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### Third Committee

#### Summary record of the 28th meeting

Held at Headquarters, New York, on Thursday, 20 October 2022, at 3 p.m.

*Chair:* Mr. Venancio Guerra (Vice-Chair) ..... (Portugal)

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*In the absence of Mr. Blanco Conde (Dominican Republic), Mr. Venancio Guerra (Portugal), 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. **Mr. Okafor** (Independent Expert on human rights and international solidarity), introducing his report ([A/77/173](#)), said that, since his presentation to the Committee the previous year, he had presented his fifth thematic report to the Human Rights Council ([A/HRC/50/37](#)) on the prospects and challenges regarding international solidarity and the extraterritorial application of human rights. In March 2022, he had conducted a country visit to Costa Rica, whose Government was commended for its excellent collaboration. He welcomed that country's long-standing tradition of international human rights solidarity, including in relation to the coronavirus disease (COVID-19) pandemic, while also urging the authorities to do more to improve their record.

2. It was regrettable that his visit to Bolivia, which had been expected to take place during the second half of 2022, had been postponed at the request of the Government. He awaited responses on requests for visits to Chile, the Gambia and Senegal and asked the representatives of those States to consider receiving his mandate in accordance with Human Rights Council resolution 44/11.

3. **Ms. Ahmadova** (Azerbaijan), speaking on behalf of the Movement of Non-Aligned Countries, said that, during the eighteenth Summit of the Movement, held in October 2019 in Baku, Heads of State and Government had recognized that solidarity was a broad concept that encompassed peaceful coexistence, equity and the empowerment of developing countries.

4. If any one of the States members of the Movement suffered economic, political or military harm, harm to their security, or harm owing to the politicization of human rights or the imposition of unilateral sanctions or embargoes, the Movement was determined to express its solidarity with the affected country through political, moral, material and other forms of assistance. To that end, the Movement would, when necessary, continue to review existing mechanisms and explore new ones for rendering such assistance. The Movement was firmly opposed to all unilateral coercive measures, including those used to exert political or economic pressure against any country, in particular developing countries, in violation of the Charter of the United Nations and the rules and principles of international law. Under no circumstances should people be deprived of their own means of subsistence and development.

5. **Mr. Valido Martínez** (Cuba) said that his delegation agreed with the Independent Expert that the global response to the COVID-19 pandemic should include vaccine resources. The pandemic had revealed the structural problems of the current international order and the serious gap separating North and South with regard to access to the resources needed for the realization of human rights.

6. The low level of access of developing countries to COVID-19 vaccines, especially during the first months in which they had been available, was unacceptable and demonstrated that the current international order was obsolete and perpetuated the exclusion and poverty of the South. COVID-19 had clearly demonstrated the urgency of building a more just, inclusive and equitable international order that placed people above profits. In order for that to occur, however, unilateral coercive measures, such as the economic, commercial and financial blockade of the United States against Cuba,

must be abandoned, as they violated the Charter of the United Nations and international law.

7. His delegation wished to know the opinion of the Independent Expert on the impact of such unilateral coercive measures on access by developing countries to COVID-19 vaccines. His delegation invited the Independent Expert to continue to analyse that matter as well as other issues affecting South-South cooperation and international solidarity.

8. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that the theme of the Independent Expert's report was particularly timely. Since the beginning of the COVID-19 pandemic, Venezuela had insisted that international solidarity and cooperation in all areas had been key to overcoming an emergency that could not be addressed with traditional measures. Access to medicines, treatments, vaccines and new technologies, as well as regular supply chains, had been seriously affected by quarantine measures and the economic depression. Regrettably, vaccine nationalism and pharmaceutical company monopolies had turned international vaccine campaigns into a competition in which only the most economically privileged, and not the most vulnerable, had access. In addition, prioritizing the drug market over human life had meant that the international response to COVID-19 had been guided by strictly economic calculations instead of solidarity. Moreover, some unscrupulous actors had used the pandemic for political ends, increasing their illegal unilateral coercive measures in the areas of health, trade and finance and imposing secondary sanctions, which had hampered efforts to deal with an emergency of such magnitude. Venezuela had nevertheless developed a coherent response to the pandemic and had launched a national vaccine programme despite the difficulties imposed by coercive measures.

9. His delegation asked the Independent Expert to share his thoughts on how States could contribute to the global campaign against unilateral coercive measures and on the likelihood of a United Nations declaration on international solidarity.

