



# General Assembly

Sixty-fifth session

**71<sup>st</sup>** plenary meeting

Tuesday, 21 December 2010, 3 p.m.  
New York

Official Records

*President:* Mr. Deiss ..... (Switzerland)

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

## Reports of the Third Committee

**The President** (*spoke in French*): The General Assembly will now consider the reports of the Third Committee on agenda items 27, 28, 61, 63 to 68, 105, 106, 118 and 130.

I now request the Rapporteur of the Third Committee, Mr. Asif Garayev of Azerbaijan, to introduce the reports of the Third Committee in one intervention.

**Mr. Garayev** (Azerbaijan), Rapporteur of the Third Committee: It is a great honour and privilege for me to introduce to the General Assembly the reports of the Third Committee submitted under the agenda items allocated to it by the Assembly, namely, items 27, 28, 61, 63 to 68, 105, 106, 118 and 130.

The reports, contained in documents A/65/448 to A/65/460, include the texts of draft resolutions and decisions recommended to the General Assembly for adoption. For the convenience of delegations, the Secretariat has issued document A/C.3/65/INF/1, which contains a checklist of action taken on the draft proposals contained in the reports before the Assembly.

Under agenda item 27, entitled "Social development", including its sub-items (a) to (d), the Third Committee recommends, in paragraph 27 of document A/65/448, the adoption of five draft resolutions and, in paragraph 28, the adoption of one draft decision.

Under agenda item 28, entitled "Advancement of women", including its sub-items (a) and (b), the Third Committee recommends, in paragraph 38 of document A/65/449, the adoption of five draft resolutions and, in paragraph 39, the adoption of one draft decision.

Under agenda item 61, entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", the Third Committee recommends, in paragraph 14 of document A/65/450, the adoption of three draft resolutions.

Under agenda item 63, entitled "Report of the Human Rights Council", the Third Committee recommends, in paragraph 14 of document A/65/451, the adoption of two draft resolutions.

Under agenda item 64, entitled "Promotion and protection of the rights of children", the Third Committee recommends, in paragraph 13 of document A/65/452, the adoption of a draft resolution and, in paragraph 14, the adoption of a draft decision.

Under agenda item 65, entitled "Indigenous issues", including its sub-items (a) and (b), the Third Committee recommends, in paragraph 11 of document A/65/453, the adoption of one draft resolution.

Under agenda item 66, entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance", including its sub-items (a) and (b), the Third Committee recommends, in paragraph 27 of document A/65/454, the adoption of three draft resolutions and, in paragraph 28, the adoption of a

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draft decision. It is my understanding that the Assembly will defer its consideration of draft resolution III, entitled “Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action”, until such a time that it has before it the relevant report of the Fifth Committee.

Under agenda item 67, entitled “Right of peoples to self-determination”, the Third Committee recommends, in paragraph 18 of document A/65/455, the adoption of three draft resolutions. It is also my understanding that New Zealand was not listed in paragraph 11 but had intended to sponsor draft resolution II.

Under agenda item 68, entitled “Promotion and protection of human rights”, the Third Committee recommends, in paragraph 5 of document A/65/456, the adoption of a draft decision.

Under sub-item (a) of agenda item 68, entitled “Implementation of human rights instruments”, the Third Committee recommends, in paragraph 17 of document A/65/456/Add.1, the adoption of two draft resolutions.

Under sub-item (b) of agenda item 68, entitled “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, the Third Committee recommends, in paragraph 135 of document A/65/456/Add.2 (Part II), the adoption of 19 draft resolutions. With regard to draft resolution IV, entitled “International Convention for the Protection of All Persons from Enforced Disappearance”, I would like to draw the Assembly’s attention to the fact that the phrase “as soon as possible, through its ratification by twenty States” has been deleted. The paragraph should therefore read as follows:

“Recognizing that the entry into force of the Convention, and its implementation, will be a significant contribution to ending impunity and to the promotion and protection of all human rights for all.”

In paragraph 2, the word “nineteen” should be replaced by the word “twenty-one” and, after the words “ratified and acceded to it”, the words “enabling its entry into force on 23 December 2010” should be

inserted. The paragraph should therefore read as follows:

“Also welcomes the fact that eighty-seven States have signed the Convention and twenty-one have ratified or acceded to it, enabling its entry into force on 23 December 2010, and calls upon States that have not yet done so to consider signing, ratifying or acceding to the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances.”

Also, the title of draft resolution VIII in the French version of the report should be corrected to read as follows: “Human rights in the administration of justice”.

Also, it may be recalled that, at its 56th plenary meeting, on 6 December, the General Assembly adopted resolution 65/36, entitled “Programme of activities for the International Year for People of African Descent”, which had been recommended by the Third Committee in document A/65/456/Add.2 (Part I).

Under sub-item (c) of agenda item 68, entitled “Human rights situations and reports of special rapporteurs and representatives”, the Third Committee recommends, in paragraph 25 of document A/65/456/Add.3, the adoption of three draft resolutions. It is my understanding that the Assembly will defer its consideration of draft resolution II, entitled “Situation of human rights in Myanmar”, until such a time that it has before it the relevant report of the Fifth Committee.

The Third Committee wishes to advise the Assembly that, under sub-item (d) of agenda item 68, entitled “Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action”, the Committee’s report is contained in document A/65/456/Add.4. No action was required under that item.

Under agenda item 105, entitled “Crime prevention and criminal justice”, the Third Committee recommends, in paragraph 32 of document A/65/457, the adoption of six draft resolutions and, in paragraph 33, the adoption of one draft decision.

Under agenda item 106, entitled “International drug control”, the attention of the Assembly is drawn

to document A/65/458, which contains two draft resolutions listed under paragraph 17. As delegations will recall, draft resolution I in this document is identical to draft resolution I in document A/65/457, which was submitted under agenda item 105 and which the Assembly will be called upon to adopt first. With regard to the report contained in document A/65/458, therefore, the Assembly will be called upon to adopt only draft resolution II.

Under agenda item 118, entitled "Revitalization of the work of the General Assembly", the Third Committee recommends, in paragraph 4 of document A/65/459, the adoption of one draft decision.

Finally, under agenda item 130, entitled "Programme planning", the Third Committee advises the Assembly, in document A/65/460, that no action was required under that item.

I wish to thank my fellow Bureau members, in particular the Chair of the Committee, Ambassador Tommo Monthe, as well as the Vice-Chairs, María Luz Melon, Margareta Ploder and Waheed Al-Shami, and the Secretary of the Committee, Otto Gustafik, for their support and friendship in making this session efficient and ensuring its timely conclusion.

I respectfully commend the reports of the Third Committee to the plenary of the General Assembly for its consideration.

**The President** (*spoke in French*): I thank the Rapporteur of the Third Committee.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Third Committee that are before the Assembly today.

*It was so decided.*

**The President** (*spoke in French*): Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Third Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that

"When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible,

explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Committee, unless the Secretariat is notified to the contrary in advance. This means that, where recorded votes were taken, we will do the same. I should also hope that we will proceed to adopt without a vote those recommendations that were adopted without a vote in the Committee.

Before proceeding, I would like to draw the attention of members to a note by the Secretariat, entitled "List of proposals contained in the reports of the Third Committee", which has been circulated, in English only, as document A/C.3/65/INF/1. This note has been distributed desk-to-desk as a reference guide for action on draft resolutions and decisions recommended by the Committee in its reports.

In that connection, members will find in column three of the note the numbers of the draft resolutions or decisions of the Committee, with the corresponding symbols of the reports for action in the plenary in column two of the same note.

Furthermore, members are reminded that additional sponsors are no longer accepted now that draft resolutions and decisions have been adopted by the Committee. Any clarification about sponsorship should be addressed to the Secretary of the Third Committee.

## **Agenda item 27**

### **Social development**

#### **(a) Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly**

- (b) **Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family**
- (c) **Follow-up to the International Year of Older Persons: Second World Assembly on Ageing**
- (d) **United Nations Literacy Decade: education for all**

#### **Report of Third Committee (A/65/448)**

**The President** (*spoke in French*): The Assembly has before it five draft resolutions recommended by the Third Committee in paragraph 27 of its report and a draft decision recommended by the Committee in paragraph 28 of the same report. We will now take a decision on draft resolutions I to V and on the draft decision, one by one.

Draft resolution I is entitled "Follow-up to the Second World Assembly on Ageing". The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 65/182).

**The President** (*spoke in French*): Draft resolution II is entitled "United Nations Literacy Decade: education for all". The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*Draft resolution II was adopted* (resolution 65/183).

**The President** (*spoke in French*): Draft resolution III is entitled "Cooperatives in social development". The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*Draft resolution III was adopted* (resolution 65/184).

