said that the Special Rapporteur's call to action was timely given that Member States and the United Nations were considering increased efforts to protect displaced persons. The international community should focus more on the most vulnerable, particularly minority women and girls, who were at risk of gender-based violence during forced displacement. As the Special Rapporteur had noted, there was a need for data disaggregated by sex, age, ethnicity and religion to provide a comprehensive overview of the impact of crises on numerous groups and to help Member States and humanitarian organizations predict and prevent disproportionate impacts of crises on minority communities. At the World Humanitarian Summit, donors and humanitarian agencies had undertaken to ensure that vulnerable populations would be meaningfully included in decision making during crises.

13. **Ms. Anichina** (Russian Federation) said that intolerance of minorities was a characteristic of extremist groups worldwide, including in Iraq, Syria

and Ukraine. Those fleeing violence often encountered it again in places where they hoped to be safe, as had happened in the European Union, where the fomenting of radical xenophobic sentiments had led to a spike in violence. She appreciated the focus in the Special Rapporteur's report on statelessness, which had increased the vulnerability of minorities in some European Union countries. Her delegation stood ready to contribute to intensifying discussions on minorities, including at the ninth session of the Forum on Minority Issues.

14. **Mr. Forax** (Observer for the European Union) asked how the international community could tackle more effectively the difficulties faced by minorities during and in the aftermath of crises. Given the dearth of accurate disaggregated data on the number and location of persons belonging to minorities affected by crises, his delegation would welcome opinions on how to improve data collection, bearing in mind that the many subjects did not reveal their affiliation out of fear of further discrimination or violence.

15. *Ms. Mejía Vélez (Colombia), Chair, took the Chair.*

16. **Mr. Torbergesen** (Norway) said that his delegation supported the Special Rapporteur's emphasis on the need for disaggregated data since the situations facing minorities during national disasters and internal armed conflicts were entirely different. The collection of data on the vulnerability of religious minorities was particularly important. Although he welcomed the report's focus on discrimination faced by minority women and girls, he pointed out that not only were their health needs often overlooked during crises, but they were also more vulnerable to sexual abuse.

17. **Ms. Izsák-Ndiaye** (Special Rapporteur on minority issues) said that those responsible for collecting disaggregated data on minorities should be well-informed of the purpose of the data and capable of explaining the benefits of the information. It would be helpful for representatives of minorities to be involved in the collection of data, as minorities might be more suspicious when responding to persons belonging to a different group.

18. The draft recommendations for the upcoming ninth session of the Forum on Minority Issues provided comprehensive advice as to how non-State actors and

the United Nations could help minorities. With the tenth anniversary of the Forum only one year away, consideration should be given to how recommendations had been applied in the past and the possibility of improvements, such as by encouraging national ownership and increasing the participation of non-governmental organizations. It was also vital for Member States to contribute to the United Nations Voluntary Fund for Indigenous Peoples so that more representatives of minorities could participate in forums relevant to them.

19. Her office cooperated continuously with other United Nations mechanisms. She had provided briefings to the Committee on the Elimination of Racial Discrimination and conducted research on the first cycle of the universal periodic review recommendations, and was currently examining how to address the needs of minorities better during the second cycle of the periodic review.

20. Reflecting on the situation of minorities at the end of her mandate as Special Rapporteur, she wished to emphasize that identity, whether racial, ethnic or religious, was at the core of all conflict situations. Any undue limitations or threats to the freedom to express identity could be perceived as a failure to respect dignity and rights. The protection of dignity and rights must therefore be guaranteed equally, as provided for in article 1 of the Universal Declaration of Human Rights.

21. Nevertheless, some people believed that minorities should accept whatever the majority decided and that the interests of corporations and Governments should prevail. As a result, minorities were sometimes deprived of their livelihoods, suffered from inadequate infrastructure and were underrepresented in law enforcement, the military and the judiciary. Similarly, individuals were allowed to spread hate speech and belittle minorities with impunity because of their connection to power structures, while the media could represent minorities as criminals or fail to represent their voices.

22. She supported the building of societies in which all communities felt a sense of belonging, irrespective of ethnicity, language or religion, with nationhood defined by common values and the idea of unity in diversity. Investment in the protection and promotion of minority identity, non-discrimination, equality and

participation would bring long-term benefits and stability to countries. Political parties should do more to honour the notion of democracy and of good and inclusive governance. Accountability mechanisms should be established as a demonstration of society's commitment to peace, tolerance and unity. States should give greater prominence to minority issues; establish appropriate mechanisms for reviewing and drafting domestic standards, legislation and policies with respect to minority rights; bridge the gap between minority communities and public officials; and facilitate arbitration, dialogue, national debate and activities to prevent and resolve ethnic or religion-based tensions.

