



# General Assembly

Seventy-seventh session

Official Records

Distr.: General  
7 March 2023

Original: English

---

## Third Committee

### Summary record of the 20th meeting

Held at Headquarters, New York, on Friday, 14 October 2022, at 3 p.m.

*Chair:* Ms. Kaczmarek (Vice-Chair) . . . . . (Poland)  
*later:* Mr. Blanco Conde . . . . . (Dominican Republic)

## Contents

Agenda item 68: Promotion and protection of human rights (*continued*)

- (a) Implementation of human rights instruments (*continued*)
- (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)
- (c) Human rights situations and reports of special rapporteurs and representatives (*continued*)
- (d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*)

---

This record is subject to correction.

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

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

22-23349 (E)



Please recycle



In the absence of Mr. Blanco Conde (Dominican Republic), Ms. Kaczmarek (Poland), Vice-Chair, took the Chair.

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

**Agenda item 68: Promotion and protection of human rights (continued)**

**(a) Implementation of human rights instruments (continued)** (A/77/40, A/77/44, A/77/228, A/77/230, A/77/231, A/77/279, A/77/289 and A/77/344)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued)** (A/77/48, A/77/56, A/77/139, A/77/157, A/77/160, A/77/162, A/77/163, A/77/167, A/77/169, A/77/170, A/77/171, A/77/172, A/77/173, A/77/174, A/77/177, A/77/178, A/77/180, A/77/182, A/77/183, A/77/189, A/77/190, A/77/196, A/77/197, A/77/199, A/77/201, A/77/202, A/77/203, A/77/205, A/77/212, A/77/226, A/77/235, A/77/238, A/77/239, A/77/245, A/77/246, A/77/248, A/77/262, A/77/262/Corr.1, A/77/270, A/77/274, A/77/284, A/77/287, A/77/288, A/77/290, A/77/296, A/77/324, A/77/345, A/77/357, A/77/364 and A/77/487)

**(c) Human rights situations and reports of special rapporteurs and representatives (continued)** (A/77/149, A/77/168, A/77/181, A/77/195, A/77/220, A/77/227, A/77/247, A/77/255, A/77/311, A/77/328 and A/77/356)

**(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (continued)** (A/77/36)

1. **Ms. Douhan** (Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights), introducing the note by the Secretary-General, entitled “Unilateral sanctions in the cyberworld: tendencies and challenges”, transmitting her report (A/77/296), said that the use of digital means to apply pressure to States, individuals and companies had a very serious negative effect. That was especially due to the absence of a common understanding of the terms “cybermeans” and “cyberspace”; intensified discussions about the information war; threats to international peace and security from the cyberactivity of individuals; ambiguity in the attribution of cyberactivity to certain individuals and States; polarization on the issue of unilateral sanctions; absence of any preliminary legal and humanitarian assessment of

unilateral measures; and the use of unilateral sanctions in response to malicious cyberactivity. As cybertechnologies developed, it was necessary to assess the legality and humanitarian impact of unilateral coercive measures taken in the digital world.

2. Owing to the limited scope of her report, she had been unable to address such issues as sanctions against digital currencies or online payments. Her report had instead focused on the expansion of unilateral sanctions in the digital world, the legal implications of State responses to malicious activity in cyberspace, the humanitarian impact of unilateral coercive measures, the prevention of access to online banking, defamation campaigns or threats of sanctions and the blocking of access to online platforms and services.

3. As mentioned in the conclusions made in her report, digital technologies had changed the scope, subjects, means and methods of international and unilateral sanctions. Sanctions in cyberspace could take the form of sanctions imposed in response to malicious cyberactivity or sanctions which prevented or blocked online activity or access.

4. Although the Security Council had the right to decide whether sanctions should be used in response to malicious cyberactivity, the use of unilateral sanctions in response to or via digital means raised numerous concerns in international law. States and regional organizations could take unilateral measures in cyberspace only as provided for under international law and human rights or humanitarian law, but measures usually did not comply with such criteria. Furthermore, it was the State’s responsibility to prove the validity of any sanctions; shifting that burden of proof to the affected media was not permissible under international law.

5. States were urged to remember that, under international law, terms should be interpreted in good faith with a direct and specific meaning. The absence of a consensus on what constituted “malicious” activity in cyberspace had resulted in growing misuse of the term. Targeted sanctions were consequently used as a substitute for criminal prosecution of cybercrimes, thus violating economic and due process rights and freedom of movement. Some unilateral sanctions in cyberspace impacted the entire populations of targeted countries, affecting their economic and cultural rights and constituting discrimination on the grounds of nationality. Preventing access to specific Internet resources also ran counter to the scope of human rights on the Internet and violated numerous rights, including the right to development. Legal or humanitarian assessments of unilateral sanctions for malicious

cyberactivity were usually not carried out, impacting freedom of expression and the permissibility of restrictions under articles 19 and 20 of the International Covenant on Civil and Political Rights.

6. **Mr. Pérez Ayestarán** (Bolivarian Republic of Venezuela) said that the more than 900 sanctions currently imposed on his country had had a lethal impact on its population and their human rights and had led to great human and economic losses. The Special Rapporteur had been able to see those negative impacts during her visit to Venezuela in February 2021, when such measures had prevented the Government from buying vaccines, medicines and medical equipment to combat the coronavirus disease (COVID-19).

7. Unilateral coercive measures constituted a deliberate attack, and even a form of war, against entire populations. They exacerbated conditions of poverty and inequality, aggravated global crises and undermined the rule of law and international peace and security.

8. His delegation wished to know what could be done to raise awareness of the negative impact of unilateral coercive measures on human rights to ensure that the United Nations system participated more fully in the monitoring and mediation of the impact of such measures, including on the Sustainable Development Goals, and increase accountability for the crimes committed.

9. **Mr. Manyanga** (Zimbabwe) said that, following a visit to Zimbabwe in October 2021, the Special Rapporteur had concluded that unilateral coercive measures had a significant impact on the country's population and on the capacity of the Government to realize the aspirations of the people. The Special Rapporteur had rightly recommended the immediate lifting of such measures in line with international law and international justice and many international organizations and countries had joined that call.

10. At a time when solidarity, cooperation and multilateralism were more necessary than ever, it was disturbing to see an expansion in the use of unilateral coercive measures to curtail the ability of affected countries to adequately respond to national and global threats. Zimbabwe called for the unconditional removal of unilateral coercive measures on all targeted countries in order to restore lost progress in advancing the Sustainable Development Goals, recovering from the COVID-19 pandemic, fighting against climate change and responding to food, fuel and financial crises.