**The President** (*spoke in French*): Draft resolution IV is entitled "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly". The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*Draft resolution IV was adopted* (resolution 65/185).

**The President** (*spoke in French*): Draft resolution V is entitled "Realizing the Millennium

Development Goals for persons with disabilities towards 2015 and beyond". The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*Draft resolution V was adopted* (resolution 65/186).

**The President** (*spoke in French*): We now turn to the draft decision entitled "Report considered by the General Assembly in connection with social development". May I take it that the Assembly wishes to adopt the draft decision as recommended by the Committee?

*The draft decision was adopted.*

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 27 and its sub-items (a) to (d)?

*It was so decided.*

#### **Agenda item 28**

##### **Advancement of women**

###### **(a) Advancement of women**

###### **(b) Implementation of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly**

##### **Report of the Third Committee (A/65/449)**

**The President** (*spoke in French*): The Assembly has before it five draft resolutions recommended by the Third Committee in paragraph 38 of its report and a draft decision recommended by the Committee in paragraph 39 of the same report. We will now take a decision on draft resolutions I to V and on the draft decision, one by one.

Draft resolution I is entitled "Intensification of efforts to eliminate all forms of violence against women". The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 65/187).

**The President** (*spoke in French*): Draft resolution II is entitled "Supporting efforts to end obstetric fistula". The Third Committee adopted the

draft resolution. May I take it that the Assembly wishes to do likewise?

*Draft resolution II was adopted* (resolution 65/188).

**The President** (*spoke in French*): Draft resolution III is entitled “International Widows’ Day”. The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*Draft resolution III was adopted* (resolution 65/189).

**The President** (*spoke in French*): Draft resolution IV is entitled “Trafficking in women and girls”. The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*Draft resolution IV was adopted* (resolution 65/190).

**The President** (*spoke in French*): Draft resolution V is entitled “Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly”. The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*Draft resolution V was adopted* (resolution 65/191).

**The President** (*spoke in French*): I now invite delegations to turn to paragraph 39 of the report to take action on the draft decision entitled “Reports considered by the General Assembly in connection with the advancement of women”. May I take it that it is the wish of the Assembly to adopt the draft decision as recommended by the Third Committee?

*The draft decision was adopted.*

**The President** (*spoke in French*): May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 28 and its sub-items (a) and (b)?

*It was so decided.*

## **Agenda item 61**

### **Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions**

#### **Report of the Third Committee (A/65/450)**

**The President** (*spoke in French*): The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 14 of its report. We will now take a decision on draft resolutions I to III.

Draft resolution I is entitled “Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees”. The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*Draft resolution I was adopted* (resolution 65/192).

**The President** (*spoke in French*): Draft resolution II is entitled “Assistance to refugees, returnees and displaced persons in Africa”. The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted* (resolution 65/193).

**The President** (*spoke in French*): Draft resolution III is entitled “Office of the United Nations High Commissioner for Refugees”. The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do likewise?

*Draft resolution III was adopted* (resolution 65/194).

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 61?

*It was so decided.*

## **Agenda item 63 (continued)**

### **Report of the Human Rights Council**

#### **Report of the Third Committee (A/65/451)**

**The President** (*spoke in French*): The Assembly has before it two draft resolutions recommended by the Third Committee in paragraph 14 of its report.

We will now consider draft resolutions I and II.

I call on the representative of Turkey in explanation of vote before the voting.

**Mr. Akram (Turkey):** Turkey shall vote in favour of draft resolution I on the report of the Human Rights Council contained in document A/65/53 and A/65/53/Add.1, as we did in the voting in the Third Committee last month. We shall do so for the following reasons.

The report and its addendum contain many important resolutions and decisions. However, I wish to focus in particular on Human Rights Council resolution 15/1 on the follow-up to the report of the independent international fact-finding mission on the incident of the humanitarian flotilla of 31 May. The resolution endorses the report of the independent international fact-finding mission, which was tasked to investigate violations of human rights law and international humanitarian law resulting from the Israeli attack in international waters on the international humanitarian convoy to Gaza. During the attack, Israeli forces killed nine civilians and wounded many others.

The independent international fact-finding mission consisted of highly reputable international legal personalities and issued its report after having interviewed 112 witnesses, representing over 20 nationalities, in Geneva, London, Istanbul and Amman. Therefore, the findings and conclusions of the report reflect a meticulous study and analysis of the situation. It also contains compelling legal arguments in the context of international law, including international human rights and humanitarian law.

Among other things, the mission concluded in the report that

“[t]he conduct of the Israeli military and other personnel towards the flotilla passengers was not only disproportionate to the occasion but demonstrated levels of totally unnecessary and incredible violence” (A/HRC/15/21, para. 264).

The report further states that

“[s]uch conduct cannot be justified or condoned on security or any other grounds. It constituted a grave violation of human rights law and international humanitarian law” (*ibid.*).

We see that the vast majority of members of the international community support the findings and

conclusions of the report, which gives a fair account of the events based on solid facts and legal documents.

In the meantime, our commitment to the Panel of Inquiry established by the Secretary-General in accordance with the statement issued by the President of the Security Council of 1 June (S/PRST/2010/9) continues. On 1 September, we submitted our interim report to the Panel of Inquiry with its substantive attachments, including autopsy reports and witness accounts. Our interim report was the result of an objective study carried out by the Turkish commission of investigation by inspecting three of the ships in the convoy, soliciting verbal and written testimony from any available witness, and examining the legal implications of the attack.

After it received the Turkish interim report, the Panel submitted its first progress report to the Secretary-General in mid-September. However, four months later, Israel is yet to present its own report to the Panel. Israel must acknowledge its mistakes and act accordingly. We expect a formal apology and compensation for the wounded and the families of the deceased. Until then, we will not let this matter rest, and neither should the international community.

**The President** (*spoke in French*): The Assembly will now take action on draft resolutions I and II.

Draft resolution I is entitled “Report of the Human Rights Council”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia,

Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Israel.

*Abstaining:*

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

*Draft resolution I was adopted by 123 votes to 1, with 55 abstentions (resolution 65/195).*

**The President** (*spoke in French*): Draft resolution II is entitled “Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims”. The Third Committee adopted draft resolution II. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted (resolution 65/196).*

**The President** (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 63.

#### **Agenda item 64**

##### **Promotion and protection of the rights of children**

- (a) **Promotion and protection of the rights of children**
- (b) **Follow-up to the outcome of the special session on children**

##### **Report of the Third Committee (A/65/452)**

**The President** (*spoke in French*): The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 13 of its report and a draft decision recommended by the Committee in paragraph 14 of the same report.

We will now take a decision on the draft resolution and on the draft decision. The Third Committee adopted the draft resolution, entitled “Rights of the child”. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 65/197).*

**The President** (*spoke in French*): The draft decision is entitled “Reports considered by the General Assembly in connection with the promotion and protection of the rights of children”. May I take it that it is the wish of the Assembly to adopt the draft decision recommended by the Third Committee?

*The draft decision was adopted.*

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 64 and its sub-items (a) and (b)?

*It was so decided.*

#### **Agenda item 65**

##### **Indigenous issues**

- (a) **Indigenous issues**
- (b) **Second International Decade of the World’s Indigenous People**

### Report of the Third Committee (A/65/453)

**The President** (*spoke in French*): The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 11 of its report.

We will now take action on the draft resolution. The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted* (resolution 65/198).

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 65 and its sub-items (a) and (b)?

*It was so decided.*

### Agenda item 66

#### Elimination of racism, racial discrimination, xenophobia and related intolerance

- (a) **Elimination of racism, racial discrimination, xenophobia and related intolerance**
- (b) **Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action**

### Report of the Third Committee (A/65/454)

**The President** (*spoke in French*): The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 27 of its report and a draft decision recommended by the Committee in paragraph 28 of the same report.

Before proceeding further, I should like to inform Members that action on draft resolution III, entitled “Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action”, is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolution III as soon as the report of the Fifth Committee on its programme budget implications is available.

We will now take a decision on draft resolutions I and II and on the draft decision.

Draft resolution I is entitled “Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance”. A recorded vote has been requested.

*A recorded vote was taken.*

*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, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Marshall Islands, Palau, United States of America.

*Abstaining:*

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada,



Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland.

*Draft resolution I was adopted by 129 votes to 3, with 52 abstentions (resolution 65/199).*

[Subsequently, the delegation of the Democratic Republic of the Congo advised the Secretariat that it had intended to vote in favour.]

**The President** (*spoke in French*): Draft resolution II is entitled “International Convention on the Elimination of All Forms of Racial Discrimination”. The Third Committee adopted draft resolution II. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted (resolution 65/200).*

**The President** (*spoke in French*): The draft decision is entitled “Report of the Secretary-General on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action”. May I take it that it is the wish of the Assembly to adopt the draft decision recommended by the Third Committee?

