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Chair: Mr. Braun (Luxembourg)

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The meeting was called to order at 3.05 p.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/74/179, 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, A/74/342 and A/74/507)
- (d) **Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (continued) (A/74/36)

1. **Mr. Boyd** (Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment), presenting his report (A/74/161), said that the world was in the midst of a climate emergency, yet the global response had been sluggish and ineffective. In 1992, when nations had negotiated the United Nations Framework Convention on Climate Change, the share of the world's total energy provided by fossil fuels had stood at 81 per cent. Twenty-seven years later, the world continued to use fossil fuels for 81 per cent of its energy. And since 1992, coal use had increased by 68 per cent, natural gas use had increased by 82 per cent and overall global greenhouse gas emissions had grown by more than 60 per cent. States' nationally determined contributions under the Paris Agreement, if they were all met, would be insufficient to limit global warming to 1.5°C, or 2°C at most. The Intergovernmental Panel on Climate Change had concluded that limiting global warming to 1.5°C would require rapid, far-reaching and unprecedented changes. Children in their millions were

urging leaders and businesses to take climate change far more seriously and to act immediately.

2. Climate change was already increasing the frequency, intensity and duration of extreme storms and causing rising sea levels, droughts, wildfires, desertification, water shortages, ecosystem destruction and the spread of water- and vector-borne diseases. He had witnessed the devastating effects of climate change on his first official country visit, to Fiji in December 2018. The Fijian community of Vunidogoloa was one of the first in the world to be completely relocated because climate change had rendered its previous location uninhabitable. Coastal communities from the South Pacific to northern North America now faced relocation. Tropical cyclone Winston had destroyed the homes of thousands of Fijians in 2016, and many now lived in informal settlements without access to adequate sanitation, making them vulnerable to waterborne diseases like cholera. The storm had cost Fiji \$1.4 billion, more than a quarter of its gross domestic product (GDP).

3. In September 2018 the Special Rapporteur had visited northern Norway, where climate change was making reindeer-herding, the heart of the culture and economy of the indigenous Sami people, much more difficult. His next visit would be to Dominica, where Hurricane Maria had damaged more than 90 per cent of homes in 2017, inflicting losses of more than 2.5 times the country's GDP. The World Health Organization (WHO) estimated that climate change caused at least 150,000 premature deaths annually, and that the figure would rise to 250,000 by 2030.

4. Climate change was having a clear effect on human rights across the world, including the rights to life, health, food, water, sanitation, housing and culture. It affected children's rights and the right to a safe, clean, healthy and sustainable environment. Its adverse impacts disproportionately harmed those who were vulnerable as a result of factors that included age, gender, income level, indigenous status, disability, geography and cultural or ethnic background. However, while at increased risk, those people often had the potential to contribute to climate solutions when they were empowered to do so.

5. In September 2019, five United Nations treaty bodies had issued a statement in which they concluded that failure to take measures to prevent foreseeable human rights harm caused by climate change could constitute a violation of States' human rights obligations. Clearly, a dramatic change of direction was needed. Human rights must be at the heart of all climate action – a shift that would increase States' ambition.

6. To comply with their human rights obligations and to meet the target of limiting warming to 1.5°C, States should, by 2020, submit ambitious nationally determined contributions that would put the world on track to reduce greenhouse gas emissions by at least 45 per cent by 2030. States should also prepare rights-based decarbonization plans that would enable them to achieve net zero emissions by 2050. The international community must address the global addiction to fossil fuels, accelerate other mitigation actions, protect people from climate impacts and provide unprecedented levels of financial support to least developed countries and small island developing States.

7. In his report, he recommended that all States should, *inter alia*, immediately redirect all fossil fuel subsidies to renewable energy, except for clean cookstove programmes; stop building new coal-fired power plants and require existing plants to be retrofitted with carbon capture and storage technology; enact laws to phase in zero-emission transportation; and limit the involvement of fossil fuel businesses in climate, energy and environmental policies. Wealthy States generated the lion's share of emissions and therefore bore additional responsibility. They should demonstrate leadership by prohibiting further exploration for additional fossil fuels, requiring all new and existing natural gas power plants to use carbon capture and storage technology, and rejecting any other expansion of fossil fuel infrastructure. As the richest 10 per cent of the world's population created half of global emissions, wealthy people, as well as wealthy nations, must lead in addressing the climate emergency.

8. The report contained an annex of good practices drawn from more than 70 States, illustrating that solutions to climate change existed. The rapidly falling cost of technologies such as solar panels, wind turbines and batteries meant that renewable energy was now competitive with fossil fuels in many nations. When the negative consequences of burning fossil fuels – pollution, climate change and human rights violations – were factored in, renewable energy was clearly the best choice, environmentally, socially and economically. The cost of solar electricity had fallen by more than 90 per cent in the last two decades, enabling generating capacity to soar from 1 gigawatt in the year 2000 to over 550 gigawatts currently. Similarly, falling costs had spurred wind electricity generating capacity to leap from 17 gigawatts in the year 2000 to over 600 gigawatts currently.

9. Because the sources of climate change and air pollution overlapped, concurrently addressing those problems could help to prevent millions of premature deaths every year, while securing trillions of dollars in

benefits. A rights-based approach to climate action could serve to accelerate action towards a healthy and sustainable future, in which all energy and transportation were provided by zero emissions sources, forests flourished, oceans were healthy, food was produced sustainably and all people lived happy, fulfilling and dignified lives.

10. **Ms. Bavdaž Kuret** (Slovenia), speaking also on behalf of Costa Rica, Maldives, Morocco and Switzerland, the members of the core group behind the Human Rights Council resolution on human rights and the environment ([A/HRC/37/L.19](#)), asked the Special Rapporteur to comment on how to strengthen public participation in all climate-related activities, and for his assessment of where the world was lagging furthest behind on climate action.

11. The group commended the Special Rapporteur's championing of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) at the preparatory meeting in advance of the twenty-fifth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, which had been held in Costa Rica in October 2019.

12. Lastly, in the spirit of the 2030 Agenda for Sustainable Development, the group was committed to breaking silos and pushing for a people-centred, integrated and inclusive global agenda. She asked how climate action could best contribute to the achievement of those Sustainable Development Goals that related to human rights.

13. **Mr. Eger** (Czechia) said that his country was already experiencing increasingly extreme weather events, which had a direct impact on the lives of its citizens, and constituted, for many, a wake-up call to the need for substantive action. A human rights approach was critical to the development and implementation of successful climate change policies, especially policies related to Sustainable Development Goal 16, on peaceful and inclusive societies. The rise of attacks against environmental human rights defenders was a major concern; his Government wished to know how the trend could be reversed.

14. **Mr. Roijen** (Observer for the European Union) said that while the window for action to halt climate change was closing, there was still time. Preventing global warming from reaching critical thresholds was technologically feasible and economically affordable. States must act immediately, including by updating their nationally determined contributions and submitting long-term, low greenhouse gas emissions development

strategies by 2020, in line with the Paris Agreement. The earlier measures were put in place, the more effective they would be.

15. The Special Rapporteur's emphasis on the crucial role of human rights in catalysing action to address climate change was in line with the new European Consensus on Development, in which the European Union and its member States had committed to implementing a rights-based approach to development policies, including policies on climate change. Supporting human rights defenders addressing environmental issues around the world, especially in the face of the alarming number of attacks against them, was a high priority for the European Union.