11. **Mr. Kuzmenkov** (Russian Federation) said that his delegation valued the report of the Special Rapporteur, in particular the parts related to the

development of cybertechnology and its impact on unilateral restrictions. Measures related to the cyberworld, especially the restriction of access to satellites, the Internet, software, publicly available information and communication programs and services, affected the entire population of the countries subjected to restrictions, had a negative impact on the civil, political, economic, social and cultural rights of ordinary people and discriminated against them on the basis of their ethnicity or nationality.

12. An example provided in the Special Rapporteur's report concerned the "sanctions" imposed, on entirely contrived grounds, by Australia, Canada, the United Kingdom, the United States and the European Union against the Russian media outlets Sputnik and RT. Their imposition reflected a gross disregard for international human rights law and violated freedom of expression. As a rule, when the Russian Federation retaliated by restricting the broadcast of various Western propaganda television channels, the European Union condemned that decision as a violation of its own rights. That was yet another display of the West's double standards.

13. His delegation supported the recommendations contained in the report as they contributed to the study of the pernicious phenomena of sanctions. The Russian Federation agreed with many other nations that unilateral coercive measures were used by Western States to settle scores with Governments that had fallen out of favour, to suppress dissent and to stifle development in certain countries. Such practices were inconsistent with claims by Western States that they were committed to human rights and to the sovereign equality of Member States.

14. **Mr. Valido Martínez** (Cuba) said that Cuba agreed with the Special Rapporteur's conclusion that unilateral coercive measures constituted violations of human rights, regardless of their stated objectives, and that their use could not be justified.

15. Cuba had been subjected to the economic, commercial and financial blockade imposed by the United States for six decades, which hindered its access to information and communications technology. Some virtual platforms which had been essential during the pandemic for the work of international organizations, including the United Nations, had not been accessible for Cuba, thus limiting its full participation within the international community. The blockade was a massive, flagrant and systematic violation of the human rights of all Cuban people, violated the Charter of the United Nations and was the main obstacle to the development of Cuba.

16. He asked the Special Rapporteur to give further details of how such measures impacted countries' access to technology markets and development, given the increasing digitalization of the world.

17. **Mr. Rashid** (Pakistan) said that it was concerning that unilateral sanctions in the cybersphere included measures which affected the economic, social and cultural rights of the entire populations of targeted countries. He asked whether unilateral coercive measures were the most appropriate response to criminal cyberactivity, given the numerous legal concerns they entailed, or whether a multilateral mechanism should be formulated instead. He also asked how the use of technology could be protected from coercive measures, both with regard to the activities of Governments and citizens, and with regard to the demarcation of governmental activities on cybersecurity and other economic areas.

18. **Mr. Morales Dávila** (Nicaragua) said that unilateral coercive measures not only violated the right to development of targeted countries, but also affected the general development of their populations, hindering work towards the Sustainable Development Goals and the 2030 Agenda for Sustainable Development. During recovery from the COVID-19 pandemic and multiple other current international crises, the international community needed greater solidarity and cooperation and not the disproportionate and inhumane measures that reflected the double standards held by some countries. Urgent steps should be taken to condemn and eliminate the use of such measures, which constituted a crime against humanity.

19. **Ms. Novruz** (Azerbaijan), speaking on behalf of the Movement of Non-Aligned Countries, said that at the summit of the Movement held in October 2019, Heads of State and Government had reaffirmed their opposition to all unilateral coercive measures, including those used as tools to pressure any country, particularly developing countries. People should not be deprived of their own means of subsistence and development and it was concerning to see the continued imposition of measures which hindered the well-being of the populations of affected countries and created obstacles to the full realization of their human rights.

20. The Movement of Non-Aligned Countries was also concerned by the growing number of countries resorting to unilateralism, as unilaterally imposed measures undermined both the Charter of the United Nations and international law. The Movement was committed to promoting, preserving, revitalizing, reforming and strengthening multilateralism and the

multilateral decision-making process within the United Nations.

21. **Mr. Pilipenko** (Belarus) said that his delegation appreciated the non-confrontational nature of the Special Rapporteur's report. It included examples from a variety of countries and, unlike certain colleagues, the Special Rapporteur had used only confirmed facts, without distortion or speculation based on sources of questionable reliability. Belarus supported the conclusions and recommendations of the report and shared the Special Rapporteur's concern that, when restrictive measures were being introduced, not enough consideration was given to legal and humanitarian aspects or to compliance with the International Covenant on Civil and Political Rights. Even more concerning was the extreme difficulty, or impossibility, of appealing against illegitimate decisions to impose unilateral coercive measures against State entities, private companies, officials and individuals. The consistent attention paid by the Special Rapporteur to overcompliance was also encouraging. Member States, non-governmental organizations and representatives of academia should support the Special Rapporteur's work, respond effectively to her requests for information and actively participate in relevant events.

22. Belarus categorically rejected the use of unilateral coercive measures against Member States and drew attention to paragraph 6 of the report, in which it was stated that unilateral measures imposed without the authorization of the Security Council that could not be qualified as retorsions or countermeasures were illegal under international law and constituted unilateral coercive measures, which had been condemned in numerous resolutions of the Human Rights Council and the General Assembly. He called on Member States to fully, unconditionally and irreversibly discontinue the use of unilateral coercive measures.

23. **Ms. Bafrani** (Islamic Republic of Iran) said that the report of the Special Rapporteur included details of the unilateral coercive measures imposed on Iran by the United States, the European Union and a number of other countries, including the negative and destructive impact of those measures on the innocent people of Iran. However, the reality of the irreparable impact on the fundamental rights of Iranian people went far beyond what was included in the report. The international community should urgently adopt a committed approach to holding the orchestrators and executors of such measures accountable, especially the United States and its allies.

24. Countries which had been victim of unilateral coercive measures, such as Iran, had been faced with

numerous problems: targeted countries were unable to buy medical equipment and software or procure equipment to monitor earthquakes, and scholars from those countries were prevented from submitting articles for publication or accessing professional databases. Such measures therefore resulted in discrimination, the isolation of scholars and professionals, obstacles to gaining access to knowledge and the underdevelopment of Internet infrastructure.

25. The imposition of unilateral coercive measures undermined multilateralism, disrupted the international order and challenged international peace and solidarity.

