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Chair: Mr. Blanco Conde (Dominican Republic)
later: Mr. Venancio Guerra (Vice-Chair) (Portugal)
later: Mr. Blanco Conde (Chair) (Dominican Republic)
later: Mr. Venancio Guerra (Vice-Chair) (Portugal)

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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](#))
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- (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. Pazartzis** (Chair of the Human Rights Committee), speaking via video link to introduce the report of the Human Rights Committee ([A/77/40](#)), said that, at its 132nd session, the Committee had continued its review of States parties in a virtual setting owing to the coronavirus disease (COVID-19) pandemic. At its 133rd session, the Committee had resumed in-person meetings but had maintained a flexible, hybrid approach when reviewing States parties that had been particularly impacted by the pandemic, allowing members of delegations to connect remotely. After that, the Committee had continued its work in person in Geneva.

2. The Committee had continued to engage with all relevant country-specific stakeholders, including United Nations entities, national human rights institutions and non-governmental organizations. During the reporting period, the Committee had held constructive dialogues with 15 States parties and had adopted 13 lists of issues on initial or periodic reports of States parties and 4 lists

of issues prior to reporting under the simplified reporting procedure.

3. In 2019, the Committee had adopted an eight-year predictable review cycle, but its implementation had been delayed slightly owing to the COVID-19 pandemic. The Committee was nevertheless encouraged by the high number of reports already submitted by States parties, serving as a clear indication of their commitment to implementing the rights enshrined in the International Covenant on Civil and Political Rights and complying with their reporting obligations. Currently, 40 reports of States parties were pending consideration by the Committee.

4. During the 133rd session, the Committee had revised its guidelines on the procedure for follow-up to concluding observations, extending the deadline for the submission of information from State parties on follow-up to concluding observations from two to three years. Such information was assessed during the fourth year after the adoption of the concluding observations, in line with the eight-year predictable review cycle.

5. At the thirty-fourth annual meeting of the Chairs of treaty bodies, in June 2022, the Chairs had agreed to establish a predictable schedule of reviews for all treaty bodies, namely, an eight-year cycle for full reviews with follow-up reviews in between, to improve the predictability and functioning of the system and ensure equal treatment of all States parties. The Chairs had also agreed to continue to align the working methods of the treaty bodies with a view to enhancing coordination, including with regard to follow-up reviews and the development of a much-needed digital platform to address the outdated work processes for both reporting and individual communications procedures. The secretariats of the treaty bodies and experts must be equipped with modern, fit-for-purpose digital tools to streamline work operations and communicate with external parties. Such a digital uplift could give a tremendous boost to the efficiency of day-to-day operations and make the treaty bodies more accessible.

6. As outlined in the report of the Secretary-General on the status of the treaty body system ([A/77/279](#)), implementing the predictable schedule required resources to be increased for the treaty bodies and their secretariats to match the workload and ensure adequate support for all activities mandated under the relevant treaties. The Chairs of the treaty bodies had requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to formulate an action plan for the implementation of their final conclusions.

7. Under the First Optional Protocol to the International Covenant on Civil and Political Rights, the

Committee had adopted 196 decisions (Views) during the reporting period and to date. The Committee had received more than 70 per cent of the overall number of individual communications across treaty bodies. The Committee had striven to improve its working methods, in particular those relating to the review of individual communications, but the staff and financial resources made available to it had not kept pace with its increasing workload. Unless staff capacity was increased to allow a greater number of communications to be processed, the Committee would not be able to address its backlog in a timely and effective manner. Such a situation undermined the credibility of the Committee as a forum that could provide timely remedies to victims of human rights violations.

8. The resumption of in-person sessions had allowed the Committee to increase the number of State party reviews. During the 136th session, the Committee had been engaging in constructive dialogues with high-level delegations from three States parties and would review three more States parties in the following week. It would proceed with the consideration of communications under the First Optional Protocol and the adoption of lists of issues and lists of issues prior to reporting in relation to three States parties.

9. As the treaty body strengthening process moved forward, the financial situation remained challenging. Member States must fulfil their responsibilities arising from the human rights treaties ratified by them and ensure that the treaty body system was adequately funded from the regular budget of the United Nations. The treaty body system represented a professional, non-political avenue for protecting and promoting human rights, and its importance and relevance had never been greater.

10. *Mr. Venancio Guerra (Portugal), Vice-Chair, took the Chair.*

11. **Mr. Delgado** (United States of America) said that creating electronic submission portals, digitized forms and status trackers should help to ease the Committee's backlog. His delegation would be interested to hear any updates on efforts to implement those reforms. The United States hoped that the Committee would maintain contact with civil society, given the invaluable information that it could provide. His delegation wondered what additional measures could be taken to address the backlog of communications.

12. **Ms. Monge** (Mexico) said that the continuous and frank dialogue maintained by her Government with the Human Rights Committee had helped it to strengthen its institutional capacities to guarantee human rights. In 2020, the Committee had held a meeting with judges of

the Inter-American Court of Human Rights at which it had been agreed that both mechanisms should focus more on the rights of people in vulnerable situations, given the disproportionate effects of the COVID-19 pandemic on them. Her delegation would like to hear about the progress made in the dialogue between the coordinators appointed by the Committee and regional bodies to address the multiple and intersecting forms of discrimination and marginalization experienced by people in vulnerable situations.

13. *Mr. Blanco Conde (Dominican Republic) resumed the Chair.*

14. **Ms. Theofili** (Greece) said that her country was currently preparing its reply to the list of issues prior to reporting and was grateful to the Human Rights Committee for drawing up a concise and focused list. She wondered how the Committee could contribute further to promoting coordination among treaty bodies, in particular with regard to the form, content and scope of the lists of issues and concluding observations.