*The draft decision was adopted.*

**The President** (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 66 and its sub-items (a) and (b).

## **Agenda item 67**

### **Right of peoples to self-determination**

#### **Report of the Third Committee (A/65/455)**

**The President** (*spoke in French*): The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 18 of its report.

We will now take decisions on draft resolutions I to III, one by one.

Draft resolution I is entitled “Universal realization of the right of peoples to self-determination”. The Third Committee adopted draft resolution I. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted (resolution 65/201).*

**The President** (*spoke in French*): Draft resolution II is entitled “The right of the Palestinian people to self-determination”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, 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, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and

the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

*Abstaining:*

Cameroon, Canada, Democratic Republic of the Congo, Tonga.

*Draft resolution II was adopted by 177 votes to 6, with 4 abstentions (resolution 65/202).*

**The President** (*spoke in French*): Draft resolution III is entitled "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination". A recorded vote has been requested.

*A recorded vote was taken.*

*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, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic,

Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, 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, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:*

Colombia, Fiji, Mexico, Switzerland, Tonga.

*Draft resolution III was adopted by 127 votes to 52, with 5 abstentions (resolution 65/203).*

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 67?

*It was so decided.*

**Agenda item 68****Promotion and protection of human rights****Report of the Third Committee (A/65/456)**

**The President** (*spoke in French*): The Assembly has before it a draft decision recommended by the Third Committee in paragraph 5 of its report. We shall now take action on the draft decision. The draft decision is entitled "Reports considered by the General Assembly in connection with the promotion and protection of human rights". The Third Committee adopted the draft decision. May I take it that the Assembly wishes to do the same?

*The draft decision was adopted.*

**The President** (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 68.

**(a) Implementation of human rights instruments****Report of the Third Committee (A/65/456/Add.1)**

**The President** (*spoke in French*): The Assembly has before it two draft resolutions recommended by the Third Committee in paragraph 17 of its report. We will now take a decision on those draft resolutions.

We turn first to draft resolution I, entitled "Committee against Torture". The Third Committee adopted the draft resolution. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 65/204).

**The President** (*spoke in French*): Draft resolution II is entitled "Torture and other cruel, inhuman or degrading treatment or punishment". The Third Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted* (resolution 65/205).

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 68?

*It was so decided.*

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms****Report of the Third Committee (A/65/456/Add.2 (Part II))****Amendment (A/65/L.53)**

**The President** (*spoke in French*): The Assembly has before it 19 draft resolutions recommended by the Third Committee in paragraph 135 of its report, as well as an amendment to draft resolution III, contained in document A/65/L.53.

I now give the floor to the representative of the United States of America to introduce the amendment contained in document A/65/L.53.

**Mr. Barton** (United States of America): The United States has the honour today of introducing the amendment contained in document A/65/L.53. This short amendment would be inserted in paragraph 6 (b) of draft resolution III recommended by the Third Committee in its report contained in document A/65/456/Add.2 (Part II), on extrajudicial, summary or arbitrary executions.

Simply put, the amendment seeks to acknowledge that all persons have the right to be free from extrajudicial killing, including those targeted because of their sexual orientation. The United States hopes that all delegations present here will support the insertion of this language. We look forward to seeing its inclusion in the text that the General Assembly adopts today.

**The President** (*spoke in French*): I shall now give the floor to delegations that wish to explain their positions or votes on any or all of the 19 draft resolutions contained in document A/65/456/Add.2 (Part II), as well as on the amendment contained in document A/65/L.53.

**Mr. Burniat** (Belgium): I have the honour to take the floor on behalf of the European Union. The candidate countries Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia; as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

The European Union is a dedicated supporter of the draft resolution on extrajudicial, summary or arbitrary executions, which addresses serious violations of human rights. The EU considers that the amendment introduced by the delegation of the United States (A/65/L.53) significantly improves the text of draft resolution III. The amendment seeks to modify paragraph 6 (b), which lists several vulnerable groups, in order to add a reference to persons who can be victims of extrajudicial, summary or arbitrary executions simply because of their sexual orientation. The United Nations Special Rapporteur on extrajudicial executions has repeatedly noted that sexual orientation is often a motive for such crimes. For that reason, a specific reference to that vulnerable group was indeed present in previous General Assembly resolutions on extrajudicial, summary or arbitrary executions. The United States amendment therefore simply reintroduces an important element that has already been endorsed by the General Assembly in the past.

The European Union opposes all forms of discrimination, including discrimination against persons on the basis of their sexual orientation. Lesbian, gay, bisexual and transgender people have the same rights as all individuals — a principle enshrined in numerous international instruments. The European Union therefore strongly supports the amendment proposed by the United States of America and respectfully invites all Member States to extend the same support to the amendment.

**Mr. Taalas** (Finland): I have the honour to speak on behalf of the Nordic countries, namely, Denmark, Iceland, Norway, Sweden and Finland. As main sponsors of the draft resolution on extrajudicial, summary or arbitrary executions, the Nordic countries were deeply disappointed by the vote in the Third Committee in November that resulted in the deletion to the reference in paragraph 6 (b) to killings on the grounds of sexual orientation.

Since then, we have seen a powerful reaction from civil society in our countries and in many other parts of the world. There is a strong call on the membership of the United Nations to explicitly continue to recognize that sexual orientation is one of the very reasons that many people around the world are subjected to violence.

We welcome Secretary-General Ban Ki-moon's commitment to ending violence and discrimination against persons on the basis of their sexual orientation. To quote him, "We have a collective responsibility to stand against discrimination, to defend our fellow human beings and our fundamental principles". The Nordic countries therefore endorse the initiative of the United States to reintroduce the reference to killings of persons because of their sexual orientation alongside other vulnerable groups.

No group of people is more or less deserving of protection. Equal protection for all is a cornerstone of human rights. States must therefore recognize the particular vulnerability of certain groups to extrajudicial execution. People are killed around the world because of their sexual orientation. The United Nations Special Rapporteur on extrajudicial executions has repeatedly brought this to our attention. Paragraph 6 (b) provides a long list of the most vulnerable groups. We believe that lesbian, gay, bisexual and transgender people belong on that list.

No one should be killed because of their sexual orientation. The United Nations cannot turn a blind eye to this grave human rights violation. The Nordic countries are therefore in favour of the amendment. We call upon other delegations to support it as well.

We are convinced that all delegations share the core concern expressed in the draft resolution, namely, the need to combat extrajudicial, summary or arbitrary executions in all their forms and manifestations. This is reflected in the increasing number of votes in favour of the draft resolution in the Third Committee. We feel that we are moving towards consensus. We encourage all delegations to vote in favour of the draft resolution and send a strong signal against unlawful killings.

**Mr. McNee** (Canada): Canada is deeply concerned by the continuing violations all over the world of human rights and fundamental freedoms based on sexual orientation or gender identity, as well as by the violence, harassment, discrimination, exclusion, stigmatization and prejudice directed against persons because of sexual orientation or gender identity. Canada is particularly concerned that individuals should not be targeted for killing or execution because of their real or perceived sexual orientation or gender identity.

We urge all States to take all necessary measures, including legislative and administrative measures, to

ensure that sexual orientation and gender identity may under no circumstances be the basis for criminal penalties, in particular, executions, arrests or detention. We encourage all States to prevent extrajudicial, arbitrary or summary executions and to prosecute those who commit such acts.

For those reasons, Canada will vote in support of the proposed amendment contained in document A/65/L.53. We encourage other delegations to do so as well.

**Mr. Argüello** (Argentina) (*spoke in Spanish*): I have the honour to speak on behalf of the member States of the Southern Common Market and associated States, namely, Brazil, Paraguay, Uruguay, Venezuela, Bolivia, Colombia, Chile, Ecuador, Peru and my own country, Argentina. Mexico also associates itself with this statement.

Our States support the amendment (A/65/L.53) to draft resolution III recommended by the Third Committee in its report contained in document A/65/456/Add.2 (Part II) because we believe that it is extremely important to reinsert a reference to sexual orientation in paragraph 6 (b) of the draft resolution on extrajudicial, summary or arbitrary executions. We are talking about the gravest violation of human rights, namely, the denial to the right to life for reasons of discrimination. The call contained in paragraph 6 (b) should therefore be a resounding one: no State can accept any form of execution for discriminatory reasons, including the sexual orientation of the victim.

We are not demanding that this group enjoy greater protection than others. We of course recognize that every State must agree internally on its own model of society. However, we are convinced that no country can tolerate that its citizens be victims of execution for reasons of people's sexual orientation or gender identity.