26. **Mr. Mohd Zim** (Malaysia) said that his country firmly opposed all forms of unilateral economic, financial and commercial embargo which contravened international law and the principles of the Charter of the United Nations. Malaysia shared the Special Rapporteur's concerns regarding restrictions on exporting hardware and software that could facilitate pandemic mitigation efforts in targeted countries and urged all countries implementing unilateral coercive measures to immediately cease such practices and to resolve disputes amicably through dialogue and negotiations.

27. Countries imposing unilateral coercive measures might exploit the ambiguity of the term "cybersanctions". He therefore asked for an update on the status of a definition of the term that would be applicable globally.

28. **Mr. Passmoor** (South Africa) said that the arbitrary application and abuse of unilateral coercive measures had been particularly noticeable during the COVID-19 pandemic, when many countries under the yoke of such measures had been unable to access critical health-care equipment and services. Such restrictions had been both because companies had been unwilling to sell humanitarian goods to certain countries and because it was impossible to pay for those goods owing to unilateral coercive measures blocking banking channels. It was therefore incorrect to argue that medical equipment and humanitarian goods were not impacted by unilateral sanctions.

29. He asked if there had been any indication of what the impact of unilateral coercive measures had been on banking relations, particularly in the digital space.

30. South Africa was concerned about the unilateral coercive measures being implemented against Zimbabwe and continued to advocate for the removal of such sanctions to allow Zimbabwe to pursue its development and care for its people. South Africa also called for an end to the blockade against Cuba, which

severely limited the country's ability to develop, support its people and provide for the enjoyment of human rights, including freedom of movement.

31. **Ms. Yu Kaili** (China) said that her delegation was concerned by some of the findings in the Special Rapporteur's report, such as the use of unilateral sanctions as a substitute for criminal proceedings, especially by the United States. China called on the international community to increase its focus on the negative impact of unilateral sanctions and to give more support to the work of the Special Rapporteur.

32. China was opposed to the imposition of unilateral coercive measures, in contravention of the Charter of the United Nations and international law, and called on the international community to hold the countries imposing such measures accountable. Those countries should immediately stop using technology to sanction, attack or steal confidential information from other countries. They should participate in global cyberspace in a responsible manner and work constructively to maintain cyberspace security.

33. China was committed to the peaceful use of cyberspace and was willing to work collaboratively with the international community in that regard.

34. **Mr. Altarsha** (Syrian Arab Republic) said that the present interactive dialogue was particularly important because of the lethal impact of unilateral coercive measures upon civilians. Countries imposing such measures for political reasons claimed that they were designed to affect only Governments, but the civilian impact was illustrated by the fact that thousands of schools had been destroyed in Syria since 2011 during terrorist attacks and could not be rebuilt due to unilateral coercive measures. Indeed, all domains in Syria were currently being negatively impacted in a similar way.

35. He asked whether the Special Rapporteur felt that she needed more capacity to address the issue of the hundreds of millions of civilians dying as a result of unilateral coercive measures, especially given the increasing number of States on which they were being imposed.

36. **Ms. Douhan** (Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights) said that there was unfortunately no clear-cut definition for what was meant by the term "cybersanctions", which complicated issues regarding them. When speaking of the current situation, she had tried to address all possible issues around the use of unilateral sanctions regarding cyberactivities, such as the reaction to alleged malicious cyberactivity, the use of cybermeans as a form of sanction or the use of

sanctions on hardware or software. Research into some issues had only just begun, such as on the use of sanctions on online banking and cryptocurrencies.

37. Unilateral sanctions regrettably affected nearly every single goal included in the 2030 Agenda. Sustainable Development Goals, including on the elimination of poverty, the provision of decent work and the establishment of sustainable cities, were affected by the inability to access software, hardware and adequate equipment. The right to health was further impacted by the inability to access necessary information on publicly available databases and many other Goals were also affected. Even Goal 16 on peace and justice was greatly affected, since people impacted by sanctions in cyberspace did not have access to justice and had no way to protect their rights.

38. In the case of response to cybercrimes, she strongly advocated for reliance on the provision of international criminal law, with full observance of due process standards and burden of proof. Unilateral coercive measures were currently used in response to alleged cybercrimes as a supplement to criminal responsibility since no burden of proof was required and they did not follow any proper investigation or fair trial standards. Such application was unacceptable; if a crime was committed under a State's jurisdiction, all obligations should be observed regarding standard criminal law procedure, presumption of innocence, access to justice and burden of proof.

39. The full, serious impact of unilateral coercive measures on online banking had not yet been identified or properly assessed. Sanctions impacted both payment mechanisms, such as PayPal, and specific cryptocurrencies, such as Petro. Participants of blockchains could also be at risk of sanctions if another element in the blockchain had been subjected to primary or secondary sanctions.

40. Following the comments made by delegations, she wished to make some recommendations. Firstly, special care was needed regarding the attribution of a specific cyberactivity to States and individuals. Mere allegation that a party was guilty did not correspond to any standard of national or international law and due process and judicial standards should always be observed.

41. Media platforms, software development companies and businesses providing Internet services should not have the judicial competence they currently enjoyed and should not be able to determine who should or should not be blocked or which services should or should not be provided. They should act in full conformity with legal standards, fulfilling their due diligence obligations to guarantee that their activity did

not violate human rights, including freedom of expression.

42. The Security Council should initiate discussions on how the use of unilateral sanctions in response to malicious cyberactivity could be considered a threat to international peace and security.

43. The Human Rights Committee should initiate a review of its general comment No. 34 (2011) on freedoms of opinion and expression in order to guarantee that contemporary use of unilateral sanctions, especially those limiting media access, was in full conformity with articles 19 and 20 of the International Covenant on Civil and Political Rights, to ensure access to information and to ensure that scholars from sanctioned countries were able to publish research. Such activities should not be arbitrarily limited due to a scholar's nationality or location. Limitations on freedom of expression online should only be made in full conformity with the requirements of articles 19 and 20 of the Covenant. Access to information from various verifiable sources was an inalienable human right and an important means for the peaceful settlement of international disputes and understanding of international situations.

44. *Mr. Blanco Conde (Dominican Republic) took the Chair.*

45. **Ms. Khan** (Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression), introducing the note by the Secretary-General, entitled "Disinformation and freedom of opinion and expression during armed conflicts", transmitting her report (A/77/288), said that it was gratifying that the General Assembly and the Human Rights Council had adopted resolutions reflecting recommendations made in her previous report. Her present report focused on disinformation, propaganda and hate speech during war and the roles, responsibilities and responses of States and social media companies.

