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Chair: Mr. Braun (Luxembourg)
later: Ms. Eyheralde Geymonat (Vice-Chair) (Uruguay)

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The meeting was called to order at 10.10 a.m.

Agenda item 70: Promotion and protection of human rights (continued)

- (a) **Implementation of human rights instruments** (continued) (A/74/40, A/74/44, A/74/48, A/74/55, A/74/56, A/74/146, A/74/148, A/74/228, A/74/233, A/74/254 and A/74/256)
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- (c) **Human rights situations and reports of special rapporteurs and representatives** (continued) (A/74/166, A/74/188, A/74/196, A/74/268, A/74/273, A/74/275, A/74/276, A/74/278, A/74/303, A/74/311 and A/74/342)
- (d) **Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (continued) (A/74/36)

1. **Ms. Boly Barry** (Special Rapporteur on the right to education), introducing her report (A/74/243), said that the right to education as a means to prevent atrocity crimes and mass or grave violations of human rights was a matter that concerned not only societies experiencing great turbulence but also peaceful societies. Indeed, it was essential and urgent to implement the right to equitable, inclusive and quality education in times of peace in order to prevent such crimes and violations from being committed in the future.

2. The report traced developments in education standards from the adoption of the Universal Declaration of Human Rights until the more recent adoption of the Sustainable Development Goals. Peace, participation in social development, knowledge, understanding and acceptance of others, respect for cultural diversity and education that was adapted to the needs and skills of students were educational objectives that were widely accepted by States and promoted by human rights mechanisms at the regional and

international levels. However, education systems did not operate independently of the societies in which they were located, but rather they reproduced, sometimes intentionally, the power relations and systems of domination that existed within those societies.

3. Schools were too often tools to divide communities or spread propaganda. Division and hatred were instilled through segregation and in disciplines including history, geography, language, religion and science, and they could occur explicitly or implicitly, including through programmes that spread stereotypical images of minorities or social groups. Schools could impose religious doctrines by excluding girls or reinforcing images of “good” behaviour for women, girls and wives. Those ideas, which were often behind violent extremism, needed to be considered in preventing atrocities against women. However, without the appropriate financing and qualified teachers, public education systems lacked the credibility and authority needed to counter the spread of hatred, including on social media.

4. In accordance with Sustainable Development Goal 4, inclusive and equitable quality education was required to promote peace and prevent atrocities, and only an approach based on the right to education could harness that preventive potential. Protecting that right would enable children and adults to live in and contribute to peaceful and democratic societies. Achieving Goal 4 meant providing the tools to better understand the full complexity of society.

5. It was only by ensuring the right to an equitable, inclusive and quality education for all that effective prevention, in particular at the earliest stages, could be attainable. States should respect, protect and fulfil the right to education by providing a system of free public education of the highest quality and allocating the necessary resources. In private institutions, States needed to implement measures to ensure the realization of the right to education, including when it was provided without State control or participation. To harness the preventive potential of the right to education, she proposed the ABCDE framework, whereby education should promote acceptance of oneself and others, a feeling of belonging to society, critical thinking, diversity and empathy.

6. **Ms. Bogyay** (Hungary) said that the ABCDE framework reflected her country’s approach to education. In line with the recommendation to include minority languages in bilingual education, Hungary was providing mother tongue education to national minorities, thus upholding their right to preserve their cultural identity. Convinced of the importance of

providing education on past atrocities, Hungary included Holocaust education in its school curricula. The right to inclusive and equitable quality education was key for preventing atrocity crimes and achieving sustainable peace.

7. Her Government was strongly committed to respecting, protecting and fulfilling the right to education as a key human right, as well as ensuring equality, inclusion and non-discrimination for all. To that end, comprehensive reforms had been adopted to improve the quality of and access to education and to improve educational attainment levels. Measures included providing free and compulsory nursery and primary education, as well as free and accessible secondary education, and extending higher education opportunities and financial support. An early warning and pedagogical support system had also been introduced to reduce early school leaving, and special policies were in place to assist students with special needs and minorities, including Roma students.

8. **Mr. Roijen** (Observer for the European Union) said that the European Union was committed to investing in more and better education within the European Union and worldwide. It was necessary to ensure that no child was left behind and to provide opportunities for at least 12 years of quality education for all. In that regard, over 6.5 million students in 55 countries around the world had benefited from educational projects funded by the European Union between 2015 and 2018. As part of its efforts to provide the best possible education in emergency situations, in May 2018 the European Commission had issued a communication on education in emergencies and protracted crises, in which it had committed to focusing on ensuring education continuity by addressing barriers and returning out-of-school children to safe and high-quality education. In 2019, the European Union was further scaling up its funding in education in emergencies and protracted crises to 10 per cent of the humanitarian budget.

9. It would be useful to receive further information on the implementation of the ABCDE framework and on the assessment tools to determine its success. Given that the underfunding of education undermined the right to education, he asked what prevented States from investing significantly in school systems and how they could be convinced to do so. In a context in which schools could be used as tools for division and propaganda, he asked how schools could play a positive role in contributing to the prevention of atrocity crimes and mass human rights violations.