Nonetheless, the Special Rapporteur on extrajudicial executions has repeatedly drawn our attention to the fact that every year, all over the world, people are executed for their sexual orientation. The Members of the United Nations cannot remain indifferent to this. We therefore believe that an explicit reference to this issue in the draft resolution on extrajudicial executions is crucially important.

Therefore, should there be a vote, we will vote in favour of the amendment that has been proposed. We

urge all States to do likewise. We also encourage all delegations to support the draft resolution on extrajudicial, summary or arbitrary executions as an expression of their commitment to human rights and to combating impunity.

**Mr. Osorio** (Colombia) (*spoke in Spanish*): As an original sponsor of the draft resolution on extrajudicial, summary or arbitrary executions, Colombia supports the amendment contained in document A/65/L.53. We reiterate our firm commitment to eliminating all forms of extrajudicial execution. Colombia's political Constitution is founded on the guiding principle of the equality of all citizens. In that regard, based on its belief in democracy, my country resolutely supports the protection and the rights of the lesbian, gay, bisexual and transgender community.

**Mrs. Borges** (Timor-Leste): Timor-Leste takes this opportunity to reaffirm its commitment to the promotion and protection of human rights for all individuals without distinction. As enshrined in my country's Constitution, all people are equal under the law and enjoy the same rights and protections. Furthermore, Timor-Leste reiterates its position as a signatory to the statement read out in the Assembly on 18 December 2008 (see A/63/PV.70 and A/63/635, annex) on sexual orientation and gender identity, which condemned violence, harassment and all forms of prejudice that undermine the integrity and dignity of all people. We are deeply concerned by human rights violations based on sexual orientation, as such practices subvert the integrity and dignity inherent in all people. We condemn such violations.

To ensure that all citizens are given full protection, we recognize the importance and purpose of paragraph 6 (b) of draft resolution III in alerting States to those individuals who are most vulnerable to arbitrary executions. We believe that gays, lesbians, bisexuals and transgender people should be included in that list.

My delegation wishes to express its disappointment that the language regarding killings on the grounds of sexual orientation was removed from the draft resolution as adopted in the Third Committee. Such language has been included in resolutions in previous years.

The practice of targeting individuals based on their sexual orientation has been documented repeatedly by the Special Rapporteur on extrajudicial

executions. As recently as 10 December, on Human Rights Day, the Secretary-General stated the following:

“As men and women of conscience we reject discrimination in general, and in particular discrimination based on sexual orientation and gender identity. When individuals are attacked, abused or imprisoned because of their sexual orientation, we must speak out. We have a collective responsibility to stand against discrimination, to defend our fellow human beings and our fundamental principles.”

My delegation wishes to commend the Secretary-General on his commitment to this very important issue. Timor-Leste will support the amendment introduced by the delegation of the United States of America, as contained in document A/65/L.53. We respectfully encourage all Member States to consider doing the same.

**Mr. Al-Dhaheri** (United Arab Emirates) (*spoke in Arabic*): I am honoured to speak today on behalf of the Arab Group in order to explain the Group's vote on the amendment (A/65/L.53) to the draft resolution submitted by the Third Committee entitled “Extrajudicial, summary or arbitrary executions”.

The Arab Group emphasizes and reaffirms its total commitment to the Universal Declaration of Human Rights and the universal principles and goals enshrined therein, on which the entire membership of the United Nations has agreed. We reaffirm that the fundamental freedoms and universally agreed human rights enshrined in the various international instruments, conventions and agreements we have signed and ratified are universal and indivisible, interlinked, interdependent and mutually reinforcing rights. All members of the international community continue to work towards guaranteeing the protection of all human rights. There is therefore no State that can claim to have achieved success in protecting and realizing all internationally agreed human rights.

While the Arab Group affirms the importance of this draft resolution, after its amendment in the Third Committee, we firmly reject continuing efforts to include in United Nations resolutions controversial expressions and concepts that have not been agreed by the General Assembly and have no legal basis in any international convention or agreement.

Some parties continue to try to reinterpret international instruments and conventions in order to focus on discrimination against certain individuals on the basis of their sexual interests and conduct. At the same time, they ignore facts. For instance, fanaticism and discrimination — whether on the basis of colour, ethnicity, gender or religion — are unfortunately prevalent throughout the world; and every year, hundreds, or even thousands, of people all over the world are subject to discrimination and arbitrary or extrajudicial killing for numerous reasons, including xenophobia. Those are just two examples, and not an exhaustive list. In addition, some Member States do not take into account the fact that the concept of sexual orientation — and attempts to include it in United Nations draft resolutions — involve a wide range of personal choices that far exceed the relationship between two consenting adults.

Our Group affirms that such controversial concepts have no connection with existing international human rights instruments and should not be linked to them. Human beings are not weak by nature. Certain individuals become weak as a result of their social and economic circumstances. Thus, women, children, the elderly, people under foreign occupation, refugees, asylum-seekers, internally displaced persons, migrants, people deprived of their freedoms and persons belonging to national, ethnic, religious or linguistic minorities become vulnerable for many reasons, including the discriminatory and fanatical practices that they face.

The Arab Group expresses its deep displeasure at the fact that some parties continue to go beyond the accepted norms of this worthy Organization by continuing to explicitly politicize human rights issues in order to achieve national political goals. They insist on putting forward technical matters and discussing them at the level of the General Assembly so as to provoke the Assembly into considering controversial ideas that have found no consensus by providing distorted interpretations of agreed texts of international and human rights law in order to justify attempts to include those interpretations in United Nations resolutions. That concept was included in the resolution on extrajudicial, summary or arbitrary executions more than 10 years ago, despite the objection of the majority of Member States. The adoption of this significant draft resolution has therefore changed, from a consensus adoption to a

recorded vote at the current session. Also at this session, the African Group submitted an amendment that added comprehensive language to the draft resolution, enabling its adoption by the Third Committee for the first time in 10 years with a majority of 165 votes and the support of the Arab Group.

Accordingly, the members of our Group will vote against the amendment proposed in document A/65/L.53. We urge all Member States in the General Assembly to send a clear and strong message rejecting the continuing efforts to impose such controversial concepts on draft resolutions supported by the majority of us.

**Mr. Babadoudou (Benin):** I take the floor today on behalf of the African Group to explain the position of the Group before the voting on the amendment, contained in document A/65/L.53, to the draft resolution entitled "Extrajudicial, summary or arbitrary executions", recommended by the Third Committee in its report contained in document A/65/456/Add.2 (Part II).

The African Group is gravely alarmed at the attempt to reintroduce a direct reference, in paragraph 6 (b), to discrimination on the basis of the undefined notion of sexual orientation, as this amendment is aimed at reinterpreting internationally agreed human rights instruments by equating discrimination on the basis of an undefined notion with other forms of discrimination that are universally recognized and clearly codified in international human rights instruments, such as race, colour, gender, ethnicity, nationality, religion and language.

The African Group believes that extrajudicial, summary and arbitrary executions must not take place for any discriminatory reason of any kind or on any basis. Thus, in order to bring the needed comprehensiveness to the draft resolution, the Group introduced its own amendment to the draft resolution in the Third Committee. That amendment was adopted following a vote requested by the same country that introduced today's amendment.

As the Group recognizes that the enumerated rights contained in the Universal Declaration of Human Rights have been codified in subsequent international legal instruments, it is concerned by the systematic attempt to create new rights, standards or groups by misinterpreting the Declaration and international treaties to include undefined notions that were never

articulated or agreed by the general membership of the United Nations.

Those attempts not only undermine the intent of the drafters and signatories of such human rights instruments, they also seriously jeopardize the entire international human rights framework, which was formulated on the basis of dialogue, mutual understanding and respect for each other's specificity, not by means of confrontation or to be manipulated to achieve narrow political gains.

For those reasons, the Group strongly rejects any attempt to undermine the international human rights system by seeking to impose an undefined concept or notion pertaining to social matters, including private individual conduct that falls outside the internationally agreed human rights legal framework negotiated and adopted by Member States, taking into account the fact that such attempts cannot be supported, as they constitute an expression of disregard for the universality of human rights.

*(spoke in French)*

This is a critical and important moment. The choice that each of us makes today will determine the very future of humankind, as well as the importance that we will in future grant to the universal principle of human rights. As we consider casting our votes, I remind my colleagues not to fail to remember that the choice is in their hands. That choice will remain engraved in the history of humankind.

*(spoke in English)*

The bird is in their hands and the choice is theirs.

**Mr. Mashabane (South Africa):** On behalf of my delegation, I would like to thank you, Mr. President, for giving us the floor for an explanation of vote before the voting on the amendment (A/65/L.53) proposed by the delegation of the United States of America.