46. She wished to highlight four key findings from her report. Firstly, the information environment had become a dangerous theatre of war in the digital age. Information was being weaponized and disinformation, propaganda and hate speech were spreading at a worrying scale and speed. During times of conflict, people were in need of trustworthy information but were instead faced with false or manipulated information or other restrictions on information. Secondly, social media platforms played a dual role in modern conflicts, as both a vital means of communication and access to life-saving information and as a vector of disinformation, propaganda and hate speech. Thirdly,

States were the ultimate duty bearers of human rights. State practice varied from allowing the free flow of information, to restricting freedom of expression beyond the provisions of international law, to spreading disinformation and false propaganda. There was considerable disagreement about what constituted disinformation, propaganda and hate speech; those concepts were turned on their heads when factual information was delegitimized as fake news and when false propaganda was promoted as factual. Fourthly, digital technology and social media had created a new paradigm which exposed ambiguities, uncertainties and potential gaps in international law. As a result, State and non-State actors were able to violate human rights and undermine humanitarian principles with impunity.

47. Of the conclusions and key recommendations made in her report, she wished to mention five points. Firstly, States must uphold the right to freedom of expression, which included the right to information. It was a survival right on which people's lives, health, safety, security and dignity depended in times of crisis and conflict. The right to information was not a legitimate target of war, but rather a fundamental human right. Secondly, countering disinformation was vital for safeguarding human rights and restoring public trust. Restrictions on speech and independent media did not combat disinformation but rather eroded freedom of opinion and expression. Thirdly, the problems with social media platforms during conflict were similar to those in other settings but were significantly more dangerous. Companies needed to do much more to improve their processes and ensure compliance with human rights. State regulation of social media should focus on those process issues, rather than on content regulation. Fourthly, threats to freedom of opinion and expression in the digital age were complex and were best tackled through multi-stakeholder collaboration. Lastly, international humanitarian law must be strengthened and the relationship between human rights and humanitarian law must be reinforced to better protect freedom of opinion and expression during armed conflict.

48. **Mr. Segessemann** (Switzerland) said that his country appreciated the number of specific cases mentioned in the report of the Special Rapporteur, which demonstrated the breadth of the issue at hand. He asked what measures could be taken to address the issue of public confidence and the profound social and political issues caused by disinformation.

49. Switzerland called for the respect and promotion of the independence, freedom, pluralism and diversity of media. States should conduct prompt, independent and impartial investigations into attacks against

journalists and prosecute those responsible. Furthermore, digital platforms should accept the responsibility that they held and increase transparency regarding the measures taken to combat disinformation.

50. **Mr. Hill** (United States of America) said that truthful and independent information was necessary to ensure the safety and well-being of individuals. The challenge of information manipulation could be seen in the case of Russia, where the Kremlin had engaged in a long-standing and coordinated disinformation campaign to create false pretexts for its invasion of Ukraine. Such actions were an affront to freedom of expression.

51. He asked what States could do to counter the rising number of attacks against freedom of expression around the world.

52. **Ms. Chakir** (Luxembourg), speaking as a youth delegate, said that the Convention on the Rights of the Child provided for the right of all children to freedom of expression and to freedom to seek or to receive information and ideas. Children often did not have the necessary tools to identify reliable sources. They should therefore receive education allowing them to develop an open, analytical and critical mind in order to form their own opinions and to develop in a healthy, balanced and objective way.

53. She asked what additional measures could be implemented to protect children and young people from disinformation and propaganda on social media. She also asked how to prevent the opinions of parents from hindering children's access to the information and ideas necessary to become engaged and constructive participants in a democratic society.

54. **Mr. Forax** (Representative of the European Union, in its capacity as observer) said that the European Union attached paramount importance to the protection and promotion of the right to freedom of opinion and expression for all individuals and States, including the right to pluralistic and reliable information.

55. The European Union strongly condemned the expansion of restrictive legislation in Russia, which deprived the Russian people of access to information about the illegal action and atrocities committed by the Russian armed forces in Ukraine. Media independence was essential during all conflict, including in Syria, Yemen and in the context of the Israeli-Palestinian conflict, as well as in Ukraine.

56. **Mr. Holknekt** (Sweden), speaking on behalf of the Nordic and Baltic countries (Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden), said that addressing information manipulation must go hand

in hand with efforts to strengthen respect for freedom of expression, access to reliable information and a free and independent media sector. In that connection, it was necessary to find ways to increase protection for journalists, including during conflict.

57. He asked how States could further ensure that, during armed conflict, the Internet remained an open, free and secure tool to combat misinformation.

58. **Ms. Murphy** (Australia) said that her country condemned attacks on journalists, human rights defenders and civil society organizations; the closure of independent media outlets; Internet shutdowns; and the regulation of digital platforms in a way that undermined human rights and threatened peace and security. Australia had developed a regulatory system to ensure respect for freedom of opinion and expression, while also regulating the darker elements of the Internet in a targeted, measured and defensible way.

59. She asked what States could do, together with companies and civil society, to reduce the disproportionate impact of disinformation on women, children and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons.

60. **Ms. Eberl** (Austria) said that Austria shared the Special Rapporteur's concern regarding the safety of journalists in and beyond conflict situations. She asked if the Special Rapporteur could elaborate on her recommendation that the United Nations should establish an independent international task force in that connection.

61. Digital technologies and social media accelerated and amplified polarization, disinformation and the dehumanization of certain groups. In Austria's own painful experience, dehumanization was an early warning sign to be taken very seriously.

62. Austria called for greater freedom of opinion and condemned restrictions to information and Internet shutdowns. She asked for examples of best practice with regard to social media companies collecting and preserving online evidence of human rights violations during conflict.

63. **Mr. Tun** (Myanmar) said that the report of the Special Rapporteur rightly noted that the situation of freedom of opinion and expression was in grave crisis in Myanmar. The right to information and freedom of expression was severely limited in the country. Following its illegal coup, the military had forced several media outlets to shut down and arrested 142 journalists, many of whom were still detained. The Internet had profound value in the promotion of human rights and in seeking, receiving and imparting

information, but the military had intentionally enforced Internet shutdowns in the areas where it faced the greatest resistance. The military was also spreading misinformation via State-owned media to trigger violence and hatred. He asked what the most effective response was to address such forms of orchestrated disinformation.