23. The establishment of the United Nations network on racial discrimination and protection of minorities was an encouraging initiative for mainstreaming minority issues. The United Nations must also recognize the vulnerability of disadvantaged minorities in the context of the Sustainable Development Goals; strengthen existing mechanisms and platforms which focused on minority issues, including the Forum on Minority Issues; raise awareness at regional and national levels; and make sure that minorities were represented at all levels of the Organization.

24. **Ms. da Costa** (Office of the United Nations High Commissioner for Human Rights (OHCHR)), introducing the report of Special Rapporteur on the situation of human rights in the Islamic Republic of Iran ([A/71/418](#)), said that the Iranian Government's response rate to communications under United Nations special procedures had generally increased in recent years. Although the increased communication with the Special Rapporteur was appreciated, the authorities had not yet allowed him into the country. More worryingly still, individuals who had cooperated with the Special Rapporteur's mandate continued to be the targets of reprisals.

25. The Special Rapporteur emphasized the important role of his mandate and that of other United Nations human rights mechanisms in promoting dialogue and engagement with Iranian authorities. Although obstacles remained, investment by the Human Rights Council in their mandates and the close attention paid by the international community to the situation in Iran had helped to pave the way for improvements. Constructive steps by the Government

to address human rights concerns and establish bilateral dialogue on human rights with other Member States were proof of the progress made since the signing of the Joint Comprehensive Plan of Action on the Iranian nuclear programme. While those instruments were no substitutes for United Nations monitoring mechanisms, they had bolstered observance of human rights in Iran. The Special Rapporteur encouraged the international community to search for effective and creative ways in which to enhance their political, economic and cultural ties with the country, but not at the expense of clear, strong and public support for human rights.

26. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela), speaking on behalf of the Non-Aligned Movement, said that at the seventeenth Summit of the Non-Aligned Movement in September 2016, heads of State and Government had expressed concern about the trend in the Third Committee and the Human Rights Council to selectively approve country-specific resolutions. The Human Rights Council, in particular, exploited human rights for political ends, in violation of the principles of universality, impartiality, objectivity and non-selectivity. The Non-Aligned Movement reaffirmed the need to promote greater coherence and complementarity between the two bodies so as to prevent duplication and ensure constructive working relations. The universal periodic review should be the main intergovernmental mechanism for examining human rights issues in all countries without exception.

27. **Mr. Dehghani** (Islamic Republic of Iran) said that the latest report of the Special Rapporteur was another ill-intentioned, intrusive and utterly biased document. It represented a futile routine that had nothing to do with the promotion and protection of human rights. The Special Rapporteur's performance during his tenure had consistently run counter to the basic principles of impartiality and professionalism. The Special Rapporteur took an unhealthy and biased approach to his mandate, which had reduced him to a political tool in the service of the Western media. It should come as no surprise that a prejudiced mandate was unable to yield a better outcome.

28. The report had once again brought to light the unfortunate fact that United Nations human rights mechanisms continued to be politicized and

manipulated. The counterproductive approach adopted in the report would only further erode the legitimacy, integrity and relevance of those mechanisms. Beyond political considerations, there were no grounds for producing four almost identical reports on the human rights situation in the Islamic Republic of Iran year after year, since repeating false and biased allegations neither substantiated them nor gave them credibility.

29. With regard to its content, the report almost completely disregarded the democratic environment in the Islamic Republic of Iran. Numerous elections over the past four decades had determined the country's direction in both domestic and foreign affairs. In February 2016, the tenth parliamentary election had been held in a democratic and competitive setting, and Iranians would go to the ballot boxes again in May 2017 for the twelfth presidential election. As an inherent characteristic of the country's vibrant social and political life, the ballot box actually ruled the country. The report, however, had failed to consider those developments, as though democracy and ballot boxes were not sufficiently important when it came to human rights in certain contexts.

30. A distinctive feature of the report was its attempt to whitewash criminals and their brutal treatment of ordinary Iranian citizens. Much of the report was devoted to openly or tacitly defending those who denied their victims any rights. It repeatedly disparaged the Government's decisiveness and dedication in keeping its people safe, to the extent that it labelled terrorists as political prisoners. The report also expressed concern that the Government was seeking to store on Iranian servers the data of Iranian users of the Internet, as though their privacy would be better protected if their information were stored on foreign servers. It was also striking that the report expected the Government to refrain from addressing immoral and pornographic material online. Another trend in the report was its focus on very isolated, unfortunate incidents that could happen anywhere. Even the regrettable case of a teacher beating a student in a classroom had found its way into the report.