10. **Ms. Savitri** (Indonesia) said that her delegation echoed the views of the Special Rapporteur on the need to prevent genocide and mass atrocities at a far earlier stage. As a highly heterogeneous nation, Indonesia crafted its educational curricula based on national legal principles that were crucial for generating a harmonious and vibrant society. In that regard, the country's education system was democratic and non-discriminatory and maintained respect for human rights, national diversity and cultural values. Despite the various challenges it faced, Indonesia reaffirmed its commitment to improving and bringing equality to education across the country. She asked what role parents could play in cooperation with other stakeholders towards the implementation of the ABCDE framework.

11. **Ms. Mohamed** (Maldives) said that education was one of the key priorities of her country, which took pride in its high level of school enrolment. As pointed out by the Special Rapporteur, schools could be a tool to promote peace, human rights, diversity and inclusion, but they could also be instruments to spread hatred and extremist ideologies that led to human rights violations, especially against women and girls. Aware that schools acted as mirrors on society, her Government was planning to review the school curricula through a gender lens and to integrate modules promoting gender equality, tolerance, respect and inclusion.

12. Education was a means of revealing truth and fostering reconciliation by including objective accounts of past atrocities in history curricula. Given that Maldives had recently decided to introduce transitional justice mechanisms, it would be useful to receive further guidance on how to interlink educational and transitional justice measures.

13. **Mr. Driuchin** (Russian Federation) said that his delegation shared many of the concerns contained in the report of the Special Rapporteur. Quality education that was accessible to everyone without discrimination unquestionably had great potential for preventing conflict and human rights violations. However, a number of European countries were increasingly using education as a tool for discriminating against national, ethnic and linguistic minorities.

14. Following new legislative initiatives in Riga, Tallinn and Kiev, for example, the situation had significantly worsened for Russian-speaking minorities in the Baltic States and for the Russian-speaking population in Ukraine. In violation of its international obligations, Ukraine had adopted a law in July 2019 to ensure that the Ukrainian language functioned as the State language, leading to significant discrimination

against the Russian language. The educational policies of the Baltic States were aimed at marginalizing the Russian-speaking population as a whole, particularly in Latvia following the adoption of a law instructing all schools to teach subjects only in the Latvian language starting from 2021. Furthermore, the implementation since 1 September 2019 in Latvia of Cabinet of Ministers Regulation No. 716 on pre-school education effectively meant that Russian-speaking children would be forced to use Latvian as their main language of communication. That contravened, *inter alia*, the International Convention on the Elimination of All forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Convention against Discrimination in Education and the Convention on the Rights of the Child.

15. His delegation called on the Special Rapporteur to address the aforementioned situations of discrimination, including by providing the necessary expert assistance to the Governments of Estonia, Latvia and Ukraine. She should keep the Human Rights Council and the General Assembly informed of the latest developments in that regard.

16. **Ms. Korac** (United States of America) said that, while the report of the Special Rapporteur did not establish international rights that had not been previously agreed to, her delegation agreed that an inclusive and human rights-sensitive education could positively contribute to the prevention of atrocities and other human rights violations and abuses. The United States was proud to work with its partners worldwide towards maximizing access to education, including by investing annually in more than 45 countries to help to ensure that individuals received the education and training they needed. More than half of those investments were in countries affected by violence, conflict or crisis.

17. The United States Agency for International Development (USAID) was helping States to integrate historical events and the memorialization of genocide and other mass atrocities in international curricula. It was also assisting in the documentation of human rights atrocities for public education and awareness-raising programmes, and in other programmes aimed at increasing tolerance and critical thinking skills. Those efforts were an important step towards reconciliation and served a preventive function. One example of work in mass atrocity prevention and recovery was the support given by USAID to the Documentation Centre of Cambodia, which had developed a curriculum aimed at raising awareness of the atrocities perpetrated by the Khmer Rouge and had led to the creation of a publicly accessible historical record used to secure convictions

of senior Khmer Rouge leaders and to provide support services for Cambodian survivors of torture and violence.

18. Violent extremist organizations were increasingly targeting schools, students and educational personnel in an attempt to instil fear and foment societal division. Those acts must be universally condemned, and the perpetrators must be held accountable. Also of grave concern were the instances in which education systems failed to model academic freedom, diversity or inclusiveness, and students were unable to develop knowledge about themselves and their culture. For example, the Government of China had detained 1 million Uighurs and other Turkic Muslims in internment camps in Xinjiang, preventing them from freely instructing in accordance with their religion and sequestering their children in so-called child welfare institutions and boarding schools, where they were forcibly taught in Chinese instead of their own language.

19. **Mr. Hazan** (France) said that education and training were key to development and as such were a priority for his country, which allocated 15 per cent of its official development assistance to education. Access to quality education was essential for young men and women to participate in society and could contribute to the prevention of atrocity crimes and human rights violations. France financed a number of projects aimed at improving education for girls, including in the Sahel, which in turn led to increased participation of women and youth in peacebuilding activities, facilitated social inclusion and improved access to decent employment. His Government was also focused on the prevention of the recruitment of children in armed conflict, as well as on tackling gender-based violence in schools. It would be useful to learn how schools could contribute to combating hate speech on social media in the digital age.