10. **Mr. Sahraoui** (Algeria) said that the COVID-19 pandemic had revealed the inequalities in development between countries and had revived nationalist attitudes and protectionist practices when it came to vaccine access. Currently, some countries were in full recovery while others, notably in Africa, still struggled to vaccinate their populations. Although leaders had said that no one was safe until everyone was safe, the call by the Secretary-General for COVID-19 vaccines to be declared a public good had not been made a reality. In addition, the outcome of discussions in Geneva on the

Trade-Related Aspects of Intellectual Property Rights (TRIPS) had not met expectations with respect to solidarity. It was hoped that, in the future, the same mistakes would not be made and that greater solidarity would be shown in the face of crises. The platform proposed in Our Common Agenda and the proposed legally binding instrument on pandemic preparedness might be good tools in that regard.

11. In his report, the Independent Expert mentioned that some developing countries had purchased vaccines at a higher price than had been paid by the European Commission. Delinking research and development costs from vaccine prices and increasing transparency in that regard was crucial to ensuring universal accessibility.

12. He asked how transparency in medicine prices could be ensured, noting that, when the vaccines had first been developed, unaffordability had undermined certain national campaigns and had led to a global vaccine race. He also asked how the provisions of the TRIPS Agreement could be used to enable the local production of vaccines.

13. **Ms. Banaken Elel** (Cameroon) said that her delegation recognized the close link between international solidarity and the right to development. International cooperation and solidarity were needed to promote global development and overcome obstacles to the realization of the right to development. Global partnership, in accordance with Sustainable Development Goal 17, enabled developing countries to better access development financing and strengthen their capacities. Public assistance for development was particularly important in the fight against COVID-19. Unfortunately, vaccine nationalism had been observed, as well as the propagation of views denying the quality and effectiveness of vaccines produced by certain countries. However, thanks to robust measures and the creativity of its people, the Government of Cameroon had been able to contain the virus and keep the population safe.

14. In his report, the Independent Expert recommended support for the proposal before the World Trade Organization (WTO) to allow all States to manufacture, use and develop COVID-19 vaccines without being subject to the restrictions and limitations of the WTO intellectual property regime. She asked to what extent States supported that proposal and how the call by the Secretary-General to declare the vaccine a global public good could help to foster international solidarity in the health sector. Her delegation also wished to know the extent to which international solidarity was affected by TRIPS, not only with respect

to COVID-19, but also with respect to technology transfer in general.

15. **Ms. Zinchenko** (Russian Federation) said that it had become clear that the only way to combat the COVID-19 pandemic was by pooling global efforts. Member States must, in particular, assist the countries most affected by the virus, provide emergency access to food and medicines, prevent trade wars and stop the application of unilateral coercive measures. The Russian Federation was open to collaborate on epidemiological safety with all countries.

16. In its response to the pandemic, the Russian Federation had worked closely with various regional organizations, in particular by providing methodological support and exchanging information and experiences. In 2020, it had chaired the tenth meeting of the Ministers of Health of Brazil, the Russian Federation, India, China and South Africa (BRICS countries), at which Governments had advocated joint efforts to combat COVID-19. In addition, it had worked with countries of the Commonwealth of Independent States and the Eurasian Economic Union to synchronize infection control measures. Russian medical experts had also helped Azerbaijan, Kazakhstan, Kyrgyzstan and Uzbekistan to treat patients with COVID-19.

17. The Russian Direct Investment Fund Promoted the use of Russian vaccines against COVID-19, in particular Sputnik V. Unlike certain Western vaccine-producing States, however, Russia not only exported the finished product but also arranged for local production of the vaccines as a means of promoting industrial cooperation and technology transfer. It was open to working on a non-discriminatory and transparent basis with all interested parties to ensure universal access to COVID-19 vaccines.

18. **Ms. Paydar** (Islamic Republic of Iran) said that it was imperative for States to fully join in international solidarity to ensure equal access to COVID-19 vaccines. The Islamic Republic of Iran had been severely challenged by the COVID-19 pandemic, with much loss of life. Although the vaccination process had been accelerated, it had been difficult to import vaccines earlier owing to economic sanctions. While the report of the Independent Expert welcomed international solidarity, it neglected to mention the negative impact of unilateral coercive measures adopted by States, which undermined access to vaccines and consequently the right to life.

19. She asked the Independent Expert whether he, in collaboration with other mandate holders, expected to launch any initiatives related to the issue of unilateral coercive measures.

20. **Ms. Xu Daizhu** (China) said that her delegation noted with concern the excessive stockpiling of vaccines by some countries and the unfair distribution of them around the world. Since the beginning of the COVID-19 pandemic, China had been promoting the fair distribution of vaccines and would continue to be at the forefront of global epidemic control cooperation and fulfil all commitments in that regard. President Xi Jinping had advanced the concept of a community of shared health, had proposed the Global Vaccine Cooperation Action Initiative and had introduced the Global Development Initiative: building on the 2030 Agenda for Sustainable Development for stronger, greener and healthier global development, thereby providing direction for international cooperation in vaccines. China had also already contributed more than 2 billion COVID-19 vaccine doses to more than 120 countries and international organizations.