Democratic society in South Africa is founded on the basic principle of equality and non-discrimination. The right to equality and non-discrimination is entrenched in our Constitution, and our laws and policies prohibit any form of discrimination. The principle of equality and non-discrimination permeates all spheres of life in our society. Sexual orientation is expressly mentioned in our Constitution as one of the grounds upon which discrimination is prohibited, along

with others such as sex, gender, religion, race, nationality or ethnicity.

We are called upon today to consider an amendment that seeks to include in the draft resolution on extrajudicial killings a prohibition on the killing of people on the basis of their sexual orientation. Last month in the Third Committee, when the draft resolution was considered, my delegation supported and voted for an amendment by the African Group because the amendment referred to a prohibition of discrimination on any basis. It was our well-considered view that the amendment was broad enough to not require specifying sexual orientation over the numerous other possible grounds for discrimination.

The amendment now before us has nothing to do with the other amendment I have just referred to. We are considering today's amendment on its own merits. My delegation, guided by our Constitution, which guarantees the right to life, holds a strong view that no killing of human beings whatever can be justified. This amendment seeks to provide a very significant protection to a category of people who are killed because of their sexual orientation. Therefore, for this reason, my delegation will vote in favour of the proposed amendment.

However, my delegation laments the fact that this matter remains divisive and highly contested, partly due to the manner in which delegations have raised it in connection with all the different agenda items related to human rights. The campaign by some delegations to insert this issue into different draft resolutions in spite of its sensitive nature does not help the cause at all. Since this issue is only recognized in national jurisdictions like ours, we call for an intergovernmental, open and inclusive process to discuss the matter with a view to agreeing on a definition that would make it part of the norms and standards of international human rights law.

**Mr. Noziri** (Tajikistan): I take the floor on behalf of the group of Member States belonging to the Organization of the Islamic Conference in explanation of vote before the voting on the amendment contained in document A/65/L.53, which is intended to amend paragraph 6 (b) of draft resolution III, entitled "Extrajudicial, summary or arbitrary executions" and is contained in the report of the Third Committee before us (A/65/456/Add.2 (Part II)).

The OIC group reaffirms that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and that there is also a universal acknowledgment that in no country or territory can it be claimed that all human rights have been fully realized at all times for all. OIC member States recognize that the full realization of all human rights for all remains a challenge, but that they should not shy away from its magnitude.

The principles of non-discrimination and equality are two faces of the same coin. Indeed, they are principles that cut across vast areas related to the full realization of all human rights and fundamental freedoms for all. Such principles are well entrenched in the Charter of the United Nations and internationally agreed human rights instruments, as they all reaffirm the faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women without distinction.

In that context, we are seriously concerned at the attempt to introduce at the United Nations some undefined notions that have no legal foundation in any international human rights instrument. We are even more disturbed at the attempt to focus on certain persons on the grounds of their sexual interests and behaviours while ignoring the fact that intolerance and discrimination regrettably exist all over the world and that a multitude of inexhaustible discriminatory factors, including xenophobia, are among the reasons leading to extrajudicial, summary or arbitrary executions.

Our alarm does not merely stem from concerns about the lack of legal grounds but, more important, it arises from the ominous usage of that notion. The notion of orientation spans a wide range of personal choices that extend far beyond an individual's sexual interests. The OIC group reaffirms that this undefined notion is not, and should not be, linked to existing international human rights instruments.

We believe that people are not inherently vulnerable, but some individuals are made vulnerable due to the socio-economic setting in which they live. Consequently, vulnerable individuals and groups are those women, children, elderly, peoples under foreign occupation, refugees, asylum-seekers and internally displaced persons, migrants, persons deprived of their liberty and individuals living in extreme poverty who — on the basis of their nationality, ethnicity,



religion or language — become vulnerable, inter alia, to intolerance and discrimination against them.

The OIC group strongly deplores all forms of stereotyping, exclusion, stigmatization, prejudice, intolerance, discrimination and violence directed against peoples, communities or individuals on any grounds whatsoever, wherever they occur, and reaffirms article 29 of the Universal Declaration of Human Rights.

We call upon all Member States to continue and step up their efforts towards the total elimination of all forms of racial discrimination, xenophobia and related intolerance. We also call upon all Member States to refrain from attempting to give priority to the rights of certain individuals, which could result in positive discrimination at the expense of others' rights and thus run in contradiction with the principles of non-discrimination and equality.

It is for the reasons that I have stated that the members of the OIC group will vote against this amendment.

Allow me also to make a statement on behalf of the member States of the Organization of the Islamic Conference on draft resolution VI, contained in the same report of the Third Committee now before the Assembly and entitled "Elimination of all forms of intolerance and of discrimination based on religion or belief".

In a spirit of objectivity, flexibility and transparency, the OIC group genuinely engaged in a constructive dialogue with the sponsors of draft resolution VI. It was in that spirit and in spite of diverging positions on many issues in the draft resolution that OIC members decided not to oppose the consensus adoption of the draft resolution. In the same vein, we have refrained from cross-linking positions on similar issues in the hope that such understanding and cooperation would be reciprocated during the consideration of similar draft resolutions.

However, that has not been the case. The OIC group has seriously considered, with extreme disappointment, the limited spirit of its interlocutors' engagement and non-objectivity towards crucial issues of vital importance to our group. The OIC group remains committed to engaging on such issues on the basis of mutual understanding, objectivity, transparency and cooperation, in order to resolve our

differences and achieve consensus on all draft resolutions dealing with similar issues.

In conclusion, the OIC group, while reiterating its commitment to constructive engagement, would like to state clearly that, in the future, it will carefully assess its position on specific issues based on the flexibility shown and political stand taken by partners on issues of importance to the OIC. There will be no more unilateral concessions, as clapping requires the use of both hands. We hope that this message will be taken positively and lead to genuine and constructive engagement that results in consensus-building on all issues of importance.

**Mr. Nduhugirehe** (Rwanda) (*spoke in French*): I would like to express the position of Rwanda and to explain our vote on the amendment introduced by the United States of America (A/65/L.53).

Sexual orientation is a concept that sparks very animated debate, to say the least, in our societies, our States, our political structures and even our families, regardless of our respective cultures, ways of life or religions. These debates generally revolve around the definition of the concept of sexual orientation, the criminalization of certain sexual practices, and the family rights to be granted to those of a different sexual orientation. This is a complex issue, and no definitive decisions have been taken internationally. Within States and continents, there are seemingly irreconcilable positions.

Rwanda rightly feels that the sexual orientation of our compatriots is a totally private matter in which States should not intervene to grant new rights, discriminate or criminalize those of such orientation. But the question before us is very different. Here, the General Assembly is called upon not to grant family rights to people of a different sexual orientation or to take a position on the criminalization of sexual practices, but to take a position on whether these men and women have the right to life.

In listing specific groups — be they national, racial, ethnic, religious, linguistic, political, ideological or professional — the authors of the draft resolution on extrajudicial, summary or arbitrary executions clearly sought to draw attention to high-risk groups that are frequently the target of killing, murder and execution. The aim is to alert States to the vulnerability of these groups, to raise awareness about the crimes committed

against them, and to call for the prosecution of those responsible.

We must not turn away from this issue. Regardless of whether the concept of sexual orientation is well defined, whether we are in favour of the claims of people of a different sexual orientation or whether we approve of their sexual conduct, we must nonetheless address the urgent situation in which men and women — fellow human beings — continue to be the target of murder in many of our societies and are at even greater risk than the majority of the other groups listed.

This is, unfortunately, a reality, and recognizing it as such has nothing to do with granting specific rights. It is simply heeding the call for their fundamental rights — their right to life, like yours and mine — not to be violated. On the contrary, to refuse to recognize this reality for legal, ideological or cultural reasons would be to continue burying our heads in the sand and to fail to alert States to these very real and current executions, which devastate families.

Take my word for it — a human group does not need to be legally defined in order to be the victim of execution and massacre; those who target them have established their own definition. Rwanda learned this the hard way 16 years ago. That is why the delegation of Rwanda will vote in favour of the amendment and calls on other delegations to do the same.

**Mr. Chipaziwa** (Zimbabwe): It is our view that sexual orientation has no place in this draft resolution. What does the phrase mean? It is neither a human right nor a universal value. We will not have it foisted on us. We cannot accept this, especially if it entails accepting such practices such as bestiality, paedophilia or other practices which many societies would find abhorrent to their value systems. We reject this incipient attempt to legislate at the international level on matters that may be problematic domestically. Individual proclivities should remain exactly that. To take this stance is not to condone extrajudicial execution. My delegation aligns itself totally with the statement made by the representative of Benin on behalf of the African Group.

In our view, what adult people do in their private capacity by mutual consent does not need agreement or rejection by Governments, save where such practices are legally proscribed. It is this international legal adventurism that compels us to reject the draft amendment before us (A/65/L.53). We are not

recruiting anyone to our position, but it seems to us that this amendment should be rejected.