20. **Ms. Wang Yi** (China) said that her delegation objected to the baseless accusations made by the delegation of the United States regarding the education and religious policies of China. The Government of China, in accordance with its Constitution, guaranteed the right of ethnic minorities to use their languages, which were widely present in the country's political and social life and education system. The Government had been working to improve the level of education in the language of minority groups, including through bilingual education. It also guaranteed freedom of religious belief, including in Xinjiang, which had thousands of religious sites, many of which were Muslim mosques. Faced with the grave threat of violence and terrorism, China, in accordance with the law, had set up educational and vocational training

centres that guaranteed the right to development and survival of people of all ethnic groups. Religious extremism was very different from religion and the two should not be confused. Such pretexts should not be used to instigate separatism and terrorism. The United States should reject positions based on bias, consider the education policy for religious freedom in China in an objective manner and stop interfering in the internal affairs of her country.

21. **Ms. Moutchou** (Morocco) said that it was essential to adopt a holistic approach to the prevention of human rights violations and mass atrocities, and education played a significant role in creating harmonious and democratic societies. Although development assistance for education provided by multilateral and bilateral donors played an important role in the development of schools, there had been grave concerns regarding the indirect or direct funding of private and public education by bilateral donors. For instance, between 2015 and 2030 there had been an annual funding gap of \$39 billion for the implementation of good quality education in low- and middle-income countries. It would be useful to learn how States could strike the right balance between facilitating access to education and ensuring quality education for all. She asked how the ABCDE framework could be used to address the issue of harassment in schools and on social media.

22. **Ms. Boly Barry** (Special Rapporteur on the right to education) said that financing for the ABCDE framework, and for education in general, should be increased. A holistic approach needed to be adopted that ensured that the values set out in the framework were an ongoing priority, from the primary to the tertiary levels. From early childhood, it was important to instil the values of apologizing, showing gratitude, resolving conflicts and recognizing diversity. It was also essential to mobilize resources through international solidarity in order to ensure a high-quality education system. In that regard, States were encouraged to continue providing financial assistance for education, which would ultimately help to prevent conflict around the world.

23. Schools and families had an important role to play in the prevention of hate speech and bullying, including over social media, and fundamental values and critical thinking needed to be taught from a very young age. Open pedagogy should be in place alongside more formal frameworks, given that positive transformation was more likely when schools were open to society. However, for children to be able to access high-quality public education, it was necessary for States to provide the necessary resources in line with the Abidjan Principles on the human rights obligations of States to

provide public education and to regulate private involvement in education.

24. **Mr. Kamel** (Algeria) said that his country was making efforts to ensure that the constitutional right to education for all Algerian children played a key role in preventing atrocity crimes and human rights violations. His delegation supported the ABCDE framework and shared the view of the Special Rapporteur on the importance of guaranteeing equitable, high-quality education for all. It would be useful to learn how the Special Rapporteur was working with the Economic and Social Council towards the realization of the right to education.

25. **Mr. Alston** (Special Rapporteur on extreme poverty and human rights), introducing his report (A/74/493), said that the era of digital governance meant that the majority of Governments around the world were moving to digitize their systems, including their national identity systems, many of which captured comprehensive biometric data. The justifications offered for the adoption of what could become intrusive surveillance systems usually focused on the enhancement of social protection or the welfare state, along with improving government efficiency and eliminating fraud.

26. The digital welfare state was commonly presented as a means to ensure that citizens benefited from new technologies and experienced more efficient government services. However, there was a real risk of entering a digital welfare dystopia in which unrestricted data matching could be used to expose and punish irregularities in the record of vulnerable welfare beneficiaries, monitor beneficiaries, impose conditions on recipients that undermined individual autonomy and impose highly punitive sanctions. The digitization of welfare systems had often been used to promote reductions in welfare budgets, a narrowing of the beneficiary pool, the elimination of services, the imposition of stronger sanctions regimes and a reversal of the traditional notion that the State should be accountable to the individual.

27. Many of the Governments that were introducing digital biometric identification systems were giving little thought to the legal bases for those developments and to the protections that were essential to prevent future disasters. The risks of using such large databases included misuse by the Government, politically motivated manipulation or abuse of the system, extensive private sector access without adequate safeguards and hacking. The private sector was often a driving force for the adoption of those systems, but they were not governed by human rights standards and their

codes of ethics offered scarce protection to ensure the rights and interests of individuals.

28. The decisions to implement biometric identification systems and related digital welfare systems posed a major threat to democracy, given that they were rarely the subject of serious public debate and scrutiny. While such systems were presented as essentially administrative or technical innovations to be approved by ministers or even just by unelected officials, the potential implications for democracy and human rights were immense. Although the human rights community had conducted studies on digital technology and artificial intelligence, it had rarely captured the full array of threats represented by the emergence of the digital welfare state. To counteract discrimination and bias, which were endemic given the lack of diversity in the artificial intelligence sector, and to ensure that human rights considerations were taken into account, it was necessary to ensure that the practices underlying the creation, auditing and maintenance of data were subjected to careful scrutiny.