16. The European Union was fully committed to implementing the Special Rapporteur's recommendations and encouraged all States to raise their climate ambitions: only concerted efforts would make it possible to reverse worrying trends and ensure a safe climate, which was essential to human life. He asked how the international community could work together to guarantee that those who bore the brunt of climate change were not left behind again.

17. **Mr. Sparber** (Liechtenstein) asked the Special Rapporteur to share his views on the impact of climate change on the right to self-determination. While not a human right in the strictest sense, self-determination was nevertheless a precondition for the enjoyment of many other human rights. Rising sea levels was the most obvious way in which climate change was infringing on the right to self-determination, with some small island States visibly losing territory, but climate change might also be infringing on self-determination in other, less apparent ways. He asked the Special Rapporteur to elucidate the situation and explain how States' right to self-determination could be protected.

18. **Mr. Vorobiev** (Russian Federation) said that a safe climate was a vital component of the right to a healthy environment and essential for people's lives and well-being. There was no doubt that climate change was having a serious impact on a wide range of human rights and its consequences were particularly affecting vulnerable groups, including children.

19. The Russian Federation was determined to move along the path set out in the Paris Agreement. It had therefore committed itself to reducing anthropogenic emissions by 70 to 75 per cent by 2050. To that end, a number of measures had been developed, including the adoption of national environmental, landfill and hazardous waste disposal programmes. While other States should similarly fulfil their obligations, not all were willing to do so in practice. For example, the

United States was still refusing to pay the \$2 billion pledged to the Green Climate Fund. It was clear that no State was immune to the consequences of the global climate crisis. In that regard, everyone should reflect on the adoption of effective measures aimed at ensuring a safe climate and addressing the global climate crisis.

20. His delegation shared concerns that inequalities and unequal distribution of food and productive resources remained a serious obstacle to the realization of the right to food, which encompassed environmental, economic and social concerns that were essential for the achievement of the Sustainable Development Goals by 2030. Securing equitable access to adequate food for all therefore required an overarching development strategy that called for transformative change to economic, social and political systems. The development of such a strategy would contribute to the successful implementation of 2030 Agenda.

21. **Mr. Bai** (Fiji) said that, during his country visit to Fiji in December 2018, the Special Rapporteur had witnessed first-hand the problems that Fijians were facing, which included coastal erosion, salinization and rising sea levels. He looked forward to the presentation that the Special Rapporteur would make at the forty-third session of the Human Rights Council, in March 2020, in which he expected the Special Rapporteur to touch on the issue of the Fijian community of Vunidogoloa, the first in the world to have been relocated as a consequence of climate change.

22. In line with the recommendation that States develop adaptation actions through inclusive, participatory processes, informed by the knowledge, aspirations and specific contexts of affected countries, communities and individuals, his Government had developed a set of guidelines on relocation using a consultative and participatory approach; the guidelines were designed to ensure community engagement and ownership of the relocation process, and gave special consideration to vulnerable groups within relocating communities. Fiji had presented its guidelines at the twenty-fourth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in 2018.

23. Most recently, the Government had drafted a bill to address a host of climate issues. As a member of the Human Rights Council, Fiji had pledged to protect the right to a healthy environment and would do everything possible to rise to the challenge of climate change. Business and political leaders should join efforts to combat climate change, as recommended by the Special Rapporteur.

24. **Mr. Costa** (Brazil) said that his country remained an active participant in the United Nations Framework Convention on Climate Change, the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the Paris Agreement, as well as any debates or negotiations on climate change. It was the only large developing country to have adopted, in its nationally determined contribution, an absolute emissions-reduction target for its economy as a whole and to date, it had reduced emissions by 58 per cent in relation to the 2020 prediction. Brazil also had one of the highest shares of renewable energy in its energy matrix: 82 per cent of electricity generation and 43.5 per cent of its total energy matrix came from renewables.

25. The Government of Brazil was fully engaged in addressing the current situation in the Amazon region with a view to enforcing Brazilian environmental laws. Forest fires in the Amazon region were a seasonal phenomenon and available data showed that the number of fires currently was lower than the average number over the last 20 years. The Government remained committed to fighting illegal deforestation and forest fires, protecting the Amazon and promoting sustainable development. Through the initiative known as Green Brazil, more than 4,500 people, approximately 250 vehicles and 11 airplanes had been mobilized for the cause, and the armed forces had more than 43,000 staff available to work in the Amazon region, if needed.

26. **Ms. Said** (Observer for the State of Palestine) said that the state of the environment in Palestine continued to decline, and the Palestinian people's environmental rights were being violated daily as a result of the continuous and permanent depletion of Palestinian natural resources and incessant pollution by Israel. The five-decade-long occupation had caused severe environmental and climate damage in occupied Palestine, including East Jerusalem. Harmful Israeli practices included the extraction and use of coal in the occupied territories; the overexploitation of water, which resulted in Palestinians having inadequate access to water for drinking and agriculture; the confiscation or degradation of arable Palestinian land; and the dumping of garbage and toxic industrial waste on Palestinian land, which had led to severe water and soil contamination.

27. In Gaza, as a result of the blockade, the environmental situation was even worse. Based on WHO standards, 97 per cent of water in Gaza was unfit for human consumption. Israeli restrictions on imports hindered necessary repairs to infrastructure, and more than 70 per cent of the land in Gaza was without irrigation. Israeli attacks on the region had damaged

sewage infrastructure, causing 70 million litres of sewage to spill into the sea each day.

28. She asked the Special Rapporteur to elaborate on legal and institutional frameworks to prevent environmental damage that infringed on human rights, especially the rights of those living under occupation. Lastly, she asked whether the Special Rapporteur intended to visit occupied Palestine.

29. **Ms. Alzayani** (Bahrain) said that the Government of Bahrain took the environment into account in its national policies and ensured that all of its development plans complied with Sustainable Development Goal 17. Bahrain had embraced the concept of the green economy and had hosted a number of conferences to promote it, including through public-private partnerships. Climate change was taken into account in all current government plans and projects. The Government was working to adopt policies aimed at achieving sustainable health and a sustainable environment, including a policy on preserving natural resources for future generations. A ministerial ban on single-use plastic bags was in place and a national strategy for ensuring healthy air had been developed, in line with the commitments made by Bahrain under the Paris Agreement.

30. **Ms. Xu Daizhu** (China) said that climate change was a common challenge. All parties should discuss and solve the problem together within the framework of the United Nations Framework Convention on Climate Change and the Paris Agreement, guided by the ideas of common but differentiated responsibilities, fairness and respective capabilities. They should respect the development needs and special national conditions of developing countries and help those countries to enhance their response capability.

31. As the largest developing country, China faced the arduous development tasks of eliminating poverty and improving livelihoods. At the same time, in line with its firm commitment to multilateralism and the Paris Agreement, China was actively shouldering its international responsibilities, including by adopting a number of policies to address climate change. It had already achieved its 2020 carbon emissions reduction target; its contribution to global climate control was clear. China stood ready to work with all parties constructively to enhance climate governance and promote the full and effective implementation of the Paris Agreement.

32. In his report, the Special Rapporteur had cited some non-governmental organization data on total historical emissions and 2018 energy-related carbon dioxide emissions, the accuracy and authority of which

were not sufficient; China therefore recommended caution when citing such data.

33. **Ms. Kariuki** (United Nations Environment Programme (UNEP)) said that UNEP would continue its efforts to increase awareness of the connection between human rights and the environment, including climate change, and to promote the integration of human rights concerns into environmental decision-making. As part of its work, UNEP had designed an initiative to assist States to effectively enforce constitutional environmental rights where they existed, and to help all actors better understand how to make those rights work, in practice, for the benefit of people and the planet.