**The President** (*spoke in French*): We have heard the last speaker in explanation of vote before the voting on draft resolutions I to XIX and the amendment to draft resolution III (A/65/L.53).

We will now take a decision, one by one, on the 19 draft resolutions and the amendment to draft resolution III contained in document A/65/L.53. After all the decisions have been taken, representatives will again have the opportunity to explain their vote on any or all of the draft resolutions and on the amendment.

We turn first to draft resolution I, entitled “Moratorium on the use of the death penalty”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of).

*Against:*

Afghanistan, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Democratic People's Republic of Korea, Egypt, Ethiopia, Grenada, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Myanmar, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Swaziland, Syrian Arab Republic, Tonga, Trinidad and Tobago, Uganda, United States of America, Yemen, Zimbabwe.

*Abstaining:*

Bahrain, Belarus, Cameroon, Central African Republic, Comoros, Cuba, Democratic Republic of the Congo, Djibouti, Dominica, Eritrea, Fiji, Ghana, Guinea, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Malawi, Mauritania, Morocco, Niger, Nigeria, Oman, Republic of Korea, Senegal, Sierra Leone, Solomon Islands, Suriname, Thailand, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

*Draft resolution I was adopted by 109 votes to 41, with 35 abstentions (resolution 65/206).*

[Subsequently, the delegation of the Gambia advised the Secretariat that it had intended to abstain.]

**The President** (*spoke in French*): Draft resolution II is entitled "The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights". The Third Committee adopted draft resolution II. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted (resolution 65/207).*

**The President** (*spoke in French*): Draft resolution III is entitled "Extrajudicial, summary or arbitrary executions". An amendment to the draft resolution is contained in document A/65/L.53. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the amendment contained in document A/65/L.53. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Samoa, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of).

*Against:*

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, China, Comoros, Congo, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Gambia, Ghana, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Mauritania, Morocco, Namibia, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia, Zimbabwe.

*Abstaining:*

Belarus, Bhutan, Cambodia, Eritrea, Guinea, Guinea-Bissau, Guyana, Haiti, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Maldives, Mali, Mongolia, Mozambique, Philippines, Saint Vincent and the Grenadines,

Sao Tome and Principe, Singapore, Sri Lanka, Suriname, Thailand, Togo, Trinidad and Tobago, Viet Nam.

*The amendment contained in document A/65/L.53 was adopted by 93 votes to 55, with 27 abstentions.*

**The President** (*spoke in French*): We will now take a decision on draft resolution III, as amended. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam.

*Against:*

Saudi Arabia.

*Abstaining:*

Afghanistan, Angola, Bahrain, Bangladesh, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, China, Comoros, Congo, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Gambia, Ghana, Guinea, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Marshall Islands, Mauritania, Morocco, Namibia, Nauru, Nigeria, Oman, Pakistan, Palau, Qatar, Russian Federation, Saint Lucia, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Tunisia, Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Yemen, Zambia, Zimbabwe.

*Draft resolution III, as amended, was adopted by 122 votes to 1, with 62 abstentions (resolution 65/208).*

[Subsequently, the delegation of Saudi Arabia advised the Secretariat that it had intended to abstain.]

**The President** (*spoke in French*): Draft resolution IV, as orally corrected by the Rapporteur, is entitled "International Convention for the Protection of All Persons from Enforced Disappearance". The Third Committee adopted draft resolution IV. May I take it that the Assembly wishes to adopt draft resolution IV as orally corrected?

*Draft resolution IV, as orally corrected, was adopted (resolution 65/209).*

**The President** (*spoke in French*): Draft resolution V is entitled "Missing persons". The Third Committee adopted draft resolution V. May I take it that the Assembly wishes to do likewise?

*Draft resolution V was adopted (resolution 65/210).*

**The President** (*spoke in French*): Draft resolution VI is entitled "Elimination of all forms of intolerance and of discrimination based on religion or belief". The Third Committee adopted draft resolution VI. May I take it that the Assembly wishes to do the same?

*Draft resolution VI was adopted (resolution 65/211).*

**The President** (*spoke in French*): Draft resolution VII is entitled "Protection of migrants". The Third Committee adopted draft resolution VII. May I take it that the Assembly wishes to do likewise?

*Draft resolution VII was adopted (resolution 65/212).*

**The President** (*spoke in French*): Draft resolution VIII is entitled "Human rights in the administration of justice". The Third Committee adopted draft resolution VIII. May I take it that the Assembly wishes to do the same?

*Draft resolution VIII was adopted (resolution 65/213).*

**The President** (*spoke in French*): Draft resolution IX is entitled "Human rights and extreme poverty". The Third Committee adopted draft resolution IX. May I take it that the Assembly wishes to do likewise?

*Draft resolution IX was adopted (resolution 65/214).*

**The President** (*spoke in French*): Draft resolution X is entitled "Elimination of discrimination against persons affected by leprosy and their family members". The Third Committee adopted draft resolution X. May I take it that the Assembly wishes to do the same?

*Draft resolution X was adopted (resolution 65/215).*

**The President** (*spoke in French*): Draft resolution XI is entitled "Globalization and its impact on the full enjoyment of all human rights". A recorded vote has been requested.

*A recorded vote was taken.*

*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, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of

Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, 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, 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, Micronesia (Federated States of), 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, United States of America.

*Draft resolution XI was adopted by 132 votes to 54 (resolution 65/216).*

**The President** (*spoke in French*): Draft resolution XII is entitled "Human rights and unilateral

coercive measures”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, 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, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, 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, Zimbabwe.

*Against:*

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), 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, United States of America.

*Draft resolution XII was adopted by 131 votes to 53 (resolution 65/217).*

**The President** (*spoke in French*): Draft resolution XIII is entitled “Enhancement of international cooperation in the field of human rights”. The Third Committee adopted draft resolution XIII. May I take it that the Assembly wishes to do the same?

*Draft resolution XIII was adopted (resolution 65/218).*

**The President** (*spoke in French*): Draft resolution XIV entitled “The right to development”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint

Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, 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, Zimbabwe.

*Against:*

Australia, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Georgia, Germany, Hungary, Israel, Japan, Latvia, Lithuania, Marshall Islands, Netherlands, New Zealand, Palau, Poland, Republic of Korea, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:*

Albania, Andorra, Austria, Croatia, Cyprus, Finland, France, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, Norway, Portugal, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

*Draft resolution XIV was adopted by 133 votes to 24, with 28 abstentions (resolution 65/219).*

**The President** (*spoke in French*): Draft resolution XV is entitled “The right to food”. The Third Committee adopted draft resolution XV without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution XV was adopted (resolution 65/220).*

**The President** (*spoke in French*): Draft resolution XVI is entitled “Protection of human rights and fundamental freedoms while countering terrorism”. The Third Committee adopted draft resolution XVI without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution XVI was adopted (resolution 65/221).*

**The President** (*spoke in French*): Draft resolution XVII is entitled “Promotion of peace as a

vital requirement for the full enjoyment of all human rights by all”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, 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, 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, Micronesia (Federated States of), 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, United States of America.

*Abstaining:*

Armenia, Chile, Samoa, Singapore.

*Draft resolution XVII was adopted by 127 votes to 54, with 4 abstentions (resolution 65/222).*

**The President** (*spoke in French*): Draft resolution XVIII is entitled “Promotion of a democratic and equitable international order”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, 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 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, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:*

Argentina, Armenia, Chile, Mexico, Peru.

*Draft resolution XVIII was adopted by 126 votes to 54, with 5 abstentions (resolution 65/223).*

**The President** (*spoke in French*): Draft resolution XIX is entitled “Combating defamation of religions”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Bolivia (Plurinational State of), Brunei Darussalam, Burkina Faso, Cambodia, Central African Republic, China, Comoros, Cuba, Democratic People’s Republic of Korea, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Guinea, Guinea-Bissau, Guyana, Haiti, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Vincent and the Grenadines, Saudi Arabia,



Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

*Against:*

Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Zambia.

*Abstaining:*

Albania, Antigua and Barbuda, Armenia, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Burundi, Cameroon, Cape Verde, Colombia, Congo, Costa Rica, Democratic Republic of the Congo, Dominica, Ecuador, Ghana, Grenada, Guatemala, Honduras, India, Jamaica, Japan, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mongolia, Nepal, Paraguay, Peru, Rwanda, Saint Kitts and Nevis, Sao Tome and Principe, Togo, Trinidad and Tobago, Tuvalu, United Republic of Tanzania.

*Draft resolution XIX was adopted by 79 votes to 67, with 40 abstentions (resolution 65/224).*

**The President** (*spoke in French*): I shall now call on those delegations wishing to speak in explanation of vote on the resolutions just adopted.