29. For new technologies to transform the welfare state for the better, the focus should be on ensuring that welfare budgets enabled a higher standard of living for the vulnerable and creating more effective techniques for addressing the needs of people who were struggling to enter or re-enter the labour market.

30. **Mr. Roijen** (Observer for the European Union) said that the European Union and its member States were implementing a legal framework that allowed all people to benefit from digital innovation in full respect for their fundamental rights and freedoms. Initiatives aimed at governing the use of new technologies needed to take account of the issue of poverty. In the European Union, there was a notion of universal and guaranteed access to digital services at a reasonable price. He asked for examples of new technologies that had been used to fight poverty and to broaden fundamental rights and freedoms.

31. **Mr. Amayo** (Kenya) said that his delegation took exception to paragraph 18 of the report, which could have been removed if the Special Rapporteur had taken the time to receive both sides of the story. In its bid to deliver better service to its citizens, Kenya had launched a national integrated identity management system, which served as a population register and a repository of the data of every individual. The process had begun with the consolidation of data from primary population registration agencies. The information contained in paragraph 18 of the report was incorrect, given that the mass registration exercise conducted in Kenya had been voluntary and the biometric data capture was limited to

fingerprints and facials; individuals were not required to provide hand geometry, earlobe geometry, retina and iris patterns, voice waves or DNA. He requested that the information in the report be corrected.

32. **Mr. Samson** (France) said that new technologies represented a powerful means to make State action against poverty more effective by simplifying procedures and facilitating access to public services and social benefits for those living in isolated areas and persons with reduced mobility. For everyone to benefit from that potential, States must act to promote digital inclusion. Online services must be made available to all and adapted to the needs of people with visual disabilities. However, algorithm-based systems needed to be developed within an ethical and transparent framework. He asked for examples of how new technologies had made a positive contribution to people living in extreme poverty.

33. **Ms. Gebrekidan** (Eritrea) said that digital welfare systems could make it difficult for vulnerable and disadvantaged communities to access the support they needed. The challenges involved in addressing poverty effectively often resulted from a lack of capacity and resources rather than of systems and mechanisms. She asked how countries that had not reached a high level of technological development could avoid creating digital welfare systems that further impeded access.

34. **Ms. Wang Yi** (China) said that extreme poverty reduction had always been the common goal and the main challenge facing global development, and gaps in wealth and a rise in unilateralism and protectionism had posed serious threats to global growth. Developing countries should incorporate poverty reduction into their national economic and social development and take effective measures to promote economic progress, including through infrastructure development in poor areas. It was also necessary to build a fair, inclusive and orderly international economic system and uphold international cooperation, including South-South and North-South cooperation. The United Nations system should play a greater role in international poverty reduction.

35. **Ms. Moutchou** (Morocco) said that the implementation of technology to increase efficiency could prove problematic from a human rights perspective. Forcing users of digital welfare systems to pay additional fees or encouraging them to subscribe to paid services could reinforce extreme poverty and prevent the most vulnerable individuals from accessing their social, economic, civil and political rights. The most financially vulnerable people often did not have

access to essential benefits and public services. It would be useful to learn how such deviations could be offset.

36. **Mr. Alston** (Special Rapporteur on extreme poverty and human rights), responding to the representative of Kenya, said that the newspapers in that country had devoted much attention to the ways in which its identity card would be used. Those reports had been focused on the Huduma Bill 2019, which had recently been presented by the Government to Parliament. Section 8 of that bill said that every resident individual – not just Kenyan nationals – must present the Huduma number in order to be issued with a passport, apply for a drivers licence, register a mobile phone number, register as a voter, pay taxes, transact in financial markets, open a bank account or access social protection services, among many other public services. The conditions that the Government of Kenya had formally proposed should be attached to the use of the identity card were therefore very extensive. Other concerns were related to the existence of many individuals who remained unregistered, such as the Nubian population, who were effectively stateless. He hoped those matters would be resolved effectively through litigation that was under way in the Supreme Court of Kenya.

37. Responding to other comments, he said that while the European Union was perhaps the force that was most likely to counteract the monopolization by big tech, even its work to incorporate human rights standards could be improved.

38. With regard to the use of new technologies to help vulnerable people, he said that entrusting social welfare protection to algorithmic systems could lead to a significant number of people being left behind. To avoid that risk, digitized systems should be designed in such a way that the human element was not excluded. The most vulnerable needed human compassion, interaction, encouragement and support. Limiting support by only giving people the option to interact with a screen or to read a printout would significantly undermine welfare services. Technology could also be used negatively to track the consumption of people on welfare and cut their benefits if they developed unhealthy habits, for instance. A serious system should be based on providing assistance when problems were identified.

39. France was soon to announce the implementation at the national level of a new biometric identification system. While technology could be very positive and was not something that could or should be resisted, safeguards were needed to protect data and limit risks.