34. Currently, 156 countries recognized some form of the right to a healthy environment. As achieving universal recognition of that right was a priority for UNEP, she asked how UNEP could better assist in convincing the remaining 30-odd countries to recognize the right to a healthy environment. She also wished to know how UNEP could better help to strengthen the protection of environmental human rights defenders, within the scope of its mandate.

35. **Mr. Boyd** (Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment) said that public participation, which was a human right in itself, should be at the heart of all climate action. There were several instruments designed to enhance public participation, such as the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (known as the Aarhus Convention), which had 47 parties throughout Europe and Central Asia. Negotiated in 1998, the Aarhus Convention had served to significantly raise the bar with regard to public participation in environmental matters in the jurisdictions where it was in force. A new, similar agreement called the Escazú Agreement was designed to address the same matters for the region of Latin America and the Caribbean. However, to date only 6 of the 33 Latin American and Caribbean countries had ratified the Escazú Agreement. The remaining countries should follow suit so that the important work of implementation could begin.

36. Regarding the areas where the international community was lagging furthest behind, he said that the use of fossil fuels was the most pressing problem. States must either reduce their fossil fuel use or employ technology such as carbon capture and storage to mitigate the impact. It was important to acknowledge that some countries, including Denmark, Sweden and the United Kingdom, had reduced their overall greenhouse gas emissions by 20 to 30 per cent since

1990, and Costa Rica now sourced 98 per cent of its energy renewably. A number of countries, including Costa Rica, Iceland, Norway, Paraguay and Uruguay, used at least 95 per cent renewable energy.

37. Every year, some 200 environmental human rights defenders around the world were murdered because of their courageous action, not to mention the thousands more who were harassed, intimidated or criminalized. Relevant existing instruments included the United Nations Declaration on Human Rights Defenders; the Escazú Agreement, article 9 of which contained pioneering provisions to protect environmental human rights defenders; and a model national law on human rights defenders, which had been developed by the International Service for Human Rights in conjunction with United Nations special rapporteurs. But the most significant advance could be made by States alone: they should celebrate environmental human rights defenders as heroes, not vilify them as terrorists or criminals, as some States did.

38. There were no answers as yet to the thorny legal questions of what would become of the right to self-determination, or the exclusive economic zone, of States that lost their land mass to rising sea levels. The problem was particularly pertinent for small atoll States, but it was entirely new and was still being grappled with in academic and legal circles.

39. The planned relocation guidelines that the representative of Fiji had mentioned brought into focus another area where major efforts were needed. Vunidogoloa, the community that had been relocated in its entirety, was only the first of many – more than 40 communities in Fiji were on a relocation waiting list. Like many other small island developing States, Fiji had done very little to contribute to climate change but was contending with its harshest consequences. It was incumbent on wealthy nations, the large emitters, to come up with financing mechanisms to address the problems that they, primarily, had created.

40. Under the Paris Agreement, States had committed to raising \$100 billion for adaptation and mitigation. Nevertheless, an important question remained: how communities suffering climate-related loss and damage (both economic and non-economic) would be compensated. For 27 years, States had discussed the problem in their negotiations under the auspices of the United Nations Framework Convention on Climate Change, but not one dollar had been allocated for small island developing States or developing countries.

41. A silver lining was that various innovative financing mechanisms had been proposed. For instance, 11 years earlier, Maldives, on behalf of the least

developed countries, had proposed the introduction of a passenger air travel levy. A cursory calculation showed that a levy of \$10 on domestic flights and \$25 on international flights, while not significant enough to hurt the air travel industry, would add up to between \$40 billion and \$100 billion per year in money that could be used to compensate States for climate-related loss and damage. It was time to stop talking about compensation and put financing mechanisms into action.

42. Deforestation was a global issue. It was necessary to not only stop it, but to begin reforestation globally. There were some extraordinary good practices: earlier in 2019, Ethiopian citizens had come together under an environmental initiative to plant more than 300 million trees in a single day; the Government of Pakistan was launching an initiative to plant 1 billion trees; and Costa Rica, whose forested area had stood at 25 to 30 per cent in the 1970s, had aggressively invested in reforestation over the last 40 years, bringing its forest cover up to over 50 per cent.

43. With regard to legal frameworks, the right to a healthy environment could be recognized at the national, regional and international levels. At present there was no internationally recognized right to live in a healthy and sustainable environment, a situation which clearly must be changed. There were, however, various relevant regional human rights treaties in force: the African Charter on Human and Peoples' Rights, which covered Africa; the Protocol of San Salvador, which covered the Americas; the Aarhus Convention, which covered Europe and Central Asia; and the Arab Charter on Human Rights, which covered a number of Arab States. The Association of Southeast Asian Nations (ASEAN) had the non-binding ASEAN Human Rights Declaration, in which the right to a healthy environment was protected.

44. At the national level, while 156 Member States had legally recognized the right to live in a healthy and sustainable environment, the Special Rapporteur stood ready to assist the remaining 37 Member States to formally recognize that right in their constitutions or other legal instruments. UNEP should also continue to work with those 37 countries, half of which were small island developing States that did not harbour any resistance to the idea but were foundering simply because of a lack of resources

45. China was leading the world in the economic shift to renewable energy use: it was number one globally in the production and installation of solar panels and wind turbines, and in the manufacturing and sale of electric vehicles, demonstrating the economic potential of

taking action to address climate change. The Global Commission on the Economy and Climate had concluded that bold climate action taken by 2030 could generate \$26 trillion in net economic benefits.

46. To strengthen the protection of environmental human rights defenders, the many good practices that existed on paper must be translated into actions on the ground. Advanced technologies, including those employing Global Positioning System (GPS) software, could be used to enhance protection, and the issue must be addressed with the urgency it deserved.

47. **Mr. Tuncak** (Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes), introducing his report (A/74/480), said that nearly 60 years ago, in her landmark book *Silent Spring*, Rachel Carson had warned of the need to know more about the nature and power of chemicals to which people were being exposed. The toxification of the planet and humans' bodies represented an insidious extinction crisis; the invisible proliferation of toxic substances posed a global threat to individuals and communities, and their human rights.

48. In addition to rising rates of cancer, diabetes, asthma and other debilitating and deadly conditions, evidence illustrated that incessant exposure to toxic substances posed a grave threat to fertility and healthy reproduction. Sperm counts had declined a staggering 50 per cent since the 1970s in many countries around the world, according to a recent comprehensive study, and there was no indication that declines in sperm quantity or quality were tapering off. Studies consistently showed a connection between declining sperm counts and continual exposure to a multitude of toxic substances.

49. States had a duty to proactively prevent individuals' and communities' exposure to hazardous substances. That obligation derived implicitly but clearly from their duty to protect any number of other human rights, including the rights to life, dignity, health, safe food and water, adequate housing, safe and healthy working conditions and a healthy environment. Since Rachel Carson's 1962 warning, States had taken progressive steps to prevent exposures to hazardous substances, with some, like Sweden, making admirable efforts. Nonetheless, prevention remained the exception, and not the norm. Personal autonomy over what entered people's bodies had been steadily eroded through decades of industrialization, so that few people today had information about their exposure to toxins, let alone the power to prevent it.

50. The toxification of the world was outpacing the adoption of measures to prevent exposure. Yet, the economic costs of preventable exposure, borne by individuals and Governments, were in the trillions of United States dollars globally. While States remained mired in decades-long debates over when and to what extent exposure to different toxins was acceptable, a multitude of toxic exposures continued to violate peoples' bodily integrity and rights to life and health.