31. As a country on the front line of the fight against illicit drugs, the Islamic Republic of Iran had sustained great losses in its efforts to protect its citizens and the global community. Around 4,000 law enforcement officers had lost their lives and 12,000 had been

maimed thus far, while the international community had provided negligible support. On average, more than 80 per cent of the world's opium and approximately 40 per cent of the world's heroin and morphine were seized in the Islamic Republic of Iran. Again, the Special Rapporteur had preferred to overlook this and side with the drug traffickers. He did not seem to be remotely concerned about the young people whose lives were being utterly destroyed, or about the families of the murdered police officers. Owing to the severity of the crime, and as a strong deterrent, the law provided for capital punishment for large-scale drug trafficking. Nonetheless, as part of an evaluation of the deterrents used in national drug policy, revision of the law was under discussion.

32. The Islamic Republic of Iran was formed of both ethnic and religious minorities and had been a refuge for minorities for thousands of years. The report's insistence, therefore, on the existence of intolerance and division within Iranian society was incomprehensible and an indication of the author's unconstructive and biased approach. Of course, since everyone was equal before the law, belonging to a minority could not afford impunity to a criminal. Specific cases referred to in the report had received detailed responses separately. However, none were serious enough to warrant country-specific reports or resolutions. No country could claim to be perfect and there was always room to improve laws, provided that did not run counter to social norms, but no country should be expected to abandon its laws just to satisfy those who wished to impose their way of life on others. The cornerstones of his country's laws were shared by almost every country in the region and by other Muslim countries. Should there be any genuine concern about human rights, dialogue among Member States based on mutual respect was the correct way forward. The Islamic Republic of Iran was committed to the universal periodic review and to cooperation with OHCHR and with all treaty bodies to which it was party. It also expected to host two thematic Special Rapporteurs in the coming year, while extending its hand to dialogue and cooperation. In fact, the policy of constructive engagement pursued by President Hassan Rouhani heralded new horizons for dialogue-based cooperation, understanding and mutual respect in all fields, including human rights. To enhance the credibility of human rights discourse, his country was



seeking respectful dialogue without recrimination and welcomed meaningful engagement with all serious partners. The report simply did not serve that end.

33. **Ms. Sison** (United States of America) said that her country remained concerned about the wide range of human rights violations still being committed in Iran, especially against members of minority groups and persons with divergent political or religious beliefs. They included torture, detention and imprisonment, denial of medical treatment for prisoners and executions without fair trial, even of individuals who had been minors at the time of their alleged crimes. The death penalty was used for crimes that did not meet the international threshold of most serious crimes and for juvenile offenders. Her delegation was also deeply concerned about the ongoing government restrictions on freedom of expression and harassment of journalists and activists, many of whom were jailed for long periods for expressing their views.

34. **Mr. Qassem Agha** (Syrian Arab Republic) said that his country categorically rejected the profoundly politicized and biased report of the Special Rapporteur (A/71/418), which undermined the credibility of his terms of reference and the established mechanism for dealing with human rights issues, namely the universal periodic review of the Human Rights Council. His country wished to know why the issue of human rights in Iran had been brought before the Committee, why selective accusations were being made against States that had adopted their own successful approaches to human rights, and why special rapporteurs had been appointed to investigate the human rights situations only of States that refused to comply with the political agenda of the United States of America in their regions.

35. The clearest evidence for the politicization of humanitarian issues had been given by the former Prime Minister of the United Kingdom, Mr. Tony Blair, when he had disseminated misleading and false information on the alleged existence of nuclear weapons in Iraq, with a view to destroying that country.

36. Syria rejected any attempt to address human rights issues in a selective and biased manner and called on the international community to respect the democratic process in the Islamic Republic of Iran — a

country that provided healthcare services and work permits to the approximately 2 million refugees who had taken refuge within its borders. He called on the Special Rapporteur to acknowledge in his future reports that States had a sovereign right to safeguard national security, and emphasized that, by calling that right into question, the Special Rapporteur was exceeding his mandate.

37. **Mr. Glossner** (Germany), acknowledging that some of the legislative changes and political developments in Iran might lead to an improvement of the human rights situation, said that little progress with regard to civil and political rights had been achieved during the reporting period. Executions were still taking place at an alarming rate. The death penalty was often handed down for offences not considered among the “most serious crimes” under international law and often to juvenile offenders. He urged Iran to lift all death sentences handed down to minors and to consider alternative punishments as provided for by Iranian law. He recalled that Iran had an international obligation to respect the human rights of all detainees. Increasing numbers of dual nationals were being detained in Iran. Women and members of ethnic or religious minorities, in particular members of the Bahai community, continued to face discrimination. With respect to future engagement with Iran on human rights, he asked the Special Rapporteur in which areas progress was most likely to occur and how it could be achieved.