40. In response to the representative of Eritrea, he said that private sector companies should be regulated to

ensure that they respected human rights, as only then could an effective relationship be forged that advanced technology and the protection of human rights. Some Governments in the global South felt that they needed to move towards a comprehensive biometric system immediately; however, current state-of-the-art technology would soon be a thing of the past, so it might be beneficial to wait for the development of new systems that were more affordable and adapted to their needs.

41. With regard to the role of international cooperation in combating poverty, arrangements made with foreign Governments should be fully transparent in order to clarify the consequences for the national budget and the ability of Governments to provide adequate services to the poor. In that context, it was unclear whether some of the infrastructure projects that were associated with the Belt and Road Initiative had the necessary degree of transparency and would ensure the interests of the poor.

42. Responding to the representative of Morocco, he said that it was important to achieve a balance between implementing a broad technological system and protecting the human rights of each individual. The focus should be on the human element and the ability to hold the relevant actors to account.

43. The Prime Minister of the United Kingdom, in his speech to the General Assembly, had warned of digital authoritarianism and the risk of humans being treated as non-entities at the end of a digitized chain. However, those had been the criticisms set out in the report with regard to the manner in which the British welfare state functioned under the Universal Credit system.

44. **Mr. Amayo** (Kenya) said that the biodata that had not been captured during the registration process, such as earlobe geometry and DNA, should not be included in the report. Kenya had a vibrant Constitution and an active judiciary, civil society and press, and decisions regarding the registration exercise had been taken with public participation. Appropriate corrections should therefore be made to the report.

45. *Ms. Eyheralde Geymonat (Uruguay), Vice-Chair, took the Chair.*

46. **The Chair** invited the Committee to engage in a general discussion on the item.

47. **Dame Karen Pierce** (United Kingdom), speaking also on behalf of Afghanistan, Albania, Andorra, Australia, Austria, the Bahamas, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece,

Guatemala, Iceland, Ireland, Italy, Japan, Jordan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Panama, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Samoa, San Marino, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tunisia, Turkey, Tuvalu, Ukraine, the United States of America, Uruguay and Vanuatu, said that civil society and human rights defenders played a crucial role in supporting the work undertaken at the United Nations and the healthy functioning of democratic institutions. Not only did they enrich the decision-making process, but their contributions also ensured that the impact of the decisions made at the United Nations reached those furthest behind. Acts of intimidation and reprisals against those who cooperated with the United Nations undermined the credibility and effectiveness of the Organization as a whole, including the human rights system.

48. The growing number of reprisals, the fact that women human rights defenders were disproportionately exposed to gender specific barriers, threats and violence and the number of attacks against journalists and other media workers were a cause for concern. Any act of intimidation and reprisal, whether online or offline, against individuals and groups who cooperated with the United Nations should be condemned. States should prevent such acts and ensure adequate protection against such them by raising awareness and ensuring accountability and effective remedies, whether those acts were perpetrated by State or non-State actors, and should inform the Secretary-General and the Human Rights Council accordingly. The positive steps taken by the States that had responded to acts of reprisals against persons and groups in their respective countries were welcome.

49. Welcoming the adoption of Human Rights Council resolution 42/28, she said that the group of States highly appreciated the work of the Assistant Secretary-General for Human Rights, whose mandate ensured a more systematized, coordinated response to intimidation and reprisals, including against human rights defenders, and would help to put an end to impunity for those attacks.

50. Notwithstanding the obligation of States to prevent and address reprisals and to uphold the highest standard of human rights promotion and protection, the United Nations system also had a duty to prevent and respond to alleged cases of intimidation and reprisals against those who provided information or sought to engage with it, and to ensure accountability when those acts occurred. United Nations bodies, mechanisms and

agencies should strengthen the collective response to reprisals and continue to give detailed consideration to such cases. More frequent reporting on the issue of reprisals and follow-up by the Assistant Secretary-General would be welcome.

51. **Ms. González López** (El Salvador), speaking on behalf of the LGBTI Core Group, said that protecting lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals from violence and discrimination did not require the creation of new rights, as the legal obligation of States to uphold the human rights of all individuals without distinction was well established in international human rights law. States also had a responsibility to ensure the protection of those human rights defenders who stood up for the human rights of LGBTI persons.

52. The renewal of the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, pursuant to Human Rights Council resolution 41/18, had been a key achievement for the international community and demonstrated that States agreed that such violence and discrimination deserved continued attention. The Group fully supported the mandate of the Independent Expert, whose most recent report showed how discriminatory laws and sociocultural norms continued to marginalize and exclude LGBTI persons from sectors such as education, health care, housing and employment.

53. Many people in the world suffered from violence and discrimination because of their actual or perceived sexual orientation, gender identity or sex characteristics. LGBTI persons were also more likely to be at risk for mental health concerns, including depression and suicide, or to be targeted for violence and harassment. Nine States had decriminalized homosexuality over the previous five years, and some progress had been achieved in fighting violence and discrimination based on sexual orientation and gender identity. The Group called on the 69 States that still criminalized consensual same sex behaviour between adults to repeal their laws.