21. Her Government was seriously concerned about the indiscriminate use of unilateral coercive measures by the United States and other countries, which hindered those countries targeted from obtaining vaccines, medicines and other materials, created a human-made humanitarian disaster and seriously undermined international solidarity.

22. China called on all countries to accord the highest priority to safeguarding the right to life and health and to reaffirm vaccines as a global public good in order to ensure fair distribution. In a spirit of solidarity and cooperation, the international community should emphasize the role of multilateral mechanisms, increase assistance to developing countries and improve the accessibility and affordability of vaccines and other health products for developing countries, especially the least developed countries. Doing so would make an appropriate impact in the fight against COVID-19 and ensure an ultimate victory over it.

23. **Mr. Zavala Porras** (Costa Rica) said that overcoming the COVID-19 pandemic required global solidarity and an understanding of health as a global public good. Costa Rica had therefore advanced a proposal to the World Health Organization (WHO) for the creation of a COVID-19 technology access pool to facilitate the transfer and exchange of technology and good practices. His delegation acknowledged that, despite progress made, 39 per cent of the global population had not yet been fully vaccinated and 30.3 per cent had not even received a first dose, far short of the WHO vaccination target of 70 per cent vaccination coverage in every country by mid-2022.

24. His delegation asked what short-term remedial measures could be taken and what lessons Member

States and the United Nations system could learn from the current situation in order to prepare for the next pandemic.

25. **Ms. Ostoni** (Observer for the Sovereign Order of Malta) said that all actors, including non-governmental organizations, intergovernmental organizations and States, had a collective responsibility to champion the protection of all human beings, regardless of location. In times of conflict and natural disasters, and during the COVID-19 pandemic specifically, one lesson learned was that the international community must support the promotion of human rights.

26. The Sovereign Order of Malta commended the Independent Expert for recognizing the importance of achieving global equality while respecting State sovereignty. Over the previous 12 months, the United Nations had been guided by hope, science and solidarity in its efforts “to leave no one behind”. Invoking such slogans should however mean that fundamental human rights were not granted to others on the basis of their location. As injustice anywhere was a threat to justice everywhere, efforts were needed in order to achieve Sustainable Development Goal 17, to promote partnership and to strengthen the international community as a whole, especially in the current geopolitical context. The Sovereign Order of Malta advocated extraterritorial jurisdiction as a concrete way of promoting human rights and equality around the globe.

27. **Mr. Okafor** (Independent Expert on human rights and international solidarity) said that the statements of the delegations demonstrated a common theme of strong support for international solidarity, especially during the COVID-19 pandemic. There was also a realization that more needed to be done to prepare for the next pandemic. While history showed that pandemics had occurred approximately every 100 years over the past 300 years, that interval would likely shorten in the future.

28. He commended the States that had expressed international solidarity, especially vaccine solidarity, to other States. Unilateral coercive measures had inhibited access to COVID-19 vaccines. Health should be recognized as a global public good, as should other essential elements of health and prerequisites for life.

29. To improve international solidarity, the first order of business was to stop thinking of the world as composed of disconnected entities. That was difficult to do in a world of sovereign States, but efforts should be made to overcome that instinct. The Omicron variant had demonstrated that viruses did not respect State boundaries. Previous Independent Experts had worked

diligently towards a United Nations declaration on international solidarity and had presented frameworks and drafts in that regard. He intended to invite States to a forum in January 2023 in Geneva to study a proposed revised draft. He did not have the capacity or the authority to advance the adoption of a draft, as that was a decision for States, but he could help to provide the conceptual framework.

30. Practices such as the undermining of the COVID-19 Vaccine Global Access (COVAX) Facility and secret and direct deals with pharmaceutical companies were the main obstacles to transparency in medicine pricing. The local production of vaccines was under way, but if no purchasers came forward, the facilities would be shut down. Efforts should be made to support the purchase of those vaccines, including through South-South cooperation. Furthermore, there was an essential need for partnerships to promote the achievement of Sustainable Development Goal 17. In the early days of the pandemic, and subsequently, other mandate holders had made efforts to advocate loosened intellectual property rights in order to enhance access to vaccines. While some progress had been made in that regard at WTO, it remained insufficient.