51. Although the primary duty to prevent human rights violations rested with States, non-State actors also had a responsibility to prevent toxic exposure, particularly when States were unable or unwilling to exercise their duty. The United Nations was no exception, and yet, between 1999 and 2013, the Organization had housed approximately 600 members of Roma, Ashkali and Egyptian families displaced during the Kosovo conflict in camps built on toxic wasteland. Since the 1970s, it had been well known that the land was contaminated with lead and other poisons, and half of those in the camps were children, who suffered irreparable damage to their mental and physical health. The integrity of the United Nations system was undermined by its failure to provide relief and remedy to those families whose rights it had violated. Although a trust fund had eventually been established, in 2017, to help provide an effective remedy, only one Member State had contributed to it, and at a level insufficient to provide effective remedy for any of the children poisoned. Each one of those victims had been "left behind". The complete failure of all but one Member State to contribute to the fund was appalling, but unsurprising. It was representative of the response experienced by many marginalized communities around the world, who bore the brunt of their Governments' failure to prevent exposure, or to provide a remedy.

52. Despite States' overwhelming recognition of the human right to a "healthy" environment and despite their universal recognition, for nearly 55 years, of the right to safe and healthy work, both were today treated as privileges. Few States had had the courage to acknowledge and fulfil their duty to prevent exposure at the level required to create a truly healthy environment and safe workplace for all, and particularly for those who lived in poverty or were marginalized or otherwise vulnerable. Simply using the words "safe", "healthy", "clean" or "adequate" would not protect human rights: prevention of exposure to hazardous substances must become the norm, not the exception. Over time, many substances had been found to have no safe level of exposure, and many more would undoubtedly follow. Thus, the primary recommendation to States contained

in his report was that they urgently afford much greater priority to preventing exposure.

53. **Mr. Bourtembourg** (Observer for the European Union) said that sanitation workers, who often worked in unsafe conditions that led to illness, injury or death, were particularly vulnerable. Although they provided an essential public service, their work was not sufficiently recognized. In many countries they did not have access to affordable health care or proper social protection. He therefore asked what could be done to improve the situation of sanitation workers in terms of adequate access to health care and social protection. He also asked how States could best employ effective risk assessment and mitigation measures to protect workers from unsafe and unhealthy working conditions, which caused millions of deaths annually.

54. **Ms. Manuel** (Angola) said that if States failed to improve working conditions, workers' fundamental human rights would continue to be under threat. Workers whose jobs exposed them daily to toxic substances were afflicted by serious health problems. That was a clear consequence of inadequate regulation at the State level, as well as private actors' lack of accountability with regard to the management of toxins.

55. The Special Rapporteur's efforts were critical, especially for developing countries and countries in her region, where workers' options for claiming their rights were very limited. In that connection, Human Rights Council resolution [42/21](#), entitled "Protection of the rights of workers exposed to hazardous substances and wastes", which had been adopted by consensus in September 2019, was highly relevant.

56. **Mr. Costa** (Brazil) said that the Federal Government of Brazil was fully committed, alongside local and State authorities, to improving its domestic management of toxic waste. The Special Rapporteur's official visit to Brazil, scheduled for December 2019, would provide an opportunity to learn from best practices around the world and exchange information regarding the situation on the ground.

57. In the aftermath of the tragic rupture of a tailing dam in the Brazilian municipality of Brumadinho in January 2019, the Government was taking all necessary measures to mitigate the impact of the disaster on the population and the environment. It had set up crisis offices and was working with local authorities to ensure that all those affected by the tragedy received support, including reparations to the families of the more than 250 who had died. The situation of the affected watercourses was being constantly monitored by the competent authorities together with private companies and civil society. Special measures were also in place to

support farmers, fishermen and indigenous people living in the region. Judicial and administrative action was being taken to ascertain responsibilities and provide a robust assessment of the environmental and socioeconomic impact of the tragedy. The Federal Government had allocated almost \$65 million of additional funds to the region and had launched a new package of measures in partnership with the private sector and civil society to help restore economic activity and provide financial support.

58. Lastly, he asked how the health of workers in the mining and extractive industries, and residents in mining areas, could best be protected.

59. **Ms. Xu Daizhu** (China) said that safeguarding the safety and health of employees was an important responsibility of enterprises while toxic waste management was an important part of promoting environmental protection. Process related to the production, collection, storage, transportation, utilization and disposal of waste involved the interests of producers, consumers, recyclers, users and disposers alike, hence the need for appropriate co-governance measures.

60. Her Government had always attached great importance to the proper management of toxic waste, safeguarding the right to health and the interests of employees and promulgating relevant laws and regulations to ensure the safe use of toxic substances that protected workers' lives, health and human rights. The Government was promoting reform of the waste import management system and had resolutely banned the entry of foreign garbage, organized pilot projects for the construction of "no waste cities" and launched special environmental protection actions to deal with the dumping of solid waste. It also verified, investigated and punished corporate environmental violations in accordance with the law and ensured accountability for dereliction of duty, with positive results.

61. **Ms. Gebrekidan** (Eritrea), expressing support for the work of the Special Rapporteur, asked what measures could be taken to ensure that the private sector upheld its responsibility to provide the necessary information regarding public exposure to toxins.

62. **Mr. Kouassi** (Côte d'Ivoire) said that his delegation welcomed the recommendations contained in the high-quality report of the Special Rapporteur and stood ready to cooperate with him for their implementation. In 2006, the city of Abidjan in Côte d'Ivoire had suffered gravely as a result of contamination from the dumping of toxic waste. However, the President of Côte d'Ivoire had taken the necessary mitigation measures with the assistance of

bilateral and multilateral partners, and the appropriate institutional and legal framework had been established to protect the population from the harmful effects of toxic and chemical waste. Nonetheless, to address that complex problem more comprehensively in the future he called for increased cooperation among countries and greater information sharing, as no country alone could fully protect itself from the harmful effects of toxic and chemical waste.

63. **Mr. Tuncak** (Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes) said that many workers found themselves in dangerous and precarious working conditions, particularly those employed in sanitation, construction and manufacturing, whether textiles or electronics.

64. While there were many ways to improve the risk assessment process, one of the best solutions was to move away from a risk-based approach, which had been consistently underestimating risks, and instead to look at the intrinsic hazards of the substances to which people were being exposed and then reduce such exposure as far as possible. Another method was to move away from cost-benefit analysis, which had often left workers continuing to be exposed unnecessarily to hazardous substances.

65. He was grateful to Angola and other African countries for sponsoring Human Rights Council resolution [42/21](#) on protection of the rights of workers exposed to hazardous substances and wastes, which highlighted the duty of States to prevent unsafe occupational exposure to hazardous substances and the corresponding responsibility of businesses to ensure the enjoyment of the highest attainable standard of physical and mental health.

66. He was also grateful to the representative of Brazil for the invitation extended to him to visit the country and very much looked forward to doing so. Furthermore, he appreciated the measures mentioned by the representative of Brazil that his Government had taken.

67. He commended China on its recent ban on imports of waste from other countries, which had exposed the massive problem of what to do with such waste. However, concerned that extremely vulnerable countries might now be importing that waste instead, he encouraged China and other States to increase their efforts to strengthen the global regime for the management of hazardous waste.