64. **Mr. Alegre** (Portugal) said that, in March 2022, the number of days since the beginning of democracy in Portugal had surpassed the number of days the country had spent under a dictatorship. Portugal's history meant that it attached great importance to the protection of the right to freedom of opinion and expression and to its promotion internationally.

65. Portugal remained concerned that information was being weaponized to sow confusion, feed hate, incite violence and prolong conflict. Human rights could not be suspended in times of conflict.

66. He asked what States could do to ensure that the policies of digital content enterprises did not infringe on the right to freedom of opinion and expression.

67. **Mr. Gunwald** (Slovakia) said that Slovakia condemned the recent attack targeting the LGBTI community in the country. Any expression of hatred, including towards a sexual minority, should be rejected and condemned. Slovakia was concerned about the speed with which false, misleading, harmful and destructive information was being spread and its potential to reach a large audience worldwide.

68. Slovakia called for States to remain united and to condemn all forms and acts of Russian propaganda related to its war of aggression against Ukraine. Collective and targeted action should be taken throughout the United Nations system to mainstream the fight against disinformation.

69. He asked what actions the Special Rapporteur was taking and planning to take regarding the spread of disinformation in connection to elections and election campaigns.

70. **Ms. Kaczmarska** (Poland) said that Poland strongly condemned the use of pro-war propaganda. It was necessary to ensure the safety of journalists and Poland stood in solidarity with all imprisoned journalists in Belarus, including those who were part of the country's Polish minority.

71. He asked what could be done to facilitate the Special Rapporteur's recommendation that social media companies should securely preserve evidence of human rights violations committed in armed conflicts and



develop processes to share such evidence with appropriate national or international justice bodies.

72. **Ms. Matheï** (Belgium) said that Belgium shared many of the Special Rapporteur's concerns about disinformation and the right to information. Countering disinformation was vital for safeguarding human rights and restoring public trust, which would help to prevent and resolve conflicts. Belgium therefore joined the call for Member States to uphold freedom of opinion and expression.

73. She asked which good practices the Special Rapporteur would recommend in order to counter fake news and propaganda while still respecting the right to freedom of opinion and expression.

74. **Ms. Schmiedova** (Czechia) said that the Russian aggression against Ukraine had shown how information could be used as a dangerous weapon. However, States should not criminalize disinformation or fake news under the pretext of protecting national reputation or unity. Czechia condemned the laws in Myanmar and Syria that served to silence political opponents, human rights defenders and journalists. Czechia itself was committed to building social resilience against information manipulation and disinformation.

75. She asked how both States and third parties to armed conflict could be encouraged to refrain from disseminating false information.

76. **Ms. Mehta** (United Kingdom) said that many of the recommendations made in the report of the Special Rapporteur were also applicable to peace time. States should refrain from making, encouraging or disseminating false information and should consider alternatives to legislative measures for countering disinformation and propaganda. In tackling disinformation, all States should meet their legal obligations, including those in article 19 of the International Covenant on Civil and Political Rights.

77. She asked what more could be done to ensure that measures designed to tackle disinformation respected human rights.

78. **Ms. Mimran Rosenberg** (Israel) said that Israel was committed to upholding freedom of the press and maintaining the safety of journalists as primary components of democracy.

79. The death of journalist Shireen Abu Akleh, which had been mentioned in the report of the Special Rapporteur, had been a tragedy. In May 2022, Israeli security forces had been conducting counter-terrorism activities in response to recent murders by terrorists in the country. During the operation, soldiers of the Israel

Defense Forces (IDF) had been confronted by uncontrolled and indiscriminate gunfire from Palestinian gunmen. It was highly likely that Ms. Abu Akleh had been accidentally hit by IDF gunfire towards the suspected Palestinian gunmen in the subsequent exchange of fire in which life-threatening shots were fired towards IDF soldiers. However, at no point had Ms. Abu Akleh been identified, nor had any intentional gunfire been directed towards her by IDF soldiers. The investigation carried out had included questioning of the IDF soldiers involved and extensive analysis of the events and of the forensic and ballistic findings.

80. **Ms. de Leede** (Netherlands) said that freedom of expression was not part of the problem of disinformation, but rather the means by which to combat it. Actions taken to counter disinformation should be grounded in international human rights law. Disinformation had gained new currency in the digital age and a multi-stakeholder approach was needed to tackle it.

81. She asked how States, civil society, media stakeholders and digital companies could work together to tackle disinformation during armed conflict without undermining the right to freedom of expression.

82. **Ms. Egan** (Ireland) said that State measures to respond to disinformation should be grounded in human rights rather than undermine them. Deeply concerned by growing restriction on freedom of expression and the right to information, Ireland continued to strongly condemn attacks on human rights defenders and journalists and urged all States to refrain from imposing disproportionate restrictions on those rights and to ensure access to a free Internet.

83. She asked how States could most effectively collaborate with social media companies and civil society to uphold freedom of expression and to promote access to information in conflict settings.

84. **Ms. Wallenius** (Canada) said that the report of the Special Rapporteur came at a critical time as the world witnessed the consequences of disinformation in Ukraine. Freedom of opinion and expression was the means to combat disinformation as well as a human right and a value in itself.

85. Canada was ready to work constructively with all stakeholders to protect the right to freedom of opinion and expression and to combat disinformation proactively and systematically. Together with the Netherlands, it had led the biannual Human Rights Council resolution on freedom of expression.

86. She asked if the Special Rapporteur could elaborate on the best practices in countering

disinformation observed during the process of preparing her report.

87. **Mr. Boucault** (France) said that France was concerned by the increasing manipulation of information, particularly as part of the Russian aggression against Ukraine, and restrictions on freedom of the media, particularly in Russia and Belarus. France had taken tangible steps to guarantee access to trustworthy information and had provided a support platform for Ukrainian journalists in Bucharest.

88. He asked how States could ensure that information security and reliability were included in the due diligence obligations of private businesses.

89. **Mr. Rashid** (Pakistan) said that it was regrettable that some conflict situations had not been included in the report, including the situation in illegally occupied Jammu and Kashmir. India had used disinformation as a weapon to subjugate the Kashmiri people and to perpetuate its occupation of the disputed territory. As part of its disinformation campaign, India had spread fake news through State-sponsored and fake media outlets and had denigrated and misreported the issue by portraying the freedom struggle of the Kashmiris as terrorism. Indian State machinery did not allow international visits to or verification on the ground of the situation in the illegally occupied areas and had used censorship, silence and disinformation to suppress the words of the Kashmiri people.