**Ms. Astiasarán Arias** (Cuba) (*spoke in Spanish*): In regard to resolution 65/208 on extrajudicial, summary and arbitrary executions, my delegation would like to make the following statement.

Respect for the right to life, freedom and security of individuals is a cornerstone of the exercise of all human rights. In this regard, the practice of extrajudicial, summary or arbitrary execution is an abominable act and a flagrant violation of human rights, particularly the victim's right to life and physical integrity. Cuba firmly rejects such practices and affirms the urgent need to take effective measures to prevent, combat and eliminate them, including to prevent such acts from going unpunished. Ensuring the full protection of the right to life of all individuals without distinction is an ineluctable responsibility of all States, particularly regarding people or specific groups of people in especially vulnerable situations.

For Cuba, any extrajudicial, summary or arbitrary execution is to be condemned. Such acts are unjustifiable and illegal, including those perpetrated for clearly discriminatory reasons such as race, colour, sex, sexual orientation, gender identity, language, religion, political or any other opinion, national or social origin, economic position, birth, social condition or any other type of discrimination that harms human dignity.

The Cuban Constitution proscribes discrimination of any nature. We have no legislation that penalizes people for reasons of sexual orientation or gender identity. In Cuba, the National Centre for Sexual Education and the Multidisciplinary Centre for Studies of Sexuality, together with other State and Government institutions and non-governmental organizations, have promoted respect for freedom of sexual orientation and gender identity as a reflection of our State and Government's firm policy guaranteeing the full equality of all Cubans, men and women. In conformity with that position, Cuba reaffirms its rejection of extrajudicial, summary and arbitrary execution in any form or manifestation and for whatever reason, including executions carried out based on sexual orientation or gender identity.

We are concerned that a particularly sensitive topic such as this should be used for political manipulation by the Government of the United States, the author of the amendment to today's resolution. The United States is a country with a long history of extrajudicial executions. We must note that, in the court of public opinion, that country is now seen as a champion of that act and, in recent years, has abstained in the voting on the resolution as a whole.

As seen here a few minutes ago, on this occasion the United States has again abstained, which clearly demonstrates the manipulative nature of its amendment and the fact that this proposal really has nothing to do with defending the sexual orientation of individuals —

**The President** (*spoke in French*): I give the floor to the representative of the United States of America on a point of order.

**Mr. Barton** (United States of America): Cuba's statement should be an explanation of its vote, not an attack against the United States.

**The President**: We take note of that remark.

**Ms. Abubakar** (Libyan Arab Jamahiriya) (*spoke in Arabic*): My delegation is making this statement in explanation of our vote on the amendment, contained in document A/65/L.53, to resolution 65/208, entitled "Extrajudicial, summary or arbitrary executions". My delegation would also like to explain our vote on the resolution as a whole.

In this context, the delegation of the Libyan Arab Jamahiriya expresses its full support for the statements made by the representative of the United Arab Emirates on behalf of the Group of Arab States, the representative of Benin on behalf of the Group of African States and the representative of Tajikistan on behalf of the Organization of the Islamic Conference concerning the amendment, contained in document A/65/L.53, to paragraph 6 (b) of resolution 65/208, entitled "Extrajudicial, summary or arbitrary executions".

Although my country supports most of the contents of the resolution just adopted by the General Assembly, we abstained in the voting because we cannot agree to paragraph 10, which calls upon States to ratify the Rome Statute of the International Criminal Court (ICC). Our position on the ICC remains unchanged. It is a selective body controlled by the Security Council. It has to date ignored crimes perpetrated by Israeli occupation forces in occupied Palestinian land and merely concentrated on serving the narrow political interests of a handful of countries.

**Mr. Barton** (United States of America): The United States would like to thank countries for their strong support for the amendment to resolution 65/208. We applaud those Member States that have stood with us to oppose efforts seeking to block language on sexual orientation from resolution 65/208.

Along with many countries in this Hall today, the United States was deeply disappointed by the voting in the Third Committee, which eliminated any mention of lesbian, gay, bisexual and transgender individuals from the resolution condemning extrajudicial killings of vulnerable people around the world.

The voices of civil society and human rights defenders around the world have indeed been heard by the States Members of the United Nations, and for that my delegation is especially grateful. The General Assembly has sent a clear signal today that justice and human rights apply to all individuals regardless of their sexual orientation. As Secretary-General Ban Ki-moon said this year on Human Rights Day, the Universal Declaration of Human Rights applies to all human beings without exception and violence will end only when we confront prejudice.

Having just celebrated the sixty-second anniversary of the adoption of the Universal Declaration of Human Rights, today's vote ensures that the principles enshrined in that Declaration are put into practice and indeed live on in the twenty-first century. We have reaffirmed that all human rights apply to all. We hope that we can continue to make progress on this at the United Nations and that all Member States will consider signing the statement on lesbian, gay, bisexual and transgender human rights before the next session of the General Assembly. We thank the members of the General Assembly for their support today.

**Mr. Noziri** (Tajikistan): I take the floor on behalf of the States members of the Organization of the Islamic Conference to explain the position of the group after the voting on resolution 65/208, entitled "Extrajudicial, summary or arbitrary executions", as amended.

The group strongly deplores all forms of stereotyping, exclusion, stigmatization, prejudice, intolerance, discrimination and violence directed against peoples, communities and individuals on any grounds whatsoever, wherever they occur. The group further reaffirms article 29 of the Universal Declaration of Human Rights and the right of Member States to enact laws that meet the just requirements "of morality, public order and the general welfare in a democratic society".

The group reaffirms that there is no internationally recognized definition of the controversial notion of sexual orientation and that

fundamental freedoms and universally recognized human rights should be enjoyed by all human beings without discrimination on the basis of their humanity and not any particular individual conduct. The group is alarmed and will continue to reject systematic attempts to misinterpret the Universal Declaration and international treaties to include such undefined notions, which were never articulated or agreed upon by the general membership of the United Nations, and the forcing of such undefined notions on United Nations resolutions to achieve narrow, internal political gains. This compelled States members of the group to abstain in the voting on this important resolution.

**Mr. Hassan Ali Hassan Ali** (Sudan) (*spoke in Arabic*): The delegation of the Sudan would like once again to express its opinion on resolution 65/208, entitled "Extrajudicial, summary or arbitrary executions".

My delegation associates itself with the statements made on behalf of the Group of Arab States, the Group of African States and the Organization of the Islamic Conference. For the reasons summarized in those statements, the delegation of the Sudan voted against the amendment proposing language that was not internationally agreed upon and therefore lacks the legitimacy of unanimity, particularly with respect to sexual orientation. My delegation regrets the language pertaining to sexual orientation and its inclusion in the resolution. The text has now lost its balanced nature, which was achieved through the African amendment in the Third Committee, which enjoyed the support of all involved.

My delegation would also like to express its rejection of further language recognizing the supposed role and participation of the International Criminal Court, which is still in a phase of development that makes it difficult to assess it positively. Although it has concluded its first decade of existence, the Court has yet to complete its first trial. Of import to us here is that the resolution in question cannot constitute an invitation to join the Court or cooperate with it, as stated in paragraph 10. The Court is a source of controversy and based on a convention binding on its parties alone, in accordance with the norms of international law.

The abstention of the Sudan in the voting today does not signify that we do not agree with many of the elements contained in the resolution in question. The

delegation of the Sudan stresses that extrajudicial, summary or arbitrary executions are fully rejected and punished in accordance with our domestic laws.

**The President** (*spoke in French*): I call on the representative of Georgia on a point of order.

**Ms. Shiolashvili** (Georgia): My delegation would like to draw attention to some developments concerning agenda item 68 (b). The Assembly may recall that, under this item, on 21 October the Third Committee heard a statement by Mr. Walter Kälin, the Representative of the Secretary-General on the Human Rights for Internally Displaced Persons, and considered the relevant report on protection and assistance to internally displaced persons (see A/65/282).

The report contains significant errors in the part related to Georgia. Of particular concern to our delegation is section II of the report, on the visits of the Representative of the Secretary-General to 11 States. To our great surprise, an integral part of Georgia's Tskhinvali region/South Ossetia, currently illegally occupied by troops from a neighbouring country, is named among these 11 States. We considered this error to be of a political rather than a technical nature. Apparently, this error was introduced into the report at the final stage of its drafting in New York.

In his remarks before the Committee, Mr. Kälin, the author of the report, unequivocally called for immediate corrections of these and other errors. My delegation strongly supported Mr. Kälin's call. As a result, the corrigendum A/65/282/Corr.1 to the report was issued on 3 November 2010.