68. To avoid tragedies such as the dumping of toxic waste in the port of Abidjan, Côte d'Ivoire, by a

European cargo ship in 2006, he encouraged all States to enforce the relevant provisions of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, and the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa.

69. The Human Rights Committee had reaffirmed that the right to life and a life with dignity was violated when a State failed to take adequate measures to prevent exposure to pollution and other toxic substances, even in the case of individuals who did not die. In his view, while States had a duty to protect human rights at home, they also had duties abroad regarding the foreign practices of their businesses, including the export of banned substances and the exploitation of lower standards of protection. To end the exploitation of double standards and the resulting human rights violations, a stronger global regime was urgently needed.

70. He recalled that it was lead prevention week. Despite the ongoing efforts by the global community over the past decade to phase out the senseless use of lead in paint in every country worldwide, that practice continued, and something was deeply amiss in such a system. The global regime for ending the unjustified use of toxic chemicals must be strengthened dramatically to meet the existential threat that it represented.

71. **Ms. Elver** (Special Rapporteur on the right to food), introducing her report (A/74/164), said that, for a third year in a row, hunger and malnutrition were on the rise. One person in every nine worldwide was facing hunger and 2 billion people were food insecure.

72. Her report described the Sustainable Development Goals, the cornerstone of the 2030 Agenda, as a potentially transformative tool to advance the realization of the right to food, as well as other economic, social and cultural rights. While the high-level political forum on sustainable development held in July 2019 had found that progress towards the Goals was too slow and that the world was facing setbacks, even regressing in some areas, such as hunger and malnutrition, the lack of progress did not indicate that the Goals were broken or could not be achieved. It did confirm, however, that States had struggled to operationalize the promise to leave no one behind. Yet the Goals provided a road map for adopting policy reforms for the most vulnerable groups, among them the more than 2.5 billion people who depended on agriculture for both subsistence and their livelihoods.

73. The reduction of fuel and food subsidies and the increase in food prices, corruption and austerity

measures continued to stir unrest and humanitarian crises around the world. States must be aware of how inequality and the concentration of wealth resulted in exclusion of the most vulnerable and threatened to undermine their rights. Solutions in the form of fiscal policies, the redistribution of wealth through taxation and the reallocation of existing spending could help to reduce the inequality gap and resolve over 75 per cent of global poverty and hunger. Currently, less than half of the world's population was effectively protected by legally enforceable social protections and coverage was often limited by inadequate implementation. Progressive tax systems that supported social protection transfers and public services could have a significant redistributive impact that allowed for reinvestment in the goods and public services essential for the enjoyment of economic and social rights.

74. As a result of the lack of legal protections, vulnerable groups integral to global food systems had been structurally left behind, including women and girls, children and youth, peasants and other rural communities, indigenous peoples and migrants. Such groups faced persistent, institutionalized discrimination and increased vulnerability to hunger in disaster and conflict settings. Unfortunately, States had not yet taken the necessary remedial action. Not a single voluntary national review on progress under Goal 10, for example, had featured socioeconomic data on refugees and only three countries had mentioned indigenous people.

75. States must take an active role in creating an enabling environment and reforming the institutional framework of the Goals. In her report she had acknowledged that there were several solutions for improving implementation, including building the capacity of data collection and reporting mechanisms, reconciling fragmented and competing targets and allocating additional financial resources. Most importantly, she had recommended adopting a human rights-based approach to implementation, improving accountability and ensuring that private sector involvement was balanced and regulated.

76. While the Goals themselves did not explicitly recognize the human right to adequate food, the promise to leave no one behind encompassed the fundamental human rights principles of equality and non-discrimination. The fact that the 2030 Agenda failed to name most economic, social and cultural rights, and its single reference to human rights across all the Goals, did not mean that human rights were merely incidental. Rather, the right to food and Goal 2 were mutually reinforcing. The Goals could increase support for the realization of the right to food and other interrelated, indivisible and interdependent rights. Because of the

relationship between human rights and the Goals, conversations around oversight and monitoring of Goals, while based in New York, should not be siloed from the human rights mechanisms in Geneva. The special procedures, the treaty bodies and the universal periodic review should all be more systematically integrated into national planning on the Goals.

77. The Rome-based agencies were working within the framework of the 2030 Agenda and in keeping with Goal 17, which envisioned the engagement of international partners to help achieve the Goals. However, human rights had been pushed to the background at the high-level political forum on sustainable development convened under the auspices of the General Assembly in September 2019. For instance, Goal 2 had received some of the least support in the accelerated actions and in the political declaration of the high-level political forum.

78. While she recognized that the political will sometimes did not exist to address the most complex challenges, that could not be used as an excuse. The international community could not fail to progressively realize the right to food because it was too challenging or because it would involve too many stakeholders or forums. States must prioritize the interests of the world over those of a single nation, trade in market-driven policies for human-centric solutions and allocate sufficient resources to support the achievement of the Goals. To that end, the United Nations system must function as a cohesive, inclusive forum for change and countries must act swiftly and strongly to guarantee a better future. That started with a world free from hunger and malnutrition where the right to food was fully realized for all.

79. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela), speaking on behalf of the Movement of Non-Aligned Countries, said that the right to food was recognized as a human right in article 25, paragraph 1, of the Universal Declaration of Human Rights. It was also recognized as such in the International Covenant on Economic, Social and Cultural Rights and in other important political declarations. The Non-Aligned Movement therefore reaffirmed the right to food as a human right, called on the international community to continue working to make the right to food a reality in all countries and urged Member States to pay special attention to the implementation of the annual resolutions adopted by the United Nations on the right to food.

80. During the Ministerial Meeting of the Coordination Bureau of the Non-Aligned Movement held in Caracas in July 2019, Ministers had reiterated that hunger was a violation of human dignity and had

called for urgent national, regional, and international measures for its eradication. They had also reaffirmed the right of all persons to have access to healthy and nutritious food, in accordance with the right to food, and the fundamental right of everyone to be free from hunger so as to be able to fully develop and maintain their mental and physical capacities.

81. The Non-Aligned Movement recognized that, despite the efforts undertaken and the positive results obtained to date, the problems of hunger, food insecurity and malnutrition remained global in scope and considerable progress had not been made in reducing hunger. Indeed, the problem had dramatically increased in certain regions owing to the lack of urgent, decisive and concerted action.

82. Food must not be used as an instrument of political and economic pressures. The Non-Aligned Movement therefore reiterated the importance of international cooperation and solidarity, and the need to refrain from unilateral coercive measures that could affect food related trade and jeopardize food and nutritional security, particularly for vulnerable groups, in violation of international law and the Charter of the United Nations.

83. **Mr. Bourtembourg** (Observer for the European Union) said that leaving no one behind meant bringing everyone on board to take urgent action for the achievement of the Sustainable Development Goals. The European Union was aware of the importance of developing multi-stakeholder approaches to reform existing food systems and ensure the universal right to food. Its Common Agricultural Policy and Common Fisheries Policy were good examples of that approach. Through holistic approaches and policies, the European Union was able to provide stable, sustainably produced and high-quality food at affordable prices to more than 500 million Europeans. The European Union took the same approach to the implementation of its development policies around the world.

84. The European Union shared the Special Rapporteur's view that a human rights-based model of agroecology could better deliver the necessary nutrition to everyone while promoting more sustainable and environmentally friendly solutions. He asked how regional organizations could contribute to ensuring better rural-urban integration in the context of the Sustainable Development Goals.