90. He asked for the views of the Special Rapporteur on developing international standards to combat disinformation in armed conflict. He would also like to know her views on how to hold occupying authorities accountable when they indulged in persistent disinformation campaigns in situations of foreign occupation.

91. **Mr. Kuzmenkov** (Russian Federation) said that, although the Special Rapporteur had the freedom to carry out investigations as she saw fit, she should closely study available evidence rather than simply promote the clichés of Western propaganda, especially regarding free speech in Russia. Otherwise, she would fail to comply with her own plea for the provision of unbiased and balanced information. It was despicable that there was support for the practice of well-known social media sites, under the pretext of protecting free speech, to allow hate speech, and even open appeals to murder Russians, on an exceptional basis.

92. At the current meeting, the representatives of Slovakia, Poland and Czechia had spoken about Russian propaganda. In 2022, agents of Ukrainian special forces had blown up the car of Darya Dugina, a young

journalist. She was not in combat and it was unclear what she was guilty of apart from independent thought. Soon afterwards, the European Union had introduced sanctions against her grieving father. Those were facts, but he wondered whether they would also be characterized as propaganda. The Russian Federation was fully committed to freedom of speech in accordance with its international obligations.

93. **Mr. Sharma** (India) said that freedom of opinion and expression was a fundamental right enshrined in the Constitution of India. National law required that the procedure and manner of imposing jurisdiction on that right should be just, fair and reasonable and remain open to judicial review.

94. He asked what steps social media companies could take to better coordinate with Governments to counter disinformation while also protecting the right to freedom of opinion and expression.

95. Pakistan had once again attempted to abuse a platform of the United Nations to further its nefarious political agenda. India dismissed and condemned the frivolous remarks made by the representative of Pakistan and rejected the reference made to Jammu and Kashmir, which was an integral and inalienable part of India.

96. **Mr. Almoqbel** (Saudi Arabia) said that the laws of Saudi Arabia guaranteed freedom of opinion and expression, consistent with international human rights standards and principles. Without prejudice to the realization of those rights, article 39 of the Basic Law of Governance of Saudi Arabia stipulated that mass media and all other vehicles of expression must employ civil and polite language, contribute to the education of the nation and strengthen its unity. Moreover, acts that caused disorder and division were prohibited.

97. **Mr. Liu Xiaoyu** (China) said that absolute freedom did not exist and freedom of expression would always be limited in a way that did not violate the law or impair human rights. His country's Constitution and other national laws fully respected and protected citizens' freedom of opinion and expression.

98. His country regretted that much of the negative content in the Special Rapporteur's report concerned developing countries, highlighting the serious problem of double standards within the United Nations human rights mechanisms.

99. China resolutely opposed the false accusations made about it in the report, which were neither objective nor relevant to the theme of the report. China urged the Special Rapporteur to implement her mandate in a fair and objective manner, to respect the authoritative

information provided by Governments and to stop making unfounded comments or accusations about Member States.

100. **Mr. Altarsha** (Syrian Arab Republic) said that in paragraph 24 of her report, the Special Rapporteur had claimed that orchestrated disinformation campaigns in his country had spread unfounded accusations against certain organizations of partiality and criminal activities. However, the footnote to that claim contained a link to a four-year-old *Washington Post* article in which Russia was accused of orchestrating such a campaign to tarnish the image of the White Helmets Organization. The fact that the organization in question happened to be the media arm of the terrorist Nusra Front indicated the gravity of the matter.

101. Turning to paragraph 71 of the report, an organization called Keep It On, whose name he did not recognize, had been cited as the source of the claim that Internet shutdowns were frequent in Syria. There were no such shutdowns in his country, as evidenced by his own ability to contact his family on a daily basis. His delegation had hoped that the Special Rapporteur would have managed to avoid being dragged into Western propaganda campaigns of that nature, all the more so in view of the allusion to media disinformation in the title of her own report.

102. **Ms. Paydar** (Islamic Republic of Iran) said that the Constitution of Iran and other national laws provided a progressive space in which to protect and guarantee freedom of expression in the country. Unilateral sanctions, including the most severe unilateral sanction in the country's history, had severely disrupted the normal life of millions of Iranian people.

103. States and special procedure mandate holders should refrain from using dubious information from Western media and political groups as a political tool in the context of human rights to make groundless accusations against Iran.

104. **Ms. Bouchikhi** (Morocco) said that freedom of opinion and expression continued to be strengthened in Morocco, including through the establishment of an independent national press council and the development of a journalistic code of ethics. Furthermore, Morocco was proud to have been penholder of the historic General Assembly resolution [73/328](#), which had been the first ever to address hate speech.

105. **Mr. Greenwood** (Observer for the Sovereign Order of Malta) said that the right to religion and belief had been eroded during the multiple and intersecting crises of the COVID-19 pandemic, climate change and conflict. The Sovereign Order of Malta had worked to

curtail harmful impacts, including marginalization, discrimination and violence. Recognizing that faith-based organizations and communities were among the most dynamic and active responders to natural and human-made disasters, the Order would continue to integrate the religious component of sustainable development, human rights and peace and security into its diplomacy and work within the United Nations.

106. **Ms. Khan** (Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression) said that she had carefully and thoroughly assessed the information contained in her report. Detailed footnotes as well as background research and submissions from stakeholders were available to access. She had taken a balanced approach in covering all regions of the world and emphasized that no region of the world was free of the problems highlighted in the report. She would welcome invitations to visit those countries which felt they had not received adequate coverage so that she could access all stakeholders there and make her own assessment.

107. States, as the primary duty bearers of rights, had a particular responsibility to respect and protect freedom of opinion and expression. They should therefore refrain from making the problem worse, either by contributing to disinformation or seeking to counter disinformation by restricting human rights. They should also regulate social media through "smart regulation", which ensured that companies incorporated human rights standards into their content moderation, conducted human rights due diligence and followed United Nations guidelines on human rights.

108. Good practices contained in the report included allowing the free flow of diverse, reliable and verifiable information and protecting media freedom. Many references had been made to attacks on journalists; the killing of a journalist was the most egregious form of censorship and needed to be addressed. The majority of such killings, including in war situations, were subject to impunity and did not result in investigations being carried out. The meeting to be held in November 2022 on the anniversary of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity was the time to review and independently investigate killings and attacks of journalists. Such actions were important in creating public trust, not just in ensuring internal investigations by Governments.