54. Hate speech was often used to dehumanize already marginalized groups and individuals, exacerbating discrimination and inciting violence. Hatred against the LGBTI community was perpetrated by people of all kinds, including religious and political leaders, and amplified through both traditional and social media. The Group recognized the work of human rights defenders in support of the LGBTI community, which was carried out at considerable personal risk. Their work played a critical role in reporting human rights violations, providing support to victims and raising awareness

within Governments and societies. They also contributed to the adoption by States of concrete measures to ensure protection against violence and discrimination based on sexual orientation and gender identity.

55. **Mr. Roijen** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, North Macedonia and Serbia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, said that the Vienna Declaration and Programme of Action recognized democracy, justice, equality, and the rule of law as key principles for the protection and full enjoyment of human rights. Societies with strong rule of law and respect for human rights were more likely to be peaceful and resilient, as well as more stable and prosperous. The promotion and protection of human rights required a strong accountability framework that provided effective remedies to victims. That was particularly true in situations in which gross violations and human rights abuses were committed on a systemic scale.

56. Firmly committed to the fight against impunity and the promotion of international criminal justice, the European Union supported a strong and effective International Criminal Court and would continue to work towards the universal ratification of the Rome Statute. It was gravely concerned about reprisals against civil society organizations and human rights defenders that cooperated with the United Nations, its representatives and mechanisms in the field of human rights. The European Union would continue to support civil society and human rights defenders through all means available, wherever they were in danger.

57. In addition to denouncing human rights violations and holding States to account, it was necessary to identify and promote positive human rights stories that inspired political commitment to the continued implementation of human rights-based policies. During the high-level week of the General Assembly, the Good Human Rights Stories initiative, a coalition of States that were working towards that end, had presented progress on economic, social and cultural rights and had identified stories that had paved the way for more decent living conditions for all.

58. The European Union and its member States remained fully committed to fulfilling the human right to health and had recently adopted guidelines in the field of water and sanitation, which underlined the commitment to helping to provide access to safe drinking water and sanitation worldwide, and defined priorities for external action. Those guidelines were

among the steps that the European Union was taking towards the progressive realization of Sustainable Development Goals 6 and 13.

59. **Ms. Wagner** (Switzerland) said that the tendency of many States to place national security issues above human rights issues was a matter of concern. Given that lasting peace and security could not exist without the protection of human rights and the rule of law, Switzerland remained committed to placing human rights at the heart of peace and security issues. Strengthening the capacities of the United Nations with regard to prevention, and especially early warning and early action, remained a priority, as was improving the exchange of information between the Human Rights Council and the Security Council.

60. Security Council resolution [1325 \(2000\)](#), which had reaffirmed women's contribution to conflict prevention, conflict resolution and peacebuilding, also highlighted the disproportionate and unique impact of armed conflict on women and girls. Since its adoption, the situation of women had been mentioned regularly in other Security Council resolutions. However, almost 20 years later, violence against women in the context of conflict and war, and in particular the use of sexual violence as a weapon of war, remained widespread. Stakeholders should therefore integrate a gender perspective into all United Nations peace and security efforts.

61. The emergence of new technologies created both challenges and opportunities. While digital technologies had huge potential to strengthen human rights around the world in many areas of life, they could also lead to new or more serious forms of human rights violations and abuses, including with regard to the protection of privacy and individual freedoms. Cyberspace also provided a platform for new forms of harassment, threats and intimidation, especially against women and vulnerable groups. The interests of the population must be at the heart of any technological transformation, in particular with regard to the protection of privacy in cyberspace and social norms for digital platforms. Human rights must be defended as strongly in the virtual world as in the real world. They must be one of the foundations of the regulations, policies and practices of both States and technology firms.

62. **Ms. Suzuki** (Japan) said that the Secretary-General in his report on the situation of human rights in the Democratic People's Republic of Korea ([A/74/268](#)) had made the recommendation that the Government of that country comply with its obligations arising from international human rights law, implement the recommendations made by the United Nations human

rights mechanisms, enable the Office of the High Commissioner for Human Rights to fulfil its monitoring and protection mandate, and take necessary measures to address the findings and recommendations of the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea. Japan continued to call on the Democratic People's Republic of Korea to cooperate with the international community. The abduction of Japanese citizens by the Democratic People's Republic of Korea was one of the gravest cases of human rights violations committed by that country. The victims and their families were growing older. Her Government called for the immediate return of all abductees and would take the necessary measures towards the comprehensive resolution of such outstanding issues.

63. Japan shared the concerns of the international community regarding the human rights and humanitarian situation in Rakhine State. Myanmar must conduct credible and transparent investigations into the alleged human rights violations in northern Rakhine State through the Myanmar-led independent commission of inquiry, and take the appropriate measures in accordance with the outcomes of those investigations. The international community should continue to urge Myanmar to make specific efforts to establish democracy and promote and protect human rights in the country.