31. Strengthened international solidarity in all areas and a “mindset reset” were needed to avoid repeating the mistakes of the past. WHO had made efforts to strengthen and enhance existing frameworks through the establishment of a committee to propose revisions to the International Health Regulations. In addition, preparations for negotiations on a treaty on pandemics were in the offing and all parties should contribute to ensure that international solidarity held pride of place in those negotiations and in the final text.

32. **Ms. Mofokeng** (Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health), introducing her report (A/77/197), said that she had strived to fulfil her mandate using the anti-racist and anti-coloniality frameworks. She was convinced that intersectionality was the bridge to substantive equality and must be placed at the centre of the operationalization of the right to health. As a person who embodied many characteristics that led to prejudice and discrimination, she felt it was important that her report focus on the impact of racism on human dignity, life, equality and the right to control one’s health and body, including the right to freedom from non-consensual medical treatment and experimentation.

33. **Mr. Folmsbee** (United States of America) said that his country had been proud to sponsor of Human Rights Council resolution 51/21 on the right of everyone to the

enjoyment of the highest attainable standard of physical and mental health. The United States was also proud to be the largest single donor for global health, with over \$12 billion appropriated in 2022 for global health programmes. His Government remained committed to bringing an end to the COVID-19 pandemic and continued to roll out the Initiative for Global Vaccine Access to accelerate global vaccine efforts and enhance international coordination. It continued to make significant investments in the President's Emergency Plan for AIDS Relief and the Global Fund to Fight AIDS, Tuberculosis and Malaria. It would also continue to advance health, security and pandemic preparedness around the world, including through strengthening and reforming WHO and building country capacities in the framework of the Global Health Security Agenda.

34. **Ms. Almeida Marinho** (Portugal) said that promoting, respecting, protecting and fulfilling the right of every person to enjoy the highest attainable standard of physical and mental health was a core priority for her country. The Constitution of Portugal stipulated that the State must establish a universal health service and systematically continue to improve the cultural, economic, environmental, labour and social conditions of the population while protecting children and young persons, promoting healthy lifestyles through sport and developing health literacy. A firm human rights-based approach must stand as the basis of all health policies and services.

35. Portugal welcomed the report of the Special Rapporteur. In order to mitigate the impact of racism and racial discrimination during the COVID-19 pandemic, Portugal had decided to grant resident status to all migrants and asylum seekers with pending applications, which gave them access to the national health service and social security on the exact same terms as Portuguese nationals. Furthermore, the national plan to combat racism and discrimination (2021–2025) included health as 1 of 10 areas of public intervention. Under the plan, health professionals were trained on the impact of racism; health user numbers were granted to all persons in Portugal regardless of migration status; health literacy was promoted in Roma communities; and intercultural mediators were assigned to hospitals.

36. In the global fight against neglected tropical diseases, donor States must be extremely careful to ensure that aid did not perpetuate racial discrimination. In that context, she asked how international financial institutions and donor States could better mainstream a human rights approach in their development cooperation strategies, especially with respect to neglected tropical diseases.

37. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that access to safe, affordable and effective vaccines, medicines, health technologies and therapies was an important dimension of the right to health. The COVID-19 pandemic had highlighted the impact of existing health inequalities on people of minority racial or ethnic backgrounds. The EU4Health programme addressed such disparities by taking into account the unique needs of various groups and the European Union Anti-Racism Action Plan 2020–2025 encouraged States to adopt legislation to promote racial equity in health care, employment, education and housing.

38. The European Union promoted a human rights-based approach to health emergency preparedness and response and recovery efforts, and engaged with partners globally to strengthen the rule of law and accountability and to address the root causes of marginalization and multiple and intersecting forms of discrimination. The European Union also remained committed to combating racism, xenophobia and all forms of intolerance. For over two decades, its Racial Equality Directive had shaped legal protection from racial or ethnic discrimination in a number of contexts, including health care. In 2022, as a follow-up to the Anti-Racism Action Plan and the European Union strategy on combating antisemitism and fostering Jewish life, the Council of the European Union had adopted its conclusions on combating racism and antisemitism.

39. She asked what the Special Rapporteur viewed as the greatest barriers to health-care access for people with a minority racial or ethnic background.

40. **Mr. Valido Martínez** (Cuba) said that the best demonstration that racism was a social determinant of health had been seen in the United States during the COVID-19 pandemic. The Centers for Disease Control and Prevention in the United States had recognized that the Afro-descendant population of that country had been disproportionately affected by COVID-19, had had less access to vaccines and medical treatments, was more mistrustful of health services and had been disproportionately affected by the socioeconomic impacts of COVID-19 as a result of structural and systemic racism. However, instead of facing those challenges, the Government of the United States was applying unilateral coercive measures, such as the economic, commercial and financial blockade against Cuba, which violated the Charter of the United Nations and international law and adversely affected the human rights, especially the right to health, of the Cuban people. Cuba urged the Special Rapporteur to analyse the impact of unilateral coercive measures, in particular

those imposed by the United States, on the right to health.