109. In countering disinformation, States should empower rights holders and civil society. Digital and media literacy were important in that regard, but other methods of building good community relations were also important and would allow for hate speech,

violence and extremism to be countered at the community level. While multilateral and multi-stakeholder approaches were essential in bringing all actors together, companies held a lot of power in that context, which therefore needed to be controlled. Governments should look at the good practices contained in her report, particularly those originating from grass-roots organizations, civil society and communities.

110. There were many gaps and uncertainties in the law which needed to be clarified and strengthened. International humanitarian law should recognize freedom of opinion and expression as an important part of the humanitarian protection required during conflict and the role of human rights should be strengthened, especially in cases of cross-border violations using digital technology.

111. International standards also needed to be developed. The General Assembly and the Human Rights Council had a huge role in that regard, but emphasis should be placed on countering disinformation while upholding freedom of expression, which would be invaluable to the process. As an emerging area, there needed to be further research, consultation, consideration and building of consensus in the fight against disinformation. The current lack of such a consensus, including on the definition of certain concepts, was a barrier to progress and another reason why a multilateral and multi-stakeholder approach would be important.

112. She looked forward to better understanding concerns from the perspective of States and reiterated that Governments must recognize that a paradigm shift was taking place in the information ecosystem. Traditional methods would therefore not work and States must take an innovative approach by listening to stakeholders and ensuring that social media regulation did not kill off access to the Internet and information, but rather encouraged companies to respect human rights. It was not censorship that was needed, but rather corporate compliance with human rights standards.

113. She also looked forward to continuing bilateral dialogues and carrying out country visits. All States had room to learn with regard to freedom of opinion and expression, but good practices had emerged where Governments had supported the media and communities and encouraged fact-checking and digital literacy in schools. Digital technology would be extremely important for the future but so would freedom of opinion and expression, and countering disinformation must be done from a perspective of human rights and humanitarian principles.

114. **Mr. García-Sayán** (Special Rapporteur on the independence of judges and lawyers), introducing the note by the Secretary-General transmitting his report (A/77/160), said that the central theme of the report – “justice for all” – was derived from the fundamental link between the Basic Principles on the Independence of the Judiciary, the Guidelines on the Role of Prosecutors, the Bangalore Principles of Judicial Conduct, the Basic Principles on the Role of Lawyers, the United Nations Convention against Corruption and the 2030 Agenda.

115. The report identified three fundamental challenges to the judicial system in relation to the 2030 Agenda: the influence of authoritarianism on judicial independence and the role of lawyers; challenges posed by corruption to the justice system; and access to justice for all.

116. Growing authoritarian temptations and practices sought to concentrate power and eliminate the checks and balances provided by an independent justice system. Tackling those phenomena were among the targets of Sustainable Development Goal 16. Concerns about the situation in some countries had led him to send official communications to national authorities with the aim of addressing violations of international standards, which in many cases had opened positive channels for interaction and solutions.

117. It had been proven that corruption had devastating consequences on human rights and institutional structures, resulting in the concentration of power and a lack of transparency in public administration. Corruption also had a direct impact on the obligation of States to allocate the maximum available resources to the fulfilment of fundamental rights. Justice played an irreplaceably central role in tackling corruption to the extent that it acted with independence and integrity in guiding investigations, formulating charges, collecting evidence and prosecuting accordingly.

118. Under the United Nations Convention against Corruption, justice and international legal cooperation played a central role in addressing the challenges faced by justice systems. As a key tool for combating corruption, the Convention should be regarded as a fundamental international instrument for protecting human rights. That was the role of judges and prosecutors in the States parties.

119. With 6 billion people on the planet without access to justice, it was critical to make substantial progress towards closing that gap by 2030. States had an obligation to ensure full access to formal and institutionalized justice, including the appropriate budget for adequate territorial coverage. Three key issues must be taken into account in that area: gender and the administration of justice, indigenous peoples

and the use of new technologies in the administration of justice.

120. Access for all was inextricably linked with gender equality and the empowerment of women and girls. As a disproportionately low percentage of women were represented in the upper echelons of justice systems, he proposed that, by 2030, 50 per cent of senior public positions, both in the judiciary and in prosecution services, should be held by women.

121. The 2030 Agenda aspired to a world in which non-discrimination was universal. It was important to ensure that diverse ethnic identities were not affected or discriminated against by systems of State organization and justice that failed to take that plurality into account. Legal pluralism was therefore a core value to be considered by justice systems.

122. Traditional or customary justice, as conflict resolution mechanisms at the community level based on non-State origins of a cultural and historical nature, were called upon to play an important role.

123. Having been accelerated by the COVID-19 pandemic, the use of new technologies in the administration of justice could be seen in several judicial systems around the world, both in the prosecution services and in judicial or quasi-judicial bodies. Those developments had shown that technology could be a key tool for advancing universal access to justice. To achieve that goal, it was necessary to bridge the unacceptable digital divide and modernize and broaden the range of access to justice infrastructure through the introduction of innovative systems for the administration of justice, including information and communications technology tools aimed at alleviating the judicial backlog. A public-private partnership in that area could help.

124. In closing, he called on States to make every effort to ensure that justice systems were independent, impartial and fair.

125. **Mr. Salas de los Rios** (Peru) said that his delegation had taken note of the Special Rapporteur's observation that the independence of judges and lawyers was closely related to Sustainable Development Goal 16, which, in addition to being a critical Goal in and of itself, might be considered a facilitator for achieving all the other Goals. He wondered whether the Special Rapporteur could elaborate further on that observation and explain what national and collective measures States could be taken.

126. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that the European Union shared the concern of the Special

Rapporteur that justice professionals were especially vulnerable when their activities focused on the defence of human rights, women's rights, other vulnerable groups, the environment or the fight against corruption. Judges, prosecutors and lawyers needed to be able to exercise their profession without being hindered by harassment, threats, intimidation or political interference. Another outstanding challenge referred to in the report was the impact of organized crime and corruption on the justice system, which could be an enabler of other organized crimes, such as trafficking in persons or environmental crimes. Judges and prosecutors played a key role in enforcing and applying the United Nations Convention against Corruption, which was fundamental to the achievement of the Sustainable Development Goals.

127. Lastly, she noted the Special Rapporteur's emphasis on current and emerging technologies in the administration of justice and wondered which issues he considered to be the most pressing in that regard.