15. Greece supported efforts to use digital technologies and platforms to assist the treaty bodies in the fulfilment of their mandates. Her delegation would be interested to hear about the potential of digital tools to increase awareness of the International Covenant on Civil and Political Rights and the work of its monitoring body.

16. **Ms. Stanciu** (Romania) said that the Committee on Economic, Social and Cultural Rights had referred, in its annual report [E/2022/22-E/C.12/2021/3](#), to its coordination, on an experimental basis, with the Human Rights Committee on the elaboration of lists of issues prior to reporting concerning the same country. Her delegation would like to know what the implications of the experimental basis would be for the States parties.

17. **Mr. Pascual** (Chile) said that, given the importance of the periodic reviews of treaty bodies and the implementation of their recommendations, his country sought to maintain a high standard of compliance by submitting periodic reports and participating in constructive dialogues. Chile had recently submitted its seventh periodic report to the Human Rights Committee ([CCPR/C/CHL/7](#)).

18. His Government strictly upheld human rights and was taking affirmative action to remedy the historical structural inequalities experienced by women and various groups, including boys, girls and adolescents, indigenous peoples, migrants, afro-Chilean communities and lesbian, gay, bisexual, transgender and intersex persons. The protection and promotion of human rights was a central pillar of his Government's

foreign policy. In the context of the recent election of Chile to the Human Rights Council for the period 2023–2025, his country was committed to promoting dialogue based on international obligations derived from human rights instruments, in particular the International Covenant on Civil and Political Rights.

19. The Human Rights Committee should consider drafting a general comment on the effects of the COVID-19 pandemic on access to justice, in particular for persons deprived of liberty and prevented from communicating with their families and legal representatives, and for persons accused of crimes whose trials had been held online.

20. **Mr. Oehri** (Liechtenstein) said that, in line with general comment No. 36 (2018) of the Human Rights Committee on article 6 of the International Covenant on Civil and Political Rights, on the right to life, the inherent right to life of every human being knew no exception and applied also to times of armed conflict. His delegation would like to know what the human rights implications of illegal warfare were and to what extent such warfare was given special consideration in examining and reporting on respect for the Covenant.

21. **Ms. White** (United Kingdom) said that her delegation welcomed the continued outreach by the Human Rights Committee, including through the webcasting of its sessions, and would be interested to know if any viewing figures were available. She asked what the main benefits and challenges, including budgetary implications, were of holding sessions of the Committee at established United Nations regional hubs and what the effects of doing so would be on the reporting cycle.

22. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that the European Union welcomed the recent accession of one country to the First Optional Protocol to the International Covenant on Civil and Political Rights and one to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, and encouraged States that had not yet done so to become parties to the Covenant and its Optional Protocols. Her delegation would like to know how and under what timeframe the Committee planned to implement the digital uplift to address the backlog of individual communications and improve the processing of States' reports.

23. **Mr. Sharma** (India) said that, as a State party to the International Covenant on Civil and Political Rights, India continuously endeavoured to incorporate the Covenant into its domestic legal framework and gave effect to its international obligations through the

enactment of laws in line with the Covenant. The judiciary had relied on those obligations to interpret existing laws, and the courts relied on the provisions of treaties, the rights articulated in general comments and the jurisprudence developed by treaty bodies. India had submitted its fourth periodic report under article 40 of the Covenant ([CCPR/C/IND/4](#)) and had recently submitted its common core document ([HRI/CORE/IND/2022](#)).

24. **Mr. Kuzmenkov** (Russian Federation) said that his country fully met its international legal obligations, including under the individual complaints procedure. Work in that area had been greatly hindered by bureaucratic delays and disruptions on the part of the Committee. Many files were incomplete, and documents arrived too late and were often not translated.

25. The Russian Federation consistently opposed attempts to politicize the work of United Nations human rights bodies and to use human rights issues to interfere in the internal affairs of sovereign States. The experts of the Committee should not politicize the consideration of the eighth periodic report of the Russian Federation on the implementation of the International Covenant on Civil and Political Rights. The need to postpone the consideration of the report from the 136th session to a later date had been dictated by logistical and technical difficulties. OHCHR had already been duly provided with an extensive explanation on the matter.

26. **Mr. Messad** (Algeria) said that, as a State party to the majority of the human rights conventions, Algeria had made tangible steps towards the protection and promotion of human rights, in particular through the establishment of several mechanisms under the Constitution. The universal periodic of review of Algeria in November 2022 would be an opportunity for his country to present in detail the most recent progress in that area.

27. Algeria welcomed the efforts of the Human Rights Committee to strengthen its relationship with other treaty bodies and regional human rights mechanisms, in particular by appointing focal points, including the focal point for the African human rights system. His delegation would be interested to hear more about the role and expected results of such focal points. His delegation also wondered how the Committee planned to make up for the delays caused by the COVID-19 pandemic. Through its new working methods, the Committee endeavoured to avoid duplication of the work of other treaty bodies. His delegation would like to know how such coordination in the field translated into practice.

28. **Mr. del Valle Blanco** (Observer for the Sovereign Order of Malta) said that faith-based institutions played a vital role in delivering daily and immediate support to children and older persons in need, and were often the only organizations that could provide immediate and reliable aid to local communities. The Permanent Observer Mission of the Sovereign Order of Malta to the United Nations had recently hosted the launch of a policy and protocol on trafficking in persons for global health-care providers and had submitted the protocol to the World Health Organization. Given its 900-year history of serving the vulnerable and sick, the Order was strongly dedicated to the mandate of the Human Rights Committee. The Order's humanitarian work was carried out through Malteser International, which provided humanitarian aid and recovery to people, regardless of their religion, background or political beliefs, through more than 120 projects in more than 30 countries.