85. **Ms. Ní Chonchúir** (Ireland) said that the new international development policy of Ireland, known as "A Better World", identified four key priorities for achieving the objective of reaching the furthest behind first: gender equality; reducing humanitarian need;

climate action; and strengthening governance. Food had been identified as a core focus for intervention in all four priority areas. Ireland was seeking to support food systems that provided sustainable and nutritious food as well as inclusive, transformative growth.

86. Her delegation shared the concerns of the Special Rapporteur that inequality remained a barrier to the realization of the right to food, particularly for those who, historically and structurally, had been left behind. As women were more likely to experience food and nutrition insecurity, her delegation also agreed that mainstreaming a gender perspective in all policy areas was key to addressing that imbalance. She asked the Special Rapporteur which best practices had been identified in that regard.

87. **Ms. Wollebaek** (Norway) said that her country was a strong supporter of the right to food and the work of the Special Rapporteur. Access to food and water were essential for human survival and, hence, for ensuring livelihoods, development and economic prosperity. The right to food was also a cornerstone of the 2030 Agenda.

88. For several decades, Norway had been at the forefront of efforts to establish the right to food as a universal human right. The Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Security were a means to eliminate hunger, strengthen work to achieve the Sustainable Development Goals and develop sustainable food systems. In that regard, Norway had recently launched a new action plan aimed at ensuring greater food security through sustainable food systems. The action plan would also incorporate the relevant recommendations contained in the Special Rapporteur's report.

89. **Mr. Batal** (Morocco) said that it was becoming increasingly difficult to ensure the enjoyment of the right to food for all, a situation exacerbated by climate change and conflict. He asked what immediate steps should be taken to prevent food insecurity, grave food shortages and malnutrition in poor rural areas.

90. **Ms. Wang Yi** (China) said that the right to food was one of the most basic human rights and a basis for the realization of other rights. Eradicating hunger was an important part of the 2030 Agenda and ensuring the right to food was essential for countries to eliminate inequalities and achieve the Sustainable Development Goals. The international community should increase cooperation so as to create a global environment conducive to food security. It should also pay more attention to the demands of developing countries, reduce trade barriers, strengthen technical and funding support

for agriculture in the least developed countries and increase global agricultural production and food security.

91. Countries had a duty to increase support to the poor so that no one was left behind. China attached great importance to food security and was responsible for feeding around 20 per cent of the world's population with approximately 7 per cent of the world's arable land. Her Government stood ready to strengthen its cooperation with multilateral mechanisms, including the Special Rapporteur on the right to food, and would continue to contribute to ensuring food security for the international community.

92. **Ms. Mehdiyeva** (Azerbaijan) said that her delegation was grateful to the Special Rapporteur for her recent visit to Azerbaijan and that her Government had carefully reviewed the statement issued by the Special Rapporteur following the conclusion of her visit. In 2013 the Government had extended a standing invitation to the special procedures mandate holders to visit Azerbaijan, as it very much valued opportunities for fair, transparent and effective dialogue with mandate holders. While human rights were inextricably connected, such exchanges were more productive when mandate holders concentrated their efforts on the specific thematic issues that were part of their mandates.

93. As the Special Rapporteur had witnessed during her visit to Azerbaijan, the aggression against the country and subsequent occupation of one fifth of its territory had forced more than 1 million people to flee their homes. The Government had taken extensive measures to ensure increased protection for the internally displaced persons and their rights in the areas of housing, education, health care, employment, livelihood and social security. It had also made sure that those internally displaced did not face prejudice or discrimination at any stage of their integration or social inclusion.

94. Reforms in the agricultural sector of Azerbaijan in recent years reflected a continuing effort to increase the incomes of farmers and expand domestic production through enhanced competition and farm subsidies. The sector had received special attention in the regional development programme that Azerbaijan had been implementing since 2004 and, as the Special Rapporteur had mentioned in the statement issued following her visit, there was no food scarcity in the country. Parliament was planning to adopt a new law on food security in 2020.

95. Her delegation looked forward to reviewing the final report on the Special Rapporteur's visit to Azerbaijan, which would be issued in 2020. In the

meantime, it stood ready to further engage with the Special Rapporteur in order to better identify gaps and determine the best possible solutions.

96. **Ms. Gebrekidan** (Eritrea) said that food security remained a priority for her country, which had made significant efforts over the past 25 years to achieve self-sufficiency in meeting the food and nutritional needs of its people. Her delegation recognized the important link made in the report of the Special Rapporteur between gender equality and discrimination and agreed that achieving the right to food meant tackling the historical and structural inequalities that undermined the availability of food systems. She requested the Special Rapporteur for more specific examples of such inequalities and asked what steps could be taken to tackle them.

97. **Mr. Behmaras** (Cuba) said that the right to food was a fundamental human right conducive to the enjoyment of all other human rights. His delegation therefore fully supported the mandate of the Special Rapporteur. The number of children dying from malnutrition and hunger around the world remained intolerably high, as was the number of children who were undernourished or underweight and the number of people suffering from hunger. The full enjoyment of the right to food was key to the achievement of the Sustainable Development Goals. At the current session Cuba would again submit a draft resolution on the right to food, which would provide the General Assembly with an opportunity to reaffirm that hunger represented a violation of human dignity.

98. **Ms. Elver** (Special Rapporteur on the right to food), responding to the question posed by the representative of the Bolivarian Republic of Venezuela, said that she was seriously looking at the impact of unilateral sanctions on the most vulnerable countries and population groups, particularly women and children. Such sanctions were completely contrary to human rights principles and the General Assembly should consider the extent to which they were helpful or in fact harmful.

99. Responding to the observer for the European Union, she agreed that the role of regional organizations was important but suggested that the Common Agricultural Policy could be made more friendly with respect to the human right to food. European Union policy tended to view the right to food as a development policy only for developing countries and, as far as she was aware, no European country had enshrined the right to food in its Constitution although there was a serious amount of food insecurity inside Europe itself. However, she did agree that agroecology was important

in ensuring a sustainable approach to future agricultural production systems that benefited both humans and the environment.

100. Responding to the question from the representative of Ireland, she said that women played an extremely important role in relation to food systems, agriculture and malnutrition. Significant improvements in women's access to productive resources, such as land, could have a major beneficial impact on development outcomes. Best practices with regard to gender mainstreaming policies included gender-sensitive budgeting, incentivizing greater participation by women and supporting access by women to land.

101. In response to the question from the representative of Morocco, she said that economic instability and volatility, in addition to external factors such as climate change and conflict, made it difficult to tackle hunger. However, more people-centred policies with a human rights focus were needed to create the right economic conditions.

102. She noted that China had seen significant success in reducing its levels of hunger and poverty. The new Director General of the Food and Agriculture Organization of the United Nations was from China and she very much looked forward to working with him shortly.

103. She had witnessed many good practices in the area of agricultural policy during her recent visit to Azerbaijan, including its efforts to address climate change. The 1 million internally displaced persons in Azerbaijan accounted for a relatively large size of the population and the issue of their displacement remained a cultural and economic issue that must be dealt with carefully.

104. Achieving food self-sufficiency for Eritrea would unfortunately not be an easy task because of the historical and structural inequalities mentioned in her report. The former included unclear property rights, which were a legacy of colonialism, while the latter included the economic conditions, free market system and international trade policies that remained unfavourable to developing countries.

105. Lastly, she commended Norway for its leadership on the right to food and agreed with the representative of Cuba that the scale of child malnutrition around the world was an extremely important issue that required urgent action from the international community.