38. **Ms. Sommerstein** (United Kingdom) said that Iran could significantly improve its human rights situation by fully implementing the recommendations that it had accepted during the 2014 universal periodic review, in particular those relating to the protection of women’s rights. Her delegation fully supported the Special Rapporteur’s recommendation for the immediate and unconditional prohibition of the death penalty for juvenile offenders, defined, in that context, as individuals under 18 years of age at the time when they committed a capital offence. The 1985 press legislation should be strengthened to protect against acts that impaired the free communication of information and ideas between citizens. Restrictions on the practice of other faiths should be recognized as a breach of article 26 of the International Covenant on Civil and Political Rights. The United Kingdom, extremely troubled by the detention of dual nationals of the United Kingdom and Iran to whom consular

officers of her country were denied access and whose welfare could not be ascertained, called upon Iran to ensure that all citizens enjoyed the rights and freedoms to which they were entitled. She asked the Special Rapporteur whether the numbers of dual nationals detained in Iran had increased over the preceding year and whether he believed that their nationality was, at least in part, the reason for their detention. Referring to the need to examine the root causes of drug crime in Iran, she asked the Special Rapporteur what further steps could be taken by the authorities to combat narcotics and drug crime.

39. **Ms. Laissue** (Switzerland) said that her delegation hoped that the current substantive debate taking place in Iran on the abolition of the death penalty for certain categories of crime would have positive results. Universal abolition of the death penalty was a priority for her country. She asked what specific measures had been envisaged by the Iranian authorities and how the international community could support them in their efforts. Switzerland was particularly concerned about the execution of prisoners of conscience and persons who had been minors when the crime was committed. Gender-based discrimination in Iran was another source of concern. She wondered whether the Special Rapporteur could recommend any approaches for promoting women's rights in Iran and speeding up the economic and political empowerment of women. Her delegation shared the concern of the Special Rapporteur regarding the wide range of human rights violations and urged the Government of Iran to cooperate with him and authorize a visit by him to the country.

40. **Mr. Tumbare** (Zimbabwe) said that any consideration of human rights must be based on an even-handed and impartial approach and the recognition that the State played the principal role in the promotion and protection of the rights of its citizens. Zimbabwe opposed country mandates as they promoted double standards and institutionalized the selective treatment of countries. Furthermore, the establishment of such mandates without the consent of the country concerned created an environment that was not conducive to constructive dialogue and cooperation, and further complicated the work of the mandate holders. The universal periodic review conducted in the Human Rights Council was the best mechanism for ensuring an impartial and balanced

assessment of the efforts of States to promote and protect human rights.

41. **Ms. Anderson** (Norway) said that, whatever the circumstances, the death penalty was incompatible with the principle of human dignity and humane treatment. While discussions were taking place in Iran on discontinuing capital punishment in the fight against drug crimes, Norway remained deeply concerned about the high number of executions carried out by the Government of Iran, particularly in cases where the offender had been under age when the crime was committed. Norway welcomed pledges made by the Government of Iran to eliminate discrimination against women, but noted inequalities in their access to work and other rights in Iranian society. In recent months, numerous journalists and Internet users had been arrested, while the arbitrary detention of human rights defenders in Iran was commonplace. Indeed, many human rights defenders and lawyers were serving prison sentences based on insufficiently defined criteria, such as spreading propaganda against the establishment.

42. **Ms. Pritchard** (Canada) said that despite recent efforts made by Iran to address human rights in a few areas, the situation remained serious. Even where positive legislative developments had been observed, they had not led to improvements in practice. That disconnect resulted in human rights violations, in particular with respect to the guarantee of a fair trial. Canada remained deeply troubled by the high number of executions in Iran, especially of juvenile offenders. She echoed the Special Rapporteur's call for Iran to prohibit such executions and establish a moratorium on the use of the death penalty. Her delegation urged Iran to follow up on the commitments made during the 2014 universal periodic review by fully implementing the accepted recommendations. Not only would it significantly improve the human rights situation but it would demonstrate the Government's willingness to engage constructively with the international community on human rights issues. She asked the Special Rapporteur what steps could be taken by Iran to translate its efforts at the legislative and political levels into tangible improvements.

43. **Ms. Anichina** (Russian Federation) said that the excessive emphasis on issues in Iran was inconsistent with the principles of cooperation, non-selectivity,



impartiality and objectivity; the Special Rapporteur's report also left her in some doubt about the independence of the Special Rapporteur. Her delegation believed that adopting a sententious tone would not improve the human rights situation in practice and that denigrating States for political ends discredited the United Nations treaty bodies. Instead of attempting to isolate States, the international community might wish to engage them in respectful and equitable dialogue on human rights issues. Indeed, Iran had repeatedly shown that it was prepared to work constructively with the Human Rights Council, its mechanisms and OHCHR.