29. **Ms. Pazartzis** (Chair of the Human Rights Committee), speaking via video link, said that implementing the decision of the Chairs of the treaty bodies to move to an eight-year predictable review cycle would take some time. The implications of the decision would need to be considered for each treaty body in the short term and for the treaty body system as a whole in the long term. During the meeting of the Chairs of the treaty bodies in June 2022, the Chairs had decided to appoint focal points and to continue cooperation among the treaty bodies on moving the implementation of the decision forward. The digital uplift, which was already under way, would help to reduce much of the manual workload faced by the treaty bodies.

30. The Committee had been conducting meetings with regional bodies, most recently the Inter-American Court of Human Rights. It had meetings planned with the African human rights system and would continue to interact with the European Court of Human Rights.

31. The treaty bodies were already working on further harmonization. The Committee had, on an experimental basis, conducted a common review with the Committee on Economic, Social and Cultural Rights, which had involved harmonizing the list of issues in advance to avoid repetition during the dialogue with the State party involved. Once the predictable review schedule had been implemented, such forms of cooperation could be used with other treaty bodies.

32. During the initial stages of the COVID-19 pandemic, the Committee had issued a statement in which it had reminded States parties that their obligations under the International Covenant on Civil and Political Rights continued to apply even in times of crisis, and had emphasized the need to ensure that

emergency measures were in accordance with the provisions of the Covenant.

33. Although she did not have any statistics on virtual sessions, the webcasts of meetings were a useful tool for civil society and other stakeholders to follow the Committee's work. The Committee hoped to continue to engage with all States parties in a non-politicized manner and had proved that it worked in an independent, impartial way with all parties.

34. **Mr. Abdel-Moneim** (Chair of the Committee on Economic, Social and Cultural Rights), speaking via video link, said that, with regard to the important developments at the meeting of the Chairs of the treaty bodies in June 2022, including the adoption of the predictable schedule, the concern for the Chairs had been to relieve and drastically reduce the burden on States. The Committee on Economic, Social and Cultural Rights was grateful to the States parties to the International Covenant on Economic, Social and Cultural Rights for sending good-quality reports and delegations of high-level experts. He was grateful to his colleagues in the Committee for their resilience, commitment and dedication in spite of time and resource limitations. The Committee had prepared a paper on its work, in which it had outlined its achievements, shortcomings and concerns.

35. **Mr. Messad** (Algeria) said that, as the world was struggling to recover from the COVID-19 pandemic and face the devastating impact of the food and energy crisis, his Government had strengthened its social and economic mechanisms through a comprehensive approach aimed at stimulating economic growth. As a result, the human development index value of Algeria had reached 0.745 in 2022, making it the top-ranked country in the North Africa region. His Government had also adopted an approach aimed at eliminating developmental differences between the regions in the country and ensuring the enjoyment by all Algerians of their social, cultural and economic rights.

36. He asked how the Committee on Economic, Social and Cultural Rights could contribute to addressing the global inflation pandemic, which had eroded the right to an adequate standard of living and threatened to cause all the measures taken for a resilient recovery from the COVID-19 pandemic to fail. Two years since entering the decade of action and delivery for sustainable development, the world was still not on track to achieve most of the Sustainable Development Goals. He wondered how the international community could collectively address the 2030 Agenda for Sustainable Development from a social, economic and cultural rights perspective.

37. **Ms. Almeida Marinho** (Portugal) said that her country looked forward to a constructive dialogue with the Committee on Economic, Social and Cultural Rights in February 2023, which would be an opportunity to identify best practices and gaps in the realization of economic, social and cultural rights. Portugal would reactivate the Group of Friends of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights in order to continue to raise the profile of those human rights. She asked whether the Committee had a strategy to promote the ratification of the Optional Protocol and how the Chair assessed the Committee's handling of individual complaints.

38. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that her delegation would be interested to hear about the main issues of the seventy-first and seventy-second sessions of the Committee on Economic, Social and Cultural Rights and would welcome an update on the progress in reducing the backlog of reports. She asked what the expected outcome of the newly established predictable review cycle was. Considering that all human rights were universal, indivisible, interdependent and interrelated, she wished to know whether and in what forms the Committee was cooperating with other human rights treaty bodies, including the Human Rights Committee.

39. **Mr. Kuzmenkov** (Russian Federation) said that it was regrettable that the report of the Committee on Economic, Social and Cultural Rights had not been published in a timely manner to give participants the opportunity provided for in the rules of procedure to examine it in advance.

40. The Russian Federation consistently opposed the widespread practice in global politics of applying unilateral coercive measures as a tool to exert pressure on countries that had fallen out of favour. Such politically motivated actions violated fundamental human rights and freedoms and the universally accepted principles of international law and undermined the efforts of States to solve crisis situations.

41. His delegation remained concerned about the continued intense lobbying for the work of the Committee on Social, Cultural and Economic Rights to be merged with that of the Human Rights Committee. By definition, that issue could not be on the agenda because it was contrary to the provisions of the two International Covenants and to the foundations of international law. The procedures set out in the International Covenants for the functioning of the Human Rights Committee and the Committee on

Economic, Social and Cultural Rights should be maintained.

42. **Ms. Stanciu** (Romania) said that, to ensure coordination among United Nations treaty bodies, the Human Rights Committee had decided to appoint focal points for the other human rights bodies. She wondered whether that would be a good option for the Committee on Economic, Social and Cultural Rights, at least with respect to some of the bodies. Romania supported the Committee's decision to move towards an eight-year predictable review cycle and would appreciate more information about the progress towards its implementation and how it would contribute to reducing the backlog of reports.