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

107. **Mr. Bakhtiyorzoda** (Tajikistan) said that his Government prioritized the promotion and protection of human rights and the highest value was accorded to human rights and fundamental freedoms under the national Constitution. The Human Rights Council, which played a central role in streamlining dialogue and cooperation on human rights issues, should promote universal respect for and the protection of human rights and fundamental freedoms for all, without any distinction, on a just and equitable basis. To that end, in its decision-making, the Council should be guided by the principles of universality, objectivity, non-selectivity and constructive dialogue.

108. The main priorities pursued by Tajikistan in the Human Rights Council were strengthening international mechanisms for the promotion and protection of human rights, enforcing the commitments undertaken in that area and expanding relevant multilateral cooperation. His Government condemned all forms of discrimination, in particular racism, xenophobia and related intolerance, which ignored human rights and insulted human faith, dignity, culture, nationality and other human values. It therefore supported the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.

109. The United Nations played a central role in combating human trafficking, which was one of the worst violations of human rights and freedoms. More attention should be paid to strategies aimed at protecting and rehabilitating the victims of human trafficking.

110. Tajikistan had been working closely with the Office of the United Nations High Commissioner for Human Rights (OHCHR), which had assisted the Government and civil society in the preparation of previous reports for the treaty bodies. OHCHR had also supported the implementation of the State programme on education in the field of human rights as well as the work of the Ombudsperson for Human Rights in Tajikistan. Tajikistan cooperated closely with the United Nations special procedures, as demonstrated by the fact that eight United Nations special rapporteurs had visited Tajikistan over the past 12 years.

111. Tajikistan was making every effort to advance the implementation of the recommendations contained in its universal periodic review and had presented its third review in 2019. Following the submission of its national report, the Government had received recommendations that were currently under consideration.

112. **Ms. Rasheed** (Observer for the State of Palestine) said that her delegation welcomed the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967

(A/74/507). The report examined the situation facing the Palestinian people under the Israeli occupation through the clear lens of the Charter of the United Nations and international law, including humanitarian and human rights law, all of which were applicable to Occupied Palestine, including East Jerusalem. The State of Palestine was grateful for the service and commitment of the Special Rapporteur, despite the obstacles to implementing his mandate owing to the continued and deplorable non-cooperation by Israel, the occupying Power, in violation of its Charter obligations.

113. In his report, the Special Rapporteur had presented an analysis of accountability, impunity and the responsibility of the international community to bring an end to the occupation of Palestine and other Israeli practices amounting to violations of international humanitarian and human rights law. The report not only reflected the occupying Power's denial, denigration and violation of the rights of the Palestinian people, but was also important because it contained timely recommendations for the international community to take, including countermeasures and sanctions to bring an end to the longest occupation in the modern world.

114. Over the past year the countless and intentional Israeli violations against the Palestinian civilian population in Occupied Palestine, including East Jerusalem, had not only continued unabated, but had in fact intensified. The Palestinian people had witnessed increased and non-stop demolition of their homes, the confiscation of their land, the expansion and construction of settlements and the partition wall, forced displacement and constant annexation threats by Israeli officials. There had also been daily military raids, often causing death or injury to Palestinian civilians; constant intimidation against and humiliation of the population; settler terror and violence; provocations and extremist incitement against holy sites; the arrest and detention of civilians, including children; and the continuation of Israel's blockade of the Gaza Strip, where 2 million Palestinians were being collectively punished, enduring extreme deprivation and isolation that had inflicted a humanitarian crisis and dire socioeconomic conditions.

115. It was undeniable that the persistence of the situation, without consequence or remedy, had caused immense human suffering and had undermined all efforts to date to realize a just and comprehensive peace that fulfilled the inalienable rights of the Palestinian people, including their most basic and fundamental human rights. Furthermore, given the proven unwillingness and failure of Israel to investigate serious violations by its occupying forces or its settlers, including war crimes, the only hope lay in international accountability for those crimes, to end the culture of

impunity, deter further violations, bring justice for the victims and promote peace. However, each day that hope had continued to fade as the absence of international accountability in the face of the systemic violations of Palestinian rights under human rights and humanitarian law had resulted in continued killing, injuring, humiliation, imprisonment and oppression by the occupying forces.

116. The Special Rapporteur was right in stating that the international justice system had failed the Palestinian people and, therefore, had failed justice everywhere. Each year statement after statement was made pleading for accountability for Israeli crimes and violations, yet to date no tangible measures had been taken by the international community to end Israeli impunity. Her delegation continued to read with despondency report after report issued by the United Nations and international human rights organizations as the human rights violations continued. It was clear that Israel could not have sustained such a prolonged and repressive occupation in clear violation of international law without the active support and malign neglect of many in the industrialized world. The Special Rapporteur had rightly assessed that the international community, particularly the Western industrial nations, had lacked the political will to compel an end to such impunity.

117. Her delegation therefore had a duty to call yet again for international action to be taken in line with the international community's legal, political and moral duties with respect to the Palestine question. All legitimate tools available, politically and legally, must be pursued without hesitation. Only such action and pressure could bring about change and salvage the chances for peace. Continuing to appease and coddle Israel would only bring more of the same impunity and worse. That would be to the peril not only of the Palestinian people, but also of the Israeli people and the region as a whole, which would continue to be deprived of the justice, peace and security that so many had long sought and struggled for. Another generation could not be allowed to suffer such injustice.

118. **Mr. Herasymenko** (Ukraine) said that his country strictly adhered to its international obligations and commitments under international law in the field of human rights and international humanitarian law. Ukraine was fully committed to the promotion and protection of human rights and fundamental freedoms within its internationally recognized borders.

119. As a country where Russian armed aggression had brought about a serious deterioration of the human rights situation, in particular in the occupied areas,

Ukraine needed the continued and active involvement of United Nations human rights mechanisms to address the issue. His Government counted on the continuation of close interaction with the Secretary-General and OHCHR in that regard.

120. In 2014, the Government of Ukraine had invited the human rights monitoring mission in Ukraine to follow the situation on the ground. The mission's numerous reports, including on the situation of human rights in Crimea, eloquently illustrated the scope of Russian crimes in Crimea. His delegation also welcomed the first report of the Secretary-General on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (A/74/276), which had demonstrated the persistent non-cooperation of the Russian Federation with OHCHR and its failure, as the occupying Power, to respect its obligations under international humanitarian and human rights law. The Russian Federation had continued applying its legislation in Crimea, contrary to its obligation under international humanitarian law to respect the laws in force in the occupied territory.

121. Violations of the civil, political, economic and cultural rights and fundamental freedoms of the people living on the peninsula, including of the indigenous Crimean Tatars, were widespread. Dozens of Ukrainian citizens had been arbitrarily detained in Crimea under false charges and unlawfully transferred to the territory of the Russian Federation. According to the Secretary-General's report, the Russian Federation was encouraging the transfer of its own population to the peninsula, which was a direct violation of the Geneva Conventions and a clear sign of the attempt to change the demographic structure of Crimea. Ukraine urged the Russian Federation to stop transferring the Russian population to Crimea and adhere to its obligations under international humanitarian law.

122. Despite the release of 35 Ukrainians by the Russian Federation, including Oleg Sentsov and Volodymyr Balukh, the Kremlin continued to stubbornly ignore the appeals of international organizations, political leaders and civil society to release all Ukrainians deprived of their liberty on politically motivated charges. That issue should continue to be the focus of special and regular attention by OHCHR and the human rights system of the United Nations as a whole.