44. **Ms. Voronovich** (Belarus) said that her country had always opposed country-specific mandates, which undermined objectivity, increased confrontation and created artificial barriers to constructive dialogue. The Special Rapporteur's mandate was proof of the continuing political pressure exerted on Iran. Although the Special Rapporteur had recognized the country's willingness to cooperate with special procedures mandate holders, he had consistently ignored improvements in its human rights situation. Belarus saluted the efforts by Iran to implement the recommendations of the universal periodic review, which was the most appropriate instrument for a non-selective and impartial examination of a country's human rights situation. The dialogue with Iran should be conducted without the use of external pressure, double standards and intrusive country-specific mandates.

45. **Ms. Přikrylová** (Czechia) said that her country welcomed the engagement by Iran with the human rights treaty bodies as well as its increasing contact and dialogue with the Special Rapporteur. Referring to the positive changes highlighted in the latter's report, she asked what could be done to enhance the limited public dialogue on human rights issues. With respect to recent efforts to address violence against women and inequities in education and economic participation, she wished to know what steps might be recommended to the Government of Iran to enable it to use that momentum to achieve greater progress.

46. **Mr. Saito** (Japan) said that his delegation expected steady implementation of the recommendations accepted by Iran at the outcome of the universal periodic review in 2014. Japan would

continue to engage constructively in bilateral dialogue and cooperation with Iran in the field of human rights. One of the effective tools was the longstanding mechanism of human rights talks. He hoped that the confidence existing between Iran and the international community would be further developed and that the incoming Special Rapporteur would be able to visit the country. He asked the Special Rapporteur what had been the most remarkable development in the field of human rights during his tenure.

47. **Mr. Ri Song Chol** (Democratic People's Republic of Korea) said that politically motivated country-specific procedures created only distrust and confrontation instead of constructive dialogue and cooperation, whereas the universal periodic review was a mechanism that treated all countries equally and impartially. Any attempt to ignore the positive and constructive efforts made by the Islamic Republic of Iran and any unfair interference and pressure should be rejected. His delegation reiterated its objection to all politically motivated country-specific procedures.

48. **Mr. Forax** (Observer for the European Union) said that, while welcoming the pledges made on various human rights issues as well as relevant legislative and administrative changes, his delegation urged action to transform those pledges into tangible results. With respect to the death penalty, which was frequently imposed for drug-related offences, the Special Rapporteur should encourage cooperation between the Government of Iran, the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Office on Drugs and Crime (UNODC) with a view to examining alternative strategies for combating drug-related offences. He also urged the Special Rapporteur to look at how Iran could comply with its obligations under the International Covenant on Civil and Political Rights and the Committee on the Rights of the Child concerning the imposition of the death penalty on children and persons who had committed crimes while under the age of 18. Despite the commitment by the President of the Islamic Republic of Iran to ease restrictions on freedom of expression, further erosion of that right had been observed during the reporting period. The European Union was also concerned at the human rights violations still perpetrated against religious minorities.

49. **Mr. del Rosario Ceballos** (Cuba) said that the clearly political motivation underlying the establishment of the mandate was not compatible with the spirit of cooperation and respectful dialogue that should be a hallmark of the Third Committee. Such initiatives, which were conducted without the consent of the State concerned and at the expense of efforts to maintain relations of cooperation with the basic universal human rights mechanisms, were an obstacle to the promotion of genuine international cooperation and the promotion and protection of human rights globally. He exhorted Member States to join forces to ensure that the international climate for tackling such issues was not impaired by selectivity and manipulation. Some countries were determined to politicize discussions on human rights.

50. **Mr. Zhang Yaojun** (China) said that his country strongly opposed establishing country-specific human rights mandates without the approval of the country concerned. That practice was not conducive to dialogue and cooperation, nor did it help to further those rights. China welcomed the recent efforts made by the Government of Iran to tackle the issue of violence against women, promote women's participation in politics, actively implement the recommendations of the universal periodic review and solve the issue of unequal access to education and economic participation by minority groups. The Government of Iran was to be commended for inviting two of the special rapporteurs to visit the country. China hoped that the international community would take a comprehensive, objective and balanced approach in assessing the human rights situation in Iran, respect that country's religious and cultural traditions, and listen more attentively to the aspirations of the Government.

51. **Ms. Gebrekidan** (Eritrea) said that human rights should be addressed in a fair and equitable manner and with respect for national sovereignty. The universal periodic review remained the sole platform for enhancing cooperation and partnership in the promotion of human rights. Her country maintained its strong opposition to the practice of country-specific mandates, which was politicized, confrontational and counterproductive. Such mandates served no positive purpose but rather vilified and antagonized countries, derailing their efforts to improve the human rights situation of their people. The Human Rights Council

was the appropriate body for addressing the human rights agenda. Raising such issues in the General Assembly resulted in a duplication of effort. Eritrea would redouble its efforts to promote respect for human rights while intensifying its opposition to politicization and double standards.