43. **Mr. Sharma** (India) said that the Constitution of India provided for the progressive realization of economic, social and cultural rights and for respect for international law and treaty obligations. The Supreme Court of India had ruled that international norms were, to the extent that they were consistent with domestic normative principles, enforceable in domestic courts even if such norms had not been specifically incorporated into law.

44. His delegation would like to know whether Member States using the simplified reporting procedure could still submit periodic reports in accordance with the standard procedure or whether they should wait until they had received the list of issues prior to reporting from the Committee. If the latter, he asked when the Committee would send the list of issues prior to reporting.

45. **Ms. Mabrouki** (Morocco) said that the COVID-19 pandemic continued to negatively affect the enjoyment of all human rights, including economic, social and cultural rights, with multiple, intersecting and disproportionate effects on people around the world, in particular those in vulnerable situations. Achieving equitable, inclusive and sustainable development, strengthening the resilience of societies, guaranteeing access to health care for all and preserving human dignity should be points that united the international community during the critical phase of recovery from the pandemic. She asked whether the Committee planned to produce a report on urgent priority areas for post-COVID-19 recovery, in particular in developing countries.

46. **Ms. Li Xiaomei** (China) said that her country had conscientiously fulfilled its international obligations under the International Covenant on Economic, Social and Cultural Rights and had engaged in constructive dialogue with the Committee on Economic, Social and Cultural Rights. China had submitted its third periodic

report to the Committee, had responded earnestly to the list of issues and would actively participate in the review in 2023. Her Government would adhere to its own path of human rights development, respond to the expectations of its people for a better quality of life and continue to improve people's enjoyment of their economic, social and cultural rights.

47. The COVID-19 pandemic posed unprecedented challenges to the economic and social development of countries, especially developing countries. The adoption by the Human Rights Council of its resolution [49/19](#) entitled "Promoting and protecting economic, social and cultural rights within the context of addressing inequalities in the recovery from the COVID-19 pandemic", sponsored by China and a large number of developing countries, was of great significance. The United Nations should listen to the voices of all countries, especially developing countries, and respond to the expectations of their people, especially vulnerable groups, to improve their enjoyment of economic, social and cultural rights. All countries should take a people-centred approach to promote the rights of all people in line with their national conditions and pursue comprehensive human development to enable the fruits of development to benefit all groups in an equitable manner.

48. She wondered what the most effective way would be for the Committee on Economic, Social and Cultural Rights to address its backlog of reports and how more countries could be encouraged to sign and ratify the Covenant.

49. **Ms. Banaken Elel** (Cameroon) said that the unavailability of the specific report of the Committee on Economic, Social and Cultural Rights was regrettable. Her delegation's comments would be based on the report of the Secretary-General on the status of the human rights treaty body system ([A/77/279](#)) and the report of the Chairs of the human rights treaty bodies on their thirty-fourth annual meeting ([A/77/228](#)).

50. The members of the Committee had participated in regional consultations in February, April and May 2022 and also in a global consultation with children in April 2022 towards the preparation of a draft general comment on sustainable development and the International Covenant on Economic, Social and Cultural Rights. She would like to hear more about the draft general comment and how the consultation with children had helped with its drafting. She asked how the Committee had secured the consent of the children's parents.

51. Her delegation was curious about how the eight-year review cycle would align with the provision of the Covenant for periodic reviews. Cameroon would

welcome more information about the impact of the procedure for follow-up to concluding observations on the workload of both the Committee and States parties, in particular those that had experienced significant delays in submitting their period reports. She asked whether it would be possible to evaluate the efficacy of that procedure since its adoption. Her delegation would like to learn more about collaboration efforts and opportunities with other mechanisms working on economic, social and cultural rights and mechanisms related to the right to development.

52. **Ms. Bertemes** (Luxembourg), speaking as a youth delegate, said that young people were concerned about the impact that businesses could have on the implementation of the Universal Declaration of Human Rights. Certain businesses, in particular large multinational corporations, wielded too much power and were hindering real progress in human rights. Youth delegates were concerned that large multinational corporations were providing incomplete information on the environmental sustainability and social impact of their practices. She asked what Member States and the international community could do to address greenwashing and violations of human rights by businesses and how to ensure that young people, innovators and human rights defenders were involved in the substantive negotiations that were required under the Guiding Principles on Business and Human Rights.

53. **Ms. Sorto Rosales** (El Salvador) said that, during the seventy-second session of the Committee on Economic, Social and Cultural Rights, her country had participated in an interactive dialogue to review its sixth national report ([E/C.12/SLV/6](#)). El Salvador was grateful to the Committee for agreeing to hold the dialogue remotely, in line with efforts to use technological tools in the United Nations human rights treaty body system, thereby enabling wider participation of countries that, owing to financial and other kinds of restrictions, could not put together large delegations to attend dialogues in person.

54. The harmonization of the efforts of the treaty bodies and the implementation of a predictable calendar relied on all treaty bodies being allocated more time for meetings, when necessary, and the necessary human resources. The treaty bodies must strengthen the coherence and complementarity of their recommendations to ensure that human rights were truly indivisible, interdependent and mutually reinforcing.