64. All parties to the armed conflict in Syria must respect international human rights law and humanitarian law in all areas of the country, including Idlib province and north-eastern Syria. Deeply concerned that military operations in north-eastern Syria would result in greater deterioration of the humanitarian situation, Japan reiterated its position that the Syrian crisis could not be solved by military means. All parties concerned should play a constructive role in improving the humanitarian situation and advancing the political process. Japan would continue to work closely with the international community towards the settlement of the crisis in Syria.

65. The humanitarian situation in Yemen, where some 80 percent of the population was in need of humanitarian assistance, was a matter of grave concern. Japan called on all sides to take measures to fully prevent harm to civilians and to reach a political settlement as soon as possible.

66. **Ms. McDowell** (New Zealand) said that the United Nations Disability Inclusion Strategy was a much-needed institutional framework that set a clear road map for the Organization to mainstream disability rights and ensure inclusivity at United Nations Headquarters and in the field. To further the discussions on how to

effectively implement the Convention on the Rights of Persons with Disabilities, her delegation would present a biennial resolution on the Convention.

67. Accessibility was a precondition for an inclusive society and for persons with disabilities to enjoy all human rights and fundamental freedoms. It required not only removing physical barriers but also ensuring that the perspectives of persons with disabilities were taken into account in the design and implementation of accessibility-related plans and actions. New Zealand was pleased to be nominating New Zealander Robert Martin for a second term on the Committee on the Rights of Persons with Disabilities for the June 2020 election. As the first Committee member with a learning disability, he had brought a fresh perspective to the work of the Committee.

68. In a context in which nearly 20 per cent of people in Pacific Island Countries had some form of disability, New Zealand had established a new partnership with the Pacific Disability Forum in support of the goal of creating a disability-inclusive Pacific by 2030. Funding from New Zealand would support Forum activities including data analysis, capacity-building and activities focused on gender and youth.

69. **Ms. Oehri** (Liechtenstein) said that, while human rights and fundamental freedoms were clearly defined in international law, for too many their enjoyment remained a utopia. Some States were increasingly adopting a selective approach to human rights, or directly committing human rights violations. The trend to undermine human rights standards went hand in hand with increasing attacks against multilateral achievements, in particular in the area of international law. The Alliance for Multilateralism was an initiative that helped States to rally in support of multilateralism and the international rules-based order.

70. The Human Rights Council had created an accountability mechanism for the heinous crimes committed against the Rohingya and other religious minorities in Myanmar. That was a crucial first step towards guaranteeing accountability and was indispensable for the safe, voluntary, dignified and sustainable return of Rohingya refugees and forcibly displaced persons. However, it was deplorable that resolution 42/3 of the Human Rights Council had omitted references to accountability, including the steps taken by the International Criminal Court in the context of forced deportation. It was similarly regrettable that the steps taken by the International Criminal Court regarding the human rights and humanitarian crisis in Venezuela had not been reflected in either of the two Human Rights Council resolutions on that issue.

71. It was stipulated in General Assembly resolution [60/251](#) that members elected to the Human Rights Council should uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council. However, the Council would be weakened and become more vulnerable to political attack if the outcome of its elections were inconsistent with those provisions. Her country's policy of abstaining from supporting candidatures that did not meet the agreed standards would continue in the future. The commitment of Liechtenstein to a functioning Council and other United Nations bodies was reflected through payments in full and on time of its contribution to the United Nations regular budget. The ongoing precarious financial situation faced by the United Nations would negatively affect its ability to fully implement its mandate, including in the field of human rights. She urged all States that had not yet done so to pay their full contributions without further delay.

72. **Mr. Khan** (Bangladesh) said that violence continued to plague countries and regions around the world, seriously undermining human rights. Mass killings, rape, arson and destruction, in particular in conflict areas, brought to the fore a clear picture of the gravity and scale of violations. Although States had the primary responsibility to protect, they often failed to do so, and the perpetrators – both State and non-State actors – often escaped justice and accountability. States needed to address the root causes of violence and human rights violations; only then would people retain their trust in human rights instruments.

73. In the face of the atrocity crimes committed by the Myanmar security forces, 1.2 million Rohingya had fled their homes and taken shelter in Bangladesh. The bilaterally agreed attempts for voluntary repatriation of the Rohingya to Myanmar in November 2018 and August 2019 had been unsuccessful. For repatriation to occur, Myanmar must guarantee the human rights of the Rohingya and adopt confidence-building measures to create an environment conducive for their return.

74. As part of its national human rights efforts, Bangladesh had presented its universal periodic review in May 2018, as well as reports to the Committee against Torture and the Human Rights Committee. As a current member of the Human Rights Council, Bangladesh would continue to work closely with special rapporteurs and related mandate holders and mechanisms to uphold human rights.

75. **Ms. Feldman** (Australia) said that, as a member of the Human Rights Council, her country had continued to focus its efforts on advancing human rights, including in the areas of gender equality, freedom of expression,

freedom of religion or belief, good governance, the rights of indigenous peoples, strong national human rights institutions, the abolition of the death penalty, the rights of LGBTI persons, the rights of persons with disabilities and civil society engagement. In its leadership role in amplifying the voices of Pacific States, her delegation warmly welcomed Fiji in joining the Human Rights Council and the election of the Marshall Islands to the Human Rights Council in 2020.