52. **Mr. Hasan** (Pakistan) said that States had the primary responsibility for promoting and protecting the human rights of their citizens in accordance with their international human rights obligations. Any external interference through country-specific mandates was counterproductive and contrary to the spirit of constructive engagement and dialogue. His delegation was encouraged to note that the Islamic Republic of Iran had participated constructively in its second universal periodic review process in October 2014 and was taking steps to implement the accepted recommendations. The Government of Iran had also taken a number of other steps to fulfil its international obligations. The best way to address human rights concerns was through engagement and cooperation, which should be based on the principles of impartiality, transparency, objectivity and non-selectivity.

53. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that, as a matter of principle, Venezuela disagreed with the creation of special mandates without the consent of the country concerned. His country rejected selectivity in the treatment of human rights issues for political purposes and opposed the creation of any instrument, report or resolution against a specific country for politically motivated reasons. The practice of adopting politically motivated reports and resolutions relating to specific countries violated the principles of universality, objectivity, impartiality and non-selectivity with which human rights issues should be addressed and, moreover, violated the Charter of the United Nations. Venezuela urged Member States to press ahead with the advances achieved within the framework of the Human Rights Council, whose credibility was being undermined by the practice of special procedures. The most appropriate instrument for addressing human rights issues was the universal periodic review, which fostered dialogue and cooperation with countries.

54. **Mr. Shaheed** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran) said that the idea of country mandates had

emerged in the 1950s and 1960s when the United Nations was dealing with serious rights violations, such as apartheid and racial discrimination. Independent experts were appointed to bring valid information in order to enable the Organization to perform a protection function, albeit one not openly mentioned in the Charter. The Iran mandate demonstrated the efficacy of that function. As Special Rapporteur, he had written numerous allegation letters or urgent appeals to the Government of Iran. In most cases, the latter had responded in a positive manner and, in many instances, had found a remedy. So the impact on individuals facing alleged rights violations was a positive one. All the Iranians he had met had said that once their case was lodged in a United Nations document, they felt a degree of safety. Even if that was just a feeling, it had value. Indeed, country mandates served a very important function. As Special Rapporteur, far from condemning Iran, except in cases where juveniles had been executed, he had used constructive language, searching for evidence of positive steps and noting them in his reports. Although he had never had the chance to visit Iran, the mandate had been effective. Using modern technology, he had been able to speak to hundreds of Iranians, a third of whom lived in their home country, and had been able to document their situation without their being exposed to reprisals.

55. Cooperation by Iranian authorities with the mandate holder had improved vastly. The response rate to United Nations communications had risen to approximately 50 per cent. Finally, after eight years, two United Nations rapporteurs had been invited to visit Iran. Thanks to the discussions in the Third Committee and the resolutions adopted each year, a domestic discussion on human rights had been initiated in the country. The authorities were exploring the option of revising the death penalty law to remove certain capital offences. Since more than 1,000 persons had been executed in 2015, a potential change in the law in 2016 would be a very positive outcome. Indeed, such an outcome would not have been feasible without a country mandate or without regular discussions in United Nations forums, in which the various delegations participated.

56. In response to a question from Japan, he said that the most remarkable development he had witnessed was the election of President Hassan Rouhani, whose

new approach and new policies of engagement had enabled a much healthier discourse, in particular with respect to the Joint Comprehensive Plan of Action on the Iranian nuclear programme. To demonstrate that it was serious about engaging with the international community on human rights, the Government of Iran could take a number of measures. In particular, it could cooperate with UNODC, which had a human rights mandate in training the judiciary, judges and prison wardens, and could therefore address some of the serious concerns relating to due process rights. He admitted that certain elements in the Constitution of Iran were very democratic. The Islamic Republic of Iran had the essential tools for respecting human rights. The laws or reforms passed must be enforced. The revised penal code must be applied consistently. The important issue should be to end impunity or violation of existing laws and to hold all concerned accountable for enforcement of the law.

57. Dialogue with Iran was becoming an important part of that country's engagement with the outside world. Civil society within and outside the country must also be part of the process. Constructive political engagement with Iran would be beneficial. Investment would also be beneficial, but investors must not exacerbate existing discriminatory practices. Country teams already in Iran, such as those of the United Nations Children's Fund (UNICEF) and the United Nations Development Programme (UNDP), should be asked to support the Government in implementing the recommendations of the universal periodic review. The Government of Iran should engage with those bodies to ensure that they actually contributed to the promotion of human rights. Iran had a national Human Rights Commission, which needed to adhere to the principles of independence and objectivity and should have the wherewithal and the power to act as an internal watchdog for human rights.