55. **Mr. Altarsha** (Syrian Arab Republic) said that article 1, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights stipulated that all peoples had the right, for their own ends, to freely

dispose of their natural resources and should not be deprived of their means of subsistence. Once an oil-exporting country, the Syrian Arab Republic had been importing oil for the past 10 years because of the unilateral coercive measures and economic siege imposed by the United States, the European Union and the United Kingdom. On 7 October 2022, more than 50 tanks of Syrian oil that were being guarded by the occupation forces of the United States had been stolen and smuggled outside Syrian territory. He wondered whether the Chair had any comments on that theft. He would like to know how a country like Syria could ensure the enjoyment by its people of their economic, social and cultural rights against the backdrop of a strangulating economic siege.

56. While the representative of Luxembourg had valid concerns about multinational corporations and the role of young people, his Government was concerned about the ability of young Syrian people to make a living. Under the siege, not even medical supplies could be imported. There was a clear economic and social gap between Luxembourg, for example, and the Syrian Arab Republic.

57. **Mr. Abdel-Moneim** (Chair of the Committee on Economic, Social and Cultural Rights), speaking via video link, said that challenges to the fulfilment of economic, social and cultural rights, such as the higher cost of living, education, housing, health and food, were increasing. All States, not only those that were parties to the International Covenant on Economic, Social and Cultural Rights, should work together to remove hindrances to the full realization of those rights.

58. The Committee on Economic, Social and Cultural Rights was working hard to support the achievement of the Sustainable Development Goals and was currently drafting a general comment on sustainable development, on which broad consultations had been carried out. The Committee was working to promote the Optional Protocol to the Covenant. States that opted to ratify or accede to the Optional Protocol had a duty to implement it.

59. Follow-up work would need to be fulfilled within the eight-year cycle. After four years, there would be a follow-up review on four issues that the Committee deemed to be of importance. The fulfilment of follow-up reporting was essential for the success of the eight-year procedure. The period of transition towards the eight-year reporting calendar should not be long. As soon as the resources were available, implementation of the eight-year calendar would begin. Its implementation would help to eliminate the Committee's backlog.

60. The Committee's cooperation with the Human Rights Committee did not constitute a merging of the

work of the two Committees but rather was aimed at harmonization and synchronization, with a view to relieving the burden on the States parties to each of the Covenants. Broader harmonization had not been excluded. A mechanism was being established with the aim of eliminating duplication among treaty bodies.

61. With regard to the simplified reporting procedure, a note would shortly be issued about when the list of issues prior to reporting would be sent.

62. The Committee's general comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities should be followed vigorously. He would bring the related concerns of young people to the attention of the Committee.

63. One of the lessons of the pandemic had been the importance of digital tools, which increased the accessibility of the work of the treaty bodies, allowing different segments of societies to contribute to meetings in an efficient way. Experience had shown that in-person interaction was required for optimal efficiency, but online tools could be used to broaden the reach in specific circumstances.

64. Natural resources were important in the Covenant. The Committee was currently drafting a general comment on land.

65. **Ms. Lawlor** (Special Rapporteur on the situation of human rights defenders), introducing her report (A/77/178), said that human rights defenders were ordinary people who worked peacefully to protect the rights of others in accordance with the Universal Declaration of Human Rights and other international standards. They were motivated by human rights, not politics, and deserved equal treatment.

66. It was beyond her mandate to examine the broader issues of migration, refugees and the right to asylum. Her report contained information gathered from credible sources across the world on the situation of human rights defenders working on the rights of refugees, migrants and asylum-seekers. From 1 January 2020 to date, she had sent 39 communications addressed to 22 countries concerning the situation of human rights defenders working on those issues.

67. On every continent, people were being attacked and targeted for helping those in need. Lorenzo Ortiz, a Baptist pastor and human rights defender assisting migrants on the border between Mexico and the United States, had been kidnapped in June 2022 by members of a local cartel, who had threatened to kill him and his family. Earlier that month, the cartel had closed the shelters managed by Mr. Ortiz and begun to pursue him

again. As a result of the prompt action of the Mexico national guard and army, he had been released.

68. In her report, she detailed how people were helping migrants, asylum-seekers and refugees and the risks of being prosecuted and jailed that they faced for providing such help. Member States had promised to protect human rights defenders and mandated her to advise them on how to improve such protection. Her advice was to stop jailing, smearing, deporting, kidnapping and physically attacking those who were helping migrants, refugees and asylum-seekers. There was an enormous double standard whereby people who were helping refugees from Ukraine, for example, were rightly lauded for their great work, whereas those helping refugees from other places were attacked. Migrants who helped other migrants faced increased risks and could jeopardize their own legal status in a country.

69. One glimmer of good news was that cases against human rights defenders were being dismissed in courts in some States, including France, Germany, Poland, the United States of America and Italy. Nevertheless, the baseless prosecution of human rights defenders, such as the Iuventa crew and others involved in search and rescue, was continuing. People acting in solidarity with others should not have to rely on courts to protect them. Even for defenders who were eventually exonerated and vindicated, court cases could be long, stressful and expensive experiences.

70. Her one simple piece of advice was to stop targeting human rights defenders for peacefully assisting those in need. Such targeting exposed the lack of resolve of States to fulfil the standards that they had committed themselves to uphold.

71. **Ms. Brandt** (Netherlands), speaking also on behalf of Belgium and Luxembourg, said that human rights defenders played an essential role in promoting and defending the rights of people on the move. Many of them faced grave threats and were forced to hide for fear of reprisals. Such actions were an attack on their human rights. All necessary measures should be taken to enable the work of human rights defenders, regardless of their sexual orientation, gender identity, gender expression or sex characteristics. She wondered how to ensure that support and protection mechanisms also benefited the most vulnerable groups of human rights defenders.