76. Australia continued to advocate for gender equality and the empowerment of women and girls. In that context, it would present to the Human Rights Council a new resolution to promote equal pay for work of equal value and had signed a joint statement on accountability for the rights of women and girls in humanitarian settings. Her delegation had also promoted the rights of indigenous women and girls by supporting a photographic exhibition entitled “Hear Us, See Us” and by hosting an event on women's empowerment and gender equality.

77. **Ms. Juul** (Norway) said that although progress had been made in the context of the Programme of Action of the International Conference on Population and Development, the rights set out therein were still under pressure in many parts of the world. Young people needed comprehensive sexuality education to make knowledgeable choices about their lives, and access to sexual and reproductive health and rights for women and girls was a prerequisite for sustainable development. In addition, LGBTI persons should be protected from discrimination.

78. Deeply concerned by recent reporting from the Special Rapporteur on freedom of religion or belief, the Government of Norway called for States and communities to recognize the rights of all persons to freedom of expression, and to the free manifestation of religion or belief, including criticism. There could be no space for intolerance, discrimination or stereotyping on the basis of religion. Another cause for concern was the shrinking of space for civil society and human rights defenders. When they were silenced, arbitrarily arrested or even murdered, freedom of expression and society as a whole suffered.

79. Without sufficient financing, human rights resolutions and commitments would not succeed. Human rights received only 3 per cent of the United Nations budget, despite being one of the Organization's three pillars. Her country would therefore continue to support the global role and mandate of the Office of the High Commissioner for Human Rights.

80. **Mr. Solari** (Peru) said that his Government had made significant efforts to build a more inclusive

society in which citizens were treated equally before the law, and political dialogue and the participation of civil society were key. Peru had a robust institutional structure to strengthen the functioning of its independent judicial system and to guarantee that due process was followed. In recognition of the need to create an inclusive society for all, Peru had submitted a resolution on the promotion of social inclusion. As a founding member of the Human Rights Council, the country was fully and actively committed to strengthening its institutional fabric to ensure that it was not politically biased. The Special Rapporteur on the situation of human rights defenders would shortly visit Peru, where a protocol to guarantee the protection of human rights defenders had recently been adopted.

81. His country's commitment to human rights was also demonstrated in the active participation of its citizens in human rights bodies, including the Committee on the Elimination of Discrimination against Women, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee on Enforced Disappearances and the Committee on the Elimination of Racial Discrimination.

82. **Ms. Sakala** (Zambia) said that, to effectively protect and promote human rights, States should have a clear legal framework and robust justice, governance, security and human rights institutions. In that regard, the Constitution of Zambia established key institutions that effectively facilitated the country's compliance with obligations arising from human rights instruments. In addition, the Government was drafting a correctional service bill that would address the issue of torture in correctional facilities; had enacted a Mental Health Act and children's code bill; had reviewed and adopted policies to ensure the national child policy was more responsive to improving the welfare of children; and had adopted had a National Health Insurance Act, which sought to ensure universal access to quality health-care services.

83. **Mr. García Paz y Miño** (Ecuador) said that, in addition to being a right in itself, development was an important condition for the promotion and protection of human rights. The country's national development plan for the period 2017–2021 was aimed at ensuring that all Ecuadorians had a dignified life with equal opportunities. Ecuador collaborated with the human rights mechanisms and special procedures and presented reports to the respective committees. Through Human Rights Council resolution [35/29](#), it had also promoted greater cooperation between the Office of the High Commissioner for Human Rights and the Inter-Parliamentary Union, Member States, United Nations agencies and other relevant stakeholders with a

view to enhancing synergies between parliaments and the work of the Human Rights Council.

84. Multilateralism had led to many achievements, including the adoption of internationally accepted human rights instruments and agreements on environmental protection and humanitarian operations. However, multilateralism and the protection of human rights were under attack and continued attempts were being made to weaken international cooperation and devalue the work of the United Nations at a time when the world faced urgent challenges, including large-scale human rights violations, climate change, humanitarian crises, widespread poverty and growing inequalities.

85. **Mr. Khashaan** (Saudi Arabia) said that regulations and systems had been established in his country to promote human rights in accordance with its Constitution, Islamic Sharia law and relevant international instruments and agreements. Among the human rights that were protected by the institutional and legal framework of Saudi Arabia were the rights to security, health, employment and development and to form and support associations, including for women, children, persons with disabilities and older persons. Laws had recently been amended to ensure gender parity, allow all citizens to obtain a passport and prohibit gender-based discrimination.

86. Saudi Arabia firmly believed that cultural differences between peoples might give rise to a cultural and societal model that added to humanity more than it took from it. In that regard, his country welcomed participation and development. The country remained determined to cooperate with the international community and with international organizations to promote human rights in line with its national specificities.

The meeting rose at 12.55 p.m.