123. In the Donbass region of Ukraine, residents of the occupied areas were still suffering from indiscriminate shelling, anti-personnel mines as well as human rights abuses and violations, including killings, arbitrary and incommunicado detentions, torture and ill-treatment.

The human rights monitoring mission was systematically denied access to critical areas and facilities to implement its mandate there, with freedom of opinion and expression under threat and now virtually non-existent. Just a few days ago, another Ukrainian Journalist, Stanislav Aseyev, had been sentenced by the Russian occupation administration in Donetsk to 15 years in prison. Ukraine condemned that decision and demanded his immediate and unconditional release.

124. At the current session his delegation would once again submit a draft resolution on the human rights situation in Crimea, Ukraine. He hoped that, as in previous years, it would gain the solid support of the many countries that believed in the value of human rights and fundamental freedoms and in the primary responsibility of the State to promote and protect them.

125. **Ms. Elmarmuri** (Libya) said that while Libya was committed to complying with the international human rights instruments to which it had acceded, it nonetheless reiterated its sovereign right to reject or make a reservation to any provision contained in those instruments or in United Nations resolutions on human rights that was contrary to the teachings of Islam or national laws. It also rejected attempts to introduce into Third Committee resolutions concepts that were not addressed in international human rights instruments and on which no international consensus had been reached.

126. Significant challenges, including political and institutional instability and the ongoing war in Libya, had impeded her Government's ability to achieve its economic and social development goals. The international community had a responsibility to help Libya stop foreign interference in its affairs and end the war, with a view to restoring peace and security and establishing a civil State that was founded on the rule of law. The international community also had a responsibility to safeguard frozen Libyan assets that were held outside the country. The value of those assets, which were vital to the prosperity and well-being of the Libyan people, had declined owing to mismanagement and the application of negative interest rates by foreign banks.

127. Libya condemned and rejected terrorism in all its forms and manifestations and reiterated that terrorism should not be associated with a particular religion. Although her country had made great sacrifices to combat terrorism, a menace that had come to Libya from abroad, the threat that it presented had not abated. The international community must therefore remain vigilant and continue strengthening cooperation and coordination at all levels in order to monitor and eliminate terrorist networks.

128. Her Government assigned great importance to the question of refugees and migrants and was working with international and regional organizations to address the repercussions of illegal migration. In that connection, Libya had appointed its first Minister for Migrants and Displaced Persons and had adopted laws that made it illegal to surrender political refugees, upheld the right to seek asylum and mandated that refugees be treated humanely.

129. **Mr. Getachew** (Ethiopia) said that decades ago the world had endorsed the Universal Declaration of Human Rights by considering the intrinsic dignity and equal rights of all as the foundation for freedom, justice and peace in the world. However, despite the progress made to date, the world still faced many challenges that hindered the implementation of universally accepted human rights and humanitarian laws.

130. As a party to the nine core United Nations human rights instruments, including the Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, Ethiopia had put in place key policy frameworks that sought to strengthen the prohibition of torture and inhumane treatments. Following recent political reforms, his Government had taken various measures to investigate human rights violations, resulting in the arrest of members of the national intelligence and security services, the police and the prison administration, including senior officials, for their mistreatments of prisoners. Those arrests marked a paradigm shift in the Government's commitment to the prohibition of torture and to human rights in general.

131. Equally important was widening the political space to create a democratic society. Hence, some of the measures taken during the past year included releasing political prisoners, journalists, bloggers and members and leaders of opposition groups or formerly banned political groups through pardons, the dropping of charges and amnesties. Previously exiled political parties had also been invited to return to the country and the conditions had been created to enable them to play a new role in political life. In addition, legislative measures had been taken to revise the various laws and proclamations pertaining to civil societies, media, elections and terrorism. Members and leaders of opposition political parties had been participating in the various consultations that had led to the revision of those laws and regulations.

132. Ethiopia recognized the need to take special measures to ensure that persons with disabilities enjoyed the full range of human rights and fundamental freedoms. In that connection, especially following the

accession of Ethiopia to the Convention on the Rights of Persons with Disabilities, the Government had worked to increase public awareness and provide training on implementation of the Convention, which had been translated in to five local languages and distributed to the public.

133. In addition to the various legislative, executive and judiciary measures taken, his Government was extending the support needed for the national human rights institutions to discharge their duties and responsibilities efficiently. At the forefront of such activities was the support provided to the Ethiopian Human Rights Commission and the Ethiopian Ombudsperson. Those institutions were undergoing their own reforms, including appointing new leadership with the requisite international experience and recognition through public consultations. Ethiopia had also completed and presented its overdue reports under key international and regional human rights instruments, such as the third national human right implementation report based on the recommendations arising from the second universal periodic review.

134. Economic development was key to the realization of fundamental freedoms and the full enjoyment of human rights. The priority was to ensure that the population enjoyed their economic, social and cultural rights and could effectively utilize the nation's natural resources. The Government was committed to respecting the human rights enshrined in the Constitution and the international human rights instruments to which Ethiopia was a party.

135. **Mr. de Souza Monteiro** (Brazil) said that his Government was seeking to implement its human rights policies in a manner consistent with the popular mandate given to it by the national electorate and in accordance with the Constitution of Brazil, which was largely inspired by human rights treaties and conventions. His country had an unshakeable commitment to ensuring the highest standards of human rights, upholding democracy and defending freedom. Above all, the Government advocated reclaiming the values and traditions of Brazilian society while respecting individual differences and protecting human dignity. It remained committed to protecting human rights defenders and fighting discrimination, cherished freedom of speech and the right of association and appreciated the key role that journalists played in society.

136. His Government attached special priority to the defence of the right to life and the promotion of human security. Social programmes, such as "Happy Child", were being reviewed and refined to support women during pregnancy and to promote the social development of children in their early years. For the first

time, a veritable epidemic in teenage suicide and self-mutilation was being tackled through public awareness campaigns and public health initiatives.

137. It was also important to support the family in all its dimensions, especially those families that faced situations of socioeconomic vulnerability. A significant proportion of Brazilian families were headed by one parent, often a woman. As recently confirmed by the Brazilian Supreme Court, the family unit remained the basic element of society and enjoyed the special protection of the State.

138. The Government was committed to ensuring religious freedom and combating violence based on religious beliefs and creeds. It was particularly concerned about the discrimination and persecution of Christians in many parts of the world. In that context, Brazil had recently decided to join the International Religious Freedom Alliance pursuant to article 18 of the Universal Declaration on Human Rights.

139. The Government was also firmly committed to combating violence against women, in particular femicide. While violent crime had significantly decreased, violence against women remained a special concern. To that end, the Government had launched a national pact to review the current normative framework, propose concrete measures to protect women from aggression and develop preventive initiatives, including educational programmes, to combat violence against women.

140. International cooperation and multilateralism were invaluable in the protection and promotion of human rights. The foreign policy of Brazil was firmly anchored in the peaceful resolution of conflicts and the right to self-determination, while recognizing the prevalence of human rights as a core guiding value. The human rights agenda of Brazil reflected its ethnic and cultural diversity, democratic values and determination to overcome the many challenges ahead. It epitomized the Government's commitment to improve living standards, protect fundamental freedoms, enhance the rule of law, promote tolerance, solidarity and equality of opportunity and provide social protection to the most vulnerable.

141. Lastly, he wished to thank the 153 Member States that had supported the candidacy of Brazil for election to the Human Rights Council. That significant result had demonstrated the unequivocal recognition of his country's credentials in promoting and protecting human rights.

The meeting rose at 5.50 p.m.