72. **Mr. Elizondo Belden** (Mexico) said that human rights defenders helping people on the move often faced considerable risks, and States must protect them and provide an enabling environment for them to freely carry out their work. Mexico took note of the individual

cases in the Special Rapporteur's report and would follow up on the communications sent by the Special Rapporteur. He asked for examples of best practices in the implementation of gender-responsive protection measures for women human rights defenders.

73. **Ms. Skoczek** (Poland) said that the issue of human rights defenders remained a priority for her country, with a particular focus on its eastern neighbours given the current international situation. Poland applauded the recent decision of the Norwegian Nobel Committee to award the Nobel Peace Prize to Ales Bialiatski, a human rights defender from Belarus, Memorial, a Russian human rights organization, and the Centre for Civil Liberties, a Ukrainian human rights organization. Her delegation would be interested to hear examples of best practices in preventing human rights defenders from being kidnapped or subjected to enforced disappearance.

74. **Mr. Pascual** (Chile) said that, having ratified and adhered to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, which included a chapter dedicated to environmental rights defenders, Chile would like to learn about good practices and integrated early warning mechanisms for addressing situations affecting human rights defenders and asked which State bodies should be involved in such mechanisms.

75. **Ms. Sánchez García** (Colombia) said that, for countries of origin, transit and destination of migrants, including Colombia, defenders of the rights of migrants carried out important work and must be protected regardless of their migration status. Her delegation welcomed the approach of the Special Rapporteur to examine certain issues from a migration and gender perspective. Colombia was confident that, in a year's time, the Special Rapporteur would recognize the important work that it was carrying out to improve the situation of human rights defenders.

76. **Ms. Sorto Rosales** (El Salvador) said that her country was engaged in ongoing collaboration with the special mechanisms and procedures of the United Nations. All communication with States should be made through appropriate official channels, with the aim of maintaining harmonious, respectful, constructive and cooperative relations between the universal human rights system and States.

77. **Ms. Andujar** (Dominican Republic) said that there had been an alarming increase in young human rights defenders being subjected to arbitrary detention, censorship, threats, reprisals and other forms of violence, with negative consequences for the protection

of young people. Her delegation reiterated its call for the Special Rapporteur to include the situation of young human rights defenders in her reports. She would be interested to hear about mechanisms, institutions, measures or structures that were being promoted by the Special Rapporteur to protect young human rights defenders and their civic space and to ensure accountability for the violations faced by them.

78. **Ms. Trant** (Ireland) said that her country was dedicated to preventing reprisals against human rights defenders and was proud to be leading a joint statement on that subject at the current session. She asked what actions should be taken by States to protect human rights defenders from reprisals. Her Government gave priority to the protection of human rights defenders in its foreign policy and was committed to ensuring a safe, accessible and supportive environment to enable their crucial work. Her delegation supported the call of the Special Rapporteur for States to abide by their international obligations to protect human rights defenders.

79. **Mr. Bunch** (United States of America) said that his delegation was appalled by the Special Rapporteur's findings of Governments misusing national security laws to clamp down on human rights defenders working on issues related to migration. The reports that defenders who provided support to migrants were subjected to death threats, abductions, torture, sexual assault, killings and spurious charges were of particular concern. His delegation echoed the Special Rapporteur's call for Member States to desist from targeting human rights defenders working on issues related to migration, refugees and asylum-seekers. He wondered how Member States that championed the work of human rights defenders could work multilaterally to counter the threats identified in the Special Rapporteur's report.

80. **Mr. Bless** (Switzerland) said that his delegation would like to know what steps should be taken first to improve the situation of defenders working on the rights of migrants, asylum-seekers and refugees, who were subjected to intimidation, threats and attacks online and offline. Human rights defenders who were targeted on the basis of their gender or identity faced increased pressure. All States should respect their rights and provide them with additional protection. His country was concerned about the increasing tendency of States to adopt restrictions that hindered the work of organizations providing assistance to migrants, asylum-seekers and refugees.

81. *Mr. Venancio Guerra (Portugal), Vice-Chair, resumed the Chair.*

82. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that human rights defenders who were women or migrants faced added layers of risk. States had clear responsibilities under international human rights law to protect human rights defenders from violations, abuses and reprisals and to ensure accountability. All States should create and maintain a safe and enabling environment for all human rights defenders to work without fear of reprisals. She wondered how the international community could support human rights defenders who were forced to work in secret for fear of attacks, given that their work often went unrecognized and unprotected.

83. **Mr. Mogyorósi** (Hungary) said that, as the main sponsor of the Human Rights Council resolution on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/RES/48/17), his country remained steadfast in its commitment to engage constructively with the Special Rapporteur in the future. Despite the commitment and meaningful cooperation of his Government and its detailed presentation of relevant facts and circumstances, the report of the Special Rapporteur regrettably included references to reports from 2019 and 2020 that contained inaccurate and obsolete information about Hungary and to cases that had been settled. His Government had been subjected to heavy criticism since 2018, when it had responded to unprecedented mass movements of migrants. The Hungarian legal framework regulating the administration of migrants, refugees and asylum-seekers had been amended.

84. **Ms. Kim** (Australia) said that her country was deeply concerned by the shrinking of civil society space and attacks on human rights defenders globally. She asked what the best way was for States to support human rights defenders in responding to cross-border refugee and migrant flows caused by current conflicts in Europe and Africa. Human rights defenders were often targeted both publicly and privately by authorities, as was the case of protesters in Iran following the death of Mahsa Amini. Australia supported the calls led by the United Nations Deputy High Commissioner for Human Rights for an impartial investigation into Ms. Amini's death by an independent body.