58. **Mr. Dehghani** (Islamic Republic of Iran) said that his country strongly disagreed with the Special Rapporteur's understanding of his mandate. It continued to believe that the mandate and the reports had been counterproductive and a barrier to the advance of human rights in the Islamic Republic of Iran. Iranian society was inherently vibrant and progressive. Iranians had been and were very sensitive to foreign intervention, and they saw the mandate as a clear foreign intervention. His delegation wished to

reiterate that dialogue and respect among States was the correct pathway to ensuring the protection and promotion of human rights.

59. In addition, the Special Rapporteur's understanding of country team and country programmes sharply contradicted policy documents such as the quadrennial comprehensive policy review. Agencies such as UNICEF were not part of United Nations human rights mechanisms; they were present in the country to serve the Iranian people and the Government based on national ownership, and the Government decided how they should operate and in which fields they should work.

60. **Ms. Guzmán Madera** (Dominican Republic), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that international migration played a key role in development and the synergies between the two should be strengthened. In a globalized world, States of origin, transit and destination needed to work together and with the international community in order to maximize the benefits of migration and address the challenges it presented.

61. The States members of CELAC called for countries of transit and destination to promote and protect the human rights and fundamental freedoms of children and to take a humanitarian approach to irregular migration. Any action taken should always be in the best interests of the child, in accordance with the provisions of instruments such as the Convention on the Rights of the Child. The CELAC approach to migration was human-rights-based: it rejected the criminalization of irregular migration and any form of racism, xenophobia or discrimination against migrants; it saw them as rights holders on an equal footing with the nationals of the host country, irrespective of their migration status; it promoted their integration into society; and it fostered the reintegration of those returning home.

62. The rising trend of migrant exploitation was particularly alarming, and States must adopt measures that protected migrants from criminal groups. All countries needed to consider the differences between trafficking in persons, including in migrants, and smuggling. CELAC member States were committed to stepping up efforts to prevent and combat human trafficking in all its forms. States should also

implement gender-sensitive programmes and policies to address the specific needs of women migrant workers.

63. In recognition of the importance of the right to a safe voluntary return to the country of origin, countries of origin should implement policies that discouraged unsafe migration. CELAC also urged countries to put an end to selective policies such as the "wet foot, dry foot" policy, given the difficulties they presented in the region.

64. Migration needed a comprehensive approach and, given the challenges facing migrants globally, the United Nations was the best forum in which to address all aspects of the phenomenon.

65. **Mr. Djani** (Indonesia), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that the launch of the ASEAN Community in December 2015 had marked an important milestone for greater cooperation among the States members of ASEAN, including in the area of human rights. ASEAN had also continued to strengthen its cooperation with the United Nations on a wide range of issues such as implementation of the 2030 Agenda for Sustainable Development and gender equality, including through the ASEAN-United Nations Plan of Action for 2016-2020.

66. The ASEAN Intergovernmental Commission on Human Rights continued to serve as the primary overarching human rights institution in ASEAN. Its five-year work plan for 2016-2020 would guide its efforts to mainstream human rights throughout all three pillars of the ASEAN Community. The Commission organized annual youth debates to raise awareness of human rights issues among young people and to encourage their participation in the discussion of human rights. In addition, it had granted consultative status to 11 civil society organizations, with more to be considered, which paved the way for a more meaningful and constructive engagement with such organizations. Other activities included a human rights training programme on mainstreaming the rights of persons with disabilities, and a consultation meeting on a human rights-based approach to the implementation of the ASEAN Plan of Action and Convention against Trafficking in Persons, Especially Women and Children.

67. Turning to the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children, he said that the Commission had developed regional plans of action to implement the Declaration on the Elimination of Violence against Women and the Elimination of Violence against Children in the Association of Southeast Asian Nations. Key strategies and priorities had been identified, along with areas for collaboration. An annual campaign to end violence against women was conducted, and the Commission had participated actively in recent workshops on mainstreaming the rights of persons with disabilities in the ASEAN Community. The Commission continued its dialogue with Marta Santos Pais, Special Representative of the Secretary General on Violence against Children, and supported the High Time to End Violence against Children movement.

68. ASEAN wished to reiterate the importance of universality, impartiality, non-selectivity and transparency, the principles on which it based its engagement within the region and beyond. ASEAN reaffirmed its commitment to ensuring the effective promotion and protection of human rights and fundamental freedoms through a non-confrontational and constructive approach that gave due consideration to regional particularities and differing historical, cultural and religious backgrounds.

69. **Mr. Sauer** (Finland), speaking also on behalf of Sweden, said that the Internet and social media were playing an increasingly significant role in the promotion of democracy, economic growth and development. Access to information was a fundamental aspect of democratic and transparent societies and was no doubt one of the reasons for the continued success of Finland and Sweden in creating economically and politically just societies.