128. **Ms. Stanciu** (Romania) asked what the most effective measures were for increasing access to justice. Furthermore, her delegation wished to know how the Special Rapporteur envisaged balancing the regulation of the selection process for members of the executive body of a bar association in a transparent and participatory manner against the need for self-regulation within the legal profession.

129. **Mr. Oehri** (Liechtenstein), expressing concern that eroding trust in public institutions and mounting corruption would have a lasting adverse impact on the achievement of the 2030 Agenda, asked how the Special Rapporteur would assess the role of the monitoring mechanism of the United Nations Convention against Corruption in accelerating progress towards Sustainable Development Goal 16, and to what extent the monitoring mechanism could be further strengthened to advance the rule of law.

130. Welcoming the fact that women made up half of the judges in the International Criminal Court, he wondered what kinds of specific measures States could adopt to ensure that women judges, magistrates and prosecutors had access to careers at the highest level in their respective institutions.

131. **Ms. Mehta** (United Kingdom) said that her delegation welcomed the emphasis in the report on the importance of judicial integrity, not only for individuals but also for the flourishing of society, and appreciated the efforts to identify further ways to guarantee the independence of the judiciary and the legal professions. She asked what States could do in their international

relations to promote the wider benefits of the independent and impartial administration of justice.

132. **Mr. Kuzmenkov** (Russian Federation) said that his delegation agreed with many of the opinions expressed by the Special Rapporteur in his report, but not with references to gender equality in the judicial system. Everyone in the Russian Federation had equal opportunities to exercise their rights and nobody could be subjected to restrictions of their economic rights, including the right to work, or receive advantages on the basis of gender, race, skin colour, ethnicity, language, origin, property, family and official status, age, residence, membership of voluntary associations or other aspects unrelated to their professional qualities. Appointments were made primarily on the basis of professional skills and experience, and there were no restrictions in Russian law preventing women from carrying out judicial or other official duties. Gender equality concerned the provision of equal opportunities for development, primarily through educational opportunities, but also by removing artificial barriers and overcoming stereotypes.

133. **Mr. Weinstein** (United States of America) said that his delegation shared the Special Rapporteur's concerns regarding the many obstacles and threats to accessing and obtaining justice, particularly rising authoritarianism across the globe, corruption and attacks against human rights defenders. It was deeply concerned about the attacks and threats faced by lawyers fighting corruption and defending human rights, including for women, and strongly agreed that States must work to ensure that lawyers could perform their professional duties without interference, harassment, threats or intimidation by State and non-State actors. It condemned the reprisals faced by human rights lawyers in the Russian Federation, Belarus, Iran and the People's Republic of China and commended them for their courageous and vital work.

134. He asked what the best recourse was in closed societies lacking a free press where the State bore primary responsibility for attacks against judges and lawyers.

135. **Mr. Liu Xiaoyu** (China) said that his delegation strongly rejected the statement made by the representative of the United States of America. China continued to introduce judicial reforms and ensured that peoples' courts exercised judicial powers independently and fairly in accordance with the law. It strictly implemented a judicial accountability system and endeavoured to improve protection mechanisms for judges to perform their duties in accordance with the law so that cases could be handled without interference from

administrative bodies, social organizations or individuals. China attached great importance to ensuring a safe and favourable environment for lawyers to work and had thus implemented regulations that guaranteed the right of lawyers to practise law. It had strengthened the mechanism for ensuring that violations of lawyers' rights were heard, investigated and swiftly addressed, with feedback provided in an equal manner. Centres to protect lawyers' rights had been set up at the provincial and municipal levels with the sole purpose of protecting the right of lawyers to practise law. Lawyers provided defence of their own free will and performed their duties independently with a view to safeguarding the legitimate rights and interests of accused persons without any interference from organizations or individuals.

136. **Ms. Alsalhi** (Saudi Arabia) said that the judiciary in Saudi Arabia derived its authority from Islamic sharia, which, as the source of justice and just governance, guaranteed judicial independence. Any person accused of a crime had the right to a just trial and received legal guarantees to that end.

137. The Ministry of Justice was working to increase the number of women lawyers practising in Saudi Arabia and enable them to participate equally in the judicial system. In 2019, the rate of licences to practise granted to women lawyers had increased by 774 per cent, and in 2020, 100 women had been appointed as notaries public for the first time in the country's history.

138. **Mr. García-Sayán** (Special Rapporteur on the independence of judges and lawyers) said that, in different parts of the world, there was a growing trend towards authoritarianism that aimed to restrict the independence of the judiciary, the dynamism of prosecutors and the autonomy of lawyers to carry out their work. For that reason, positive efforts were needed to strengthen and affirm the rights of judges and lawyers.

139. Although justice played a fundamental role in social relations, inter-State relations and in promoting or deterring investment, States did not generally regard it as a priority because it was much less tangible than a road, hospital or police station. That was a problem not only for judges, prosecutors and lawyers but also for society, which had a right to an independent judicial system that could prevent and resolve conflicts. States had an obligation to guarantee that right, and discussions needed to be held on how to achieve more justice, more investment and better political decision-making.

140. Corruption was a human rights issue, and an efficient and reliable justice system was absolutely

indispensable for the functioning of the United Nations Convention against Corruption, which was based on international judicial cooperation. The States parties to the Convention had therefore done well to include in the session held in 2021 in New York a reference to the basic principles on judicial independence and on the role of prosecutors as indispensable elements of the Convention. States should take that into account to ensure an appropriate follow-up of the full functioning and implementation of the Convention. Special attention should be paid in the periodic reports to the performance of the judiciary and its preparations for preventing corruption, carrying out investigations and ensuring effective international judicial cooperation.

141. While in many countries, including in Europe and Latin America, women made up over 50 per cent of the judiciary, most top-level positions were dominated by men. That did not mean, however, that women had different technical qualifications to men. In fact, under the right conditions, women were often more highly qualified than their male counterparts. The difficulties faced by women in accessing high-level positions in the judiciary included the need to complete extra-occupational courses, the double burden of family and work and the inability to pay costs. When women were given the right opportunities, they obtained the highest qualifications and occupied the majority of high-level positions. Women judges provided experience and a perspective on life and on the legal world that was a valuable resource for improving decision-making capacities and facilitating access for half the world's population. In the face of existing limitations, the introduction of quotas for women would speed up the process of increasing the number of women holding high-level positions.

*The meeting rose at 5.40 p.m.*