85. **Ms. White** (United Kingdom) said that all States should provide a safe, accessible and supportive environment for human rights defenders working on the rights of refugees, migrants and asylum-seekers. Human rights defenders should be able to operate in a safe and open environment, free from coercion, threats of violence and intimidation. Her country was dismayed that reprisals continued to be commonplace and had

noted the particular cases in Egypt, China, Belarus and Venezuela. She wondered what more could be done by States to improve the protection of courageous individuals who spoke out against human rights violations and abuses.

86. **Ms. Alameri** (United Arab Emirates) said that her Government reiterated its unwavering commitment to promoting and protecting human rights, including through its domestic legal framework. Persons accused of criminal offences in the United Arab Emirates were afforded their right to due legal process, including the rights to a fair trial, to legal representation and to appeal. Her country remained committed to engaging and cooperating with OHCHR and other United Nations human rights entities and mechanisms to ensure that the information that they had was accurate, credible and up to date. Her country looked forward to its regular and constructive engagement with the Special Rapporteur.

87. **Mr. Oehri** (Liechtenstein) said that migrants across the globe were sent home in situations in which the principle of non-refoulement should apply. He asked what human rights defenders could do to ensure respect for that principle and to hold States accountable. Migrants were particularly vulnerable to becoming victims of modern slavery and trafficking in persons. Combating those crimes was a long-standing priority for his country, as reflected in its Finance against Slavery and Trafficking initiative. He asked what human rights defenders could do to better prevent and respond to those crimes and what the Special Rapporteur's office was doing to that end.

88. **Ms. Schmiedova** (Czechia) said that supporting human rights defenders was a key focus of her Government's human rights policy. It had been worrying to learn about the range of attacks faced by human rights defenders working on the rights of migrants, asylum-seekers and refugees. Her delegation would like to hear more about the positive actions and best practices of States in enabling the work of human rights defenders.

89. **Mr. Boucault** (France) said that his Government had made the protection of human rights defenders a priority at a time when space for civil society was being increasingly restricted. The principles of solidarity and fraternity were enshrined in the Constitution of France. He asked how the heinous attacks against women working to protect the human rights of all could be combated, especially given the growing influence of social media.

90. **Ms. Nuran** (Indonesia) said that the Constitution of Indonesia guaranteed the protection of human rights and equality before the law for all persons, regardless of their background, including human rights defenders.

The openness of the embassies of Indonesia to work closely with non-governmental organizations and individuals demonstrated her Government's recognition of the critical role played by those defenders and of the legitimacy of their work to protect migrants. Human rights defenders were vital partners in advancing human rights in all their forms. Their right to carry out legitimate work in an enabling environment, free from threats, attacks, reprisals and acts of intimidation, must be protected.

91. **Mr. Kouakou** (Côte d'Ivoire) said that the work of human rights defenders to aid migrants, refugees and asylum-seekers, including livelihood support and rescue operations at sea, were stopgaps for the inadequacy or lack of institutional mechanisms for the protection of those groups. A safe environment that was conducive to the work of human rights defenders must be created. He wondered how the effectiveness of the whistle-blower mechanisms that had been recommended by the Special Rapporteur could be ensured when the perpetrators of violations of the rights of human rights defenders were State actors.

92. **Mr. Kramer** (Germany) said that his delegation would be interested to hear what the international community could do to improve the protection of new human rights defenders and equip them with knowledge about their rights and how to protect themselves. In many parts of the world, human rights defenders played an essential role in making universal human rights a reality for all people, including migrants, refugees and asylum-seekers. All States should fulfil their fundamental responsibility to create and maintain a safe environment in which human rights defenders could peacefully address challenges without fear of detention, violence and reprisals and without being silenced.

93. **Ms. González** (Costa Rica) said that human rights defenders played a key role in helping those who had fallen or been thrown through the cracks of a failing system and into injustice. Costa Rica applauded human rights defenders who aided migrants, refugees and asylum-seekers, risking losing their lives to State and non-State actors without justice. She would welcome concrete recommendations for Member States on promoting, protecting and fulfilling the rights of defenders, in particular those who defended the rights of migrants and refugees.

94. **Ms. Dale** (Norway), speaking also on behalf of Denmark, Estonia, Finland, Iceland, Latvia, Lithuania and Sweden, said that States must protect all human rights defenders from violations and abuses. Defending the human rights of refugees, migrants and asylum-seekers should not be criminalized. The Special

Rapporteur's recommendations on how to improve the situation for human rights defenders working on the rights of refugees, migrants and asylum-seekers were welcome. She wondered to what extent threats to those defenders were connected to broader perceptions and narratives about migration.

95. **Ms. Lortipanidze** (Georgia) said that her delegation would like to know what measures should be taken to address situations involving intimidation and violence against human rights defenders in areas to which access could not be obtained by legitimate authorities or international monitoring or observation mechanisms. Her Government was deprived of the possibility of exercising its legitimate jurisdiction in the Abkhazia and Tskhinvali regions owing to their occupation by the Russian Federation. The humanitarian and human rights situation of the people living in the occupied regions, including civil society representatives, was severe, as they continued to be subjected to ethnic discrimination, continuous pressure and persistent human rights violations, including violations of their freedoms of expression, peaceful assembly and movement.

96. **Mr. Kuzmenkov** (Russian Federation) said that his delegation welcomed the attention given by the United Nations human rights bodies to support for the lawful activities of people working to promote and protect human rights and fundamental freedoms. Such activities contributed to building a democratic State governed by the rule of law. He wondered how the Special Rapporteur had concluded that the activities of human rights defenders were lawful and that their rights had been violated when there was a court decision against them. Reaching such conclusions would require solid evidence, not merely statements by non-governmental organizations. Human rights defenders must act in accordance with the law and could not be above the law. His delegation would be interested to hear what the Special Rapporteur had in mind when she recommended that States promote the work of defenders working in secret in other countries.