70. While human rights were more widely known thanks to the Internet, civil society space had shrunk in many countries. New threats to freedom of expression and media expression had emerged, such as the censorship of information and ideas online, and repressive legislation, violence and threats against journalists. Women, including female journalists, were regularly subject to online harassment, including rape threats and cyberstalking. Such actions limited the work of reporters and threatened their lives, but also curtailed the participation of citizens in society,

thereby undermining the very foundation of democracy. Finland and Sweden were working with their Nordic and Baltic neighbours to train journalists in investigative journalism and to support free and independent media in areas specifically affected by disinformation and propaganda. Target 16.10 of the 2030 Agenda concerned public access to information and the protection of fundamental freedoms, and was relevant to the achievement of all the other Sustainable Development Goals.

71. Media freedom had been guaranteed in Sweden and Finland — then part of Sweden — 250 years ago when the Government of Sweden had enacted the world's first Freedom of the Press Act. However, even open societies suffered from problems such as incitement to violence and radicalization. The 250th anniversary of the Act in 2016 was a reminder of the progress that had been made, but clearly much remained to be done, and the Governments of Sweden and Finland pledged to work even harder in conjunction with other States, media representatives and civil society to advance freedom of expression globally.

72. Everyone must have equal access to an open, free, secure and equal Internet, where individuals could exercise their right to freedom of opinion, expression, association and assembly. Human rights applied online as well as offline. All States must respect the right to privacy in digital communication, and international cooperation was key to achieving those objectives.

73. **Mr. García Moritán** (Argentina) said that it would be impossible to achieve peace and sustainable development if human rights were not promoted and protected. States must therefore step up their efforts to combat violence and discrimination in all its forms. His country was particularly concerned about the situation of older persons, since existing non-binding instruments had failed to tackle effectively the repeated violations of their rights. Argentina remained convinced that a binding, universal international instrument was the only means of ensuring their right to protection and the General Assembly had already handed down a mandate to develop such an instrument.

74. Given that the Universal Declaration of Human Rights asserted that all human beings were born free and equal, all forms of discrimination and violence against lesbian, gay, bisexual, transgender and intersex

persons must be eradicated. In particular, extrajudicial killings on the basis of sexual orientation or gender identity were completely unacceptable. Bullying and school harassment on any grounds must also be combated. Argentina therefore welcomed the recent appointment by the Human Rights Council of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

75. The migration crisis was one of the greatest humanitarian emergencies of modern times, and States must redouble their efforts to tackle xenophobia, hate and discrimination and must assume greater responsibilities for the protection of refugees, migrants and the displaced. He reiterated his country's unflagging commitment to the abolition of the death penalty, and said that the moratorium was a key instrument that would allow new States to take a first step towards abolition by enabling legal systems to apply alternative punishments or review cases, thereby reducing the risk of the wrong sentence being handed down. Lastly, he drew attention to the tenth anniversary of the International Convention for the Protection of All Persons from Enforced Disappearance, in the drafting and negotiation of which Argentina had played an active role. Argentina welcomed the recent ratifications by Sri Lanka and the Central African Republic and reiterated its call for more countries to adhere to the Convention.

76. **Ms. Laissue** (Switzerland) said that her country was pleased to note that human rights had been duly taken into consideration in the 2030 Agenda. However, many countries were still a long way from applying the principles and commitments set out in international instruments and from fulfilling human rights obligations. In particular, it was alarming that human rights violations were often committed in the name of such considerations as security, which was deemed to be more important than human rights obligations.

77. Civil society space was shrinking in many countries and human rights defenders were suffering intimidation, reprisals or worse at the hands of the State. Switzerland called on all States to reverse that negative trend and to ensure a safe environment for civil society, especially when it was fulfilling its essential role of taking a critical look at the Government.

78. While violent extremism was clearly a serious concern, Switzerland noted that, too often, States responded by committing human rights violations themselves, such as torture and discrimination. Yet such measures often engendered more extremism. That was particularly true of the death penalty, which could only make the situation worse and Switzerland was completely opposed to its use in any circumstances. Switzerland considered prevention to be the most effective way of addressing violent extremism, which meant promoting the values of respect, dialogue and inclusion and upholding human rights and the rule of law, in a way that fostered a relationship of trust between the State and its citizens.

79. Switzerland was committed to strengthening human rights monitoring mechanisms, such as treaty bodies, special procedures and the universal periodic review. It called upon all States to fulfil their obligations in that regard and to engage constructively with those mechanisms, especially in cases where access had been denied. Switzerland believed that including human rights within the peace and security sphere offered great potential for better conflict prevention.

*The meeting rose at 5.55 p.m.*