The corrections are as follows. The title of section II.B, subsection 10, should read "Georgia". Changes were also made in section III.A, paragraph 61, concerning the role of the authorities in effective control of the occupied territories in blocking humanitarian access to the affected population, and in the footnote to the same paragraph regarding the amendments to the Georgian law on the occupied territories.

My delegation expresses its gratitude to Mr. Walter Kälin for these corrections. While the reasons that allowed these significant errors to occur are not clear, we request the Secretariat to exercise vigilance to prevent such occurrences in the future. We would request delegations to get a hold of this

corrigendum, which is available on the official website of the Office of the High Commissioner for Human Rights, and to make it an integral part of the report, since the report in its present form grossly distorts factual descriptions.

**The President** (*spoke in French*): I call on the observer of the Holy See.

**Mr. Bené** (Holy See): In reference to resolution 65/208 on extrajudicial, summary or arbitrary executions, my delegation is particularly grateful for its strong condemnation of grave violations, as well as for its demand that they be brought to an end and that effective action be taken to prevent, combat and eliminate them.

The original and inalienable right to life of all persons is clearly recognized in international instruments. The right to life of persons under the age of 18 and the obligation of States to guarantee the enjoyment of this right to the maximum extent possible are also recognized. All persons are equal before the law and entitled to equal protection of the law without distinction or discrimination, and all persons should be guaranteed equal and effective access to remedies for the violation of this right.

However, the introduction into such a resolution of categories such as sexual orientation and gender identity, which find no clear and agreed definition in international law, can give rise to serious uncertainty in the law and undermine the ability of States to enter into and enforce new and existing human rights standards, thus undermining these standards instead of reinforcing them. My delegation therefore maintains that the implementation of this resolution is the sovereign responsibility of each State in conformity with all human rights and fundamental freedoms and the significance of and full respect for religious, ethical and cultural values.

For this reason, my delegation takes this opportunity to affirm that resolution 65/208 should focus on protecting persons and not be clouded by undefined categories. Accordingly, the resolution should truly urge all States to ensure the effective protection of the right to life of all persons under their jurisdiction, to investigate promptly and thoroughly killings committed for, inter alia, discriminatory reasons, to bring those responsible to justice and to ensure that such killings are neither condoned nor sanctioned by State officials or personnel.

The deliberate decision to deprive an innocent human being of his or her life is always morally evil and can never be licit either as an end in itself or as a means to a good end. As far as the right to life is concerned, every innocent human being is absolutely equal to all others — an equality which is the basis of all authentic social relationships, which, to be truly such, can be founded only on truth and justice, recognizing and protecting every man and woman as a person and not as an object.

**The President** (*spoke in French*): We have heard the last speaker on points of order. May I take it that the General Assembly has concluded its consideration of sub-item (b) of agenda item 68?

*It was so decided.*

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

#### **Report of the Third Committee (A/65/456/Add.3)**

**The President** (*spoke in French*): The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 25 of its report.

Before proceeding, I should like to inform members that action on draft resolution II, entitled “Situation of human rights in Myanmar”, is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolution II as soon as the report of the Fifth Committee on its programme budget implications is available.

We will now take decisions on draft resolutions I and III.

Draft resolution I is entitled “Situation of human rights in the Democratic People’s Republic of Korea”. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Canada, Cape Verde, Central African Republic, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany,

Ghana, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu.

*Against:*

Algeria, Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, Guinea, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Myanmar, Oman, Russian Federation, Somalia, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

*Abstaining:*

Angola, Antigua and Barbuda, Azerbaijan, Bangladesh, Barbados, Bolivia (Plurinational State of), Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Colombia, Comoros, Congo, Democratic Republic of the Congo, Dominica, Dominican Republic, Ecuador, Ethiopia, Gambia, Grenada, Guyana, Haiti, India, Indonesia, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Mali, Mauritania, Mauritius, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Tajikistan, Thailand, Trinidad and Tobago, Turkmenistan, Uganda, Yemen, Zambia.

*Draft resolution I was adopted by 106 votes to 20, with 57 abstentions (resolution 65/225).*

**The President** (*spoke in French*): Draft resolution III is entitled "Situation of human rights in the Islamic Republic of Iran". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Cape Verde, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Gambia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

*Against:*

Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Cambodia, China, Comoros, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, Guinea, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Myanmar, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Tunisia, Turkmenistan, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

*Abstaining:*

Angola, Antigua and Barbuda, Barbados, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cameroon, Central African Republic, Colombia, Congo, Democratic Republic of the Congo,

Djibouti, Dominica, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, India, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Niger, Nigeria, Paraguay, Philippines, Republic of Korea, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tuvalu, Uganda, United Republic of Tanzania, Uruguay, Zambia.

*Draft resolution III was adopted by 78 votes to 45, with 59 abstentions (resolution 65/226).*

**The President** (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of sub-item (c) of agenda item 68.

**(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action**

**Report of the Third Committee (A/65/456/Add.4)**

**The President** (*spoke in French*): May I take it that the Assembly wishes to take note of the report of the Third Committee?

*It was so decided.*

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (d) of agenda item 68?

*It was so decided.*

**The President** (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 68.

**Agenda item 105**

**Crime prevention and criminal justice**

**Report of the Third Committee (A/65/457)**

**The President** (*spoke in French*): The Assembly has before it six draft resolutions recommended by the Third Committee in paragraph 32 of its report and one draft decision recommended by the Committee in paragraph 33 of the same report.

We will now take decisions on draft resolutions I to VI and on the draft decision, one by one.

Draft resolution I is entitled "Realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework". The Third Committee adopted draft resolution I. May I take it that the Assembly wishes to do likewise?

*Draft resolution I was adopted (resolution 65/227).*

**The President** (*spoke in French*): Draft resolution II is entitled "Strengthening crime prevention and criminal justice responses to violence against women". The Third Committee adopted draft resolution II. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted (resolution 65/228).*

**The President** (*spoke in French*): Draft resolution III is entitled "United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)". The Third Committee adopted draft resolution III. May I take it that the Assembly wishes to do likewise?

*Draft resolution III was adopted (resolution 65/229).*

**The President** (*spoke in French*): Draft resolution IV is entitled "Twelfth United Nations Congress on Crime Prevention and Criminal Justice". The Third Committee adopted draft resolution IV. May I take it that the Assembly wishes to do the same?

*Draft resolution IV was adopted (resolution 65/230).*

**The President** (*spoke in French*): Draft resolution V is entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders". The Third Committee adopted draft resolution V. May I take it that the Assembly wishes to do the same?

*Draft resolution V was adopted (resolution 65/231).*

**The President** (*spoke in French*): Draft resolution VI is entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity". The Third Committee adopted draft resolution VI. May I take it that the Assembly wishes to do likewise?

*Draft resolution VI was adopted (resolution 65/232).*

**The President** (*spoke in French*): We now turn to the draft decision entitled "Reports considered by the General Assembly in connection with crime prevention and criminal justice". May I take it that it is the wish of the General Assembly to adopt the draft decision recommended by the Third Committee?

*The draft decision was adopted.*

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 105?

*It was so decided.*

## **Agenda item 106**

### **International drug control**

#### **Report of the Third Committee (A/65/458)**

**The President** (*spoke in French*): The Assembly has before it two draft resolutions recommended by the Third Committee in paragraph 17 of its report. As noted by the Rapporteur, the Assembly will take action only on draft resolution II, as draft resolution I was adopted separately under agenda item 105.

We will now take a decision on draft resolution II. Draft resolution II is entitled "International cooperation against the world drug problem". The Third Committee adopted draft resolution II. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted (resolution 65/233).*

**The President** (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 106?

*It was so decided.*

## **Agenda item 118 (continued)**

### **Revitalization of the work of the General Assembly**

#### **Report of the Third Committee (A/65/459)**

**The President** (*spoke in French*): The Assembly has before it a draft decision recommended by the Third Committee in paragraph 4 of its report. We will now take action on the draft decision, entitled "Programme of work of the Third Committee for the sixty-sixth session of the General Assembly". May I take it that the Assembly wishes to adopt the draft decision recommended by the Third Committee?

*The draft decision was adopted.*

**The President** (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 118.

## **Agenda item 130 (continued)**

### **Programme planning**

#### **Report of the Third Committee (A/65/460)**

**The President** (*spoke in French*): May I take it that the General Assembly wishes to take note of the report of the Third Committee?

*It was so decided.*

**The President** (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 130.

On behalf of the General Assembly, I would like to thank His Excellency Mr. Michel Tommo Monthe, Permanent Representative of Cameroon to the United Nations and Chair of the Third Committee, members of the Bureau, the Secretary of the Committee and representatives for a job well done.

The General Assembly has thus concluded its consideration of all the reports of the Third Committee before it today.

*The meeting rose at 6.15 p.m.*