97. **Ms. Langerholc** (Slovenia) said that it was unacceptable that human rights defenders continued to face different forms of mistreatment and were being prosecuted for standing up for those in need. She asked how the various protection mechanisms mentioned by the Special Rapporteur could best protect defenders who were forced to work in secret for fear of attack and how to ensure that criminal law was not misused to punish humanitarian acts.

98. **Mr. Dang** Tran Nam Trung (Viet Nam) said that his country recognized the role of the special procedures

in the promotion and protection of human rights. The reference made by the Special Rapporteur to a cyberattack targeting a non-governmental organization in his country merely because of its cooperation with the United Nations was regrettably based on inaccurate and biased information. The Special Rapporteur should ensure that the information that she received was verified. Viet Nam reaffirmed its steadfast commitment to cooperation and genuine dialogue aimed at strengthening the human rights capacities of all Member States.

99. **Mr. Cunha Pinto Coelho** (Brazil) said that the Special Rapporteur had referred to the ways in which virtual environments could create vulnerabilities in the work of human rights defenders. However, information and communications technologies could also generate new opportunities. He wondered how States and other relevant stakeholders could make better use of online spaces and tools to advance the cause of human rights defenders, for instance through big data, the promotion of technical cooperation and the creation and maintenance of networks of human rights defenders.

100. **Ms. Al-Mehaid** (Saudi Arabia) said that her country cooperated with all the United Nations human rights mechanisms and responded to their queries and requests. Saudi Arabia fulfilled its international obligations under the human rights conventions to which it had acceded and took all necessary measures in line with international human rights law and other relevant international standards.

101. **Ms. Li Xiaomei** (China) said that the international community should strengthen cooperation to address the issue of refugees and migrants. Capable and responsible countries should help to relieve the burden for developing countries. In the United States, the United Kingdom and other Western countries, refugees and migrants were subjected to abuse, violence and inhuman treatment. Policies implemented by the authorities in those countries seriously violated the rights of refugees and migrants. The United Nations should pay close attention to that issue.

102. **Mr. Tun** (Myanmar) said that his delegation would be interested to hear about possible ways and means for the international community, in particular the countries in his region, to effectively help to end the military's violations against human rights defenders in Myanmar. The military had been violating the rights of human rights defenders in Myanmar for decades, with the situation worsening following the illegal coup in February 2021. The military had issued warrants against human rights defenders and arrested, tortured and murdered them in violation of international human

rights law, raided their houses, confiscated and destroyed their property, and arrested their family members as hostages.

103. **Mr. Chabi** (Morocco) said that his delegation fully supported the Special Rapporteur's call for a return to solidarity and underlined the importance of international cooperation. His Government systematically pursued a policy of non-refoulement. He asked how the pushback practices that were increasingly employed by States, whereby they shirked their international obligations by sending migrants away from their borders, could be prevented. He would also like to know how the Global Compact for Safe, Orderly and Regular Migration could be applied to strengthen and improve the protection of migrants.

104. **Ms. Lawlor** (Special Rapporteur on the situation of human rights defenders) said that protecting defenders of the rights of refugees, migrants and asylum-seekers required political will as a first step. Unless Governments acknowledged the legitimacy and credibility of human rights defenders, no progress would be made. Visibility must be given to human rights defenders. Ministers and public officials must not smear and attack them. Defenders should not be targeted when working on the rights of refugees, migrants and asylum-seekers. Attacks against human rights defenders must be investigated and prosecuted by both State and non-State actors.

105. Creative ways should be found to promote the work of defenders working in secret. For example, the Polish Commissioner for Human Rights had given the annual Award of Paweł Włodkowic to a small village near the Belarus border in recognition of the unnamed human rights defenders helping to protect the rights of migrants.

106. Given that the forthcoming year would mark the twenty-fifth anniversary of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders) and that young human rights defenders would be required to continue the work, she intended to make them heard and visible.

107. Her comments about Viet Nam had been based on the most recent report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, in which Viet Nam had been mentioned on several occasions. She was also not the only one to have highlighted the issues in Hungary. The European Union Agency for Fundamental Rights, the European Union and the Organization for Security and Cooperation in Europe

had also done so. There was room for improvement in that country.

108. She was very careful and sure about the information that she presented. The information came from not only non-governmental organizations but multiple sources, including a well-documented academic body. The representative of the Russian Federation had highlighted the need for people who broke the law to be punished, but the law had to be fair, otherwise people would not abide by it. In implementing the Declaration on Human Rights Defenders, she abided by the Charter of the United Nations, which was the judicial framework and standard against which national law must be measured.

109. She would welcome an invitation from the United Arab Emirates to visit the country and see the situation there. There were two defenders in that country, Mohamed Abdullah al-Roken and Ahmed Mansoor, who had served their long prison sentences but had yet to be released. She encouraged the Government of the United Arab Emirates to release them. She welcomed the comments of the representative of Saudi Arabia and would be paying more attention to the situation of human rights defenders in that country.

110. She applauded Côte d'Ivoire for its adoption and implementation of a law on the protection of human rights defenders. Mongolia was adopting a similar law, but it required improvement. All States could adopt laws and policies that made it clear that human rights defenders deserved the same treatment as any other citizen.

111. There was a real danger of narratives on migration influencing the action of States. States were driven by political and strategic interests, which in many cases did not include welcoming refugees, migrants and asylum-seekers to their countries. There must be a shift to a positive narrative that recognized the legitimacy of the work of human rights defenders on behalf of refugees, migrants and asylum-seekers.

The meeting rose at 5.25 p.m.