41. **Mr. Mohamed** (Egypt) said that his country had implemented several projects to expand its response to COVID-19 and had significantly increased health sector expenditure, establishing a comprehensive health-care system in line with its Vision 2030 plan and the 100 Million Healthy Lives initiative. Egypt continued to make its health-care facilities available to more than 9 million migrants and refugees, as Egyptian law stipulated that all foreigners residing in Egypt should enjoy primary, preventive and curative health care on an equal footing with citizens. Egypt had been selected as a recipient of mRNA technology from the mRNA vaccine technology transfer hub and WHO had designated the Egyptian Drug Authority maturity level 3 with respect to vaccine regulation.

42. Egypt noted that the report of the Special Rapporteur focused on issues that did not enjoy international consensus. Ensuring healthy lives for all remained a critical component of the Sustainable Development Goals, which were accepted by all countries regardless of their different national realities, laws and priorities. The Goals were universal and pertained to developing and developed countries alike. At a time when the spirit of global partnership and solidarity required renewal, the report chose not to highlight the importance of international cooperation, technology transfer or capacity-building to better address health emergencies. It also failed to reference the need to help developing countries enhance the local and regional production of health technologies in order to improve preparedness and response. Egypt hoped that future reports would outline the pressing priorities of the majority of the global population in the effort to overcome the challenges revealed by the COVID-19 pandemic.

43. **Ms. Soares Leite** (Brazil) said that the COVID-19 pandemic had imparted several lessons. It had demonstrated the need to work towards universal health coverage and to intensify international cooperation and solidarity. In Brazil, with its universal and free-of-charge health system, nearly 85 per cent of the population had received two doses of the COVID-19 vaccine. Over 380 million doses had been distributed at no charge, with priority given to the most vulnerable, including the Indigenous population.

44. The production of essential health technologies must not be restricted to a limited number of countries. Brazil had shifted from importing to producing COVID-19 vaccines thanks to its domestic vaccine production expertise and its negotiation of technology

transfer mechanisms. The country was currently a hub in the production of mRNA technology in Latin America and the Caribbean and was ready to ensure access to those products. Brazil would continue to support international initiatives to promote health technology, such as the COVAX Facility. Equitable access to vaccines and medicines must be ensured for all countries in the fight against COVID-19 as well as other diseases that disproportionately affected developing countries, such as HIV/AIDS, malaria, tuberculosis and neglected tropical diseases. The recognition of the special needs of vulnerable groups in that regard was a challenge that must be addressed.

45. She asked the Special Rapporteur to share her thoughts on access to medical countermeasures to ensure the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

46. **Mr. Sahraoui** (Algeria) said that his delegation regretted that some controversial concepts and recommendations were included in the report of the Special Rapporteur. The right to health was a basic human right that applied to everyone, without discrimination and regardless of legal or other status. Under article 60 of the Algerian Constitution, all citizens had the right to protect their health. Strengthening the national health system had always been a priority of the Algerian Government and had allowed the country to achieve the Millennium Development Goals related to health. Algeria provided free health care to all residents regardless of status.

47. He asked the Special Rapporteur how the phenomenon of brain drain affected the ability of countries to achieve Sustainable Development Goal 3. Furthermore, given that attracting talent through selective immigration processes involved bias, especially in the light of the effects of the COVID-19 pandemic on health systems, what assistance could be given to developing countries so that they could retain their most talented medical staff? During the pandemic, nationalist narratives and xenophobia had risen, preventing foreigners in some cases from accessing health services. He asked how the elaboration of a legally binding instrument could help avoid such a scenario in the future.

48. **Ms. Xu Daizhu** (China) said that, as had been pointed out in the report of the Special Rapporteur, deep-seated racism in the judicial and law enforcement systems of the United States had caused grave harm to the right to health of African-Americans, particularly women, an issue that greatly concerned her delegation. Racism posed a serious threat to the human rights,



including the rights to life and health, of ethnic minorities in the United States. During the COVID-19 pandemic, Hispanic Americans and African Americans had contracted the virus at rates approximately three times that of white people and were about twice as likely as them to die from it. Hispanic Americans, African Americans and Native Americans were also much more likely to become orphans because of COVID-19. The monkeypox virus was spreading in the United States and making racial disparities ever more conspicuous. Hispanic Americans and African Americans, who made up only around 30 per cent of the population, accounted for more than 60 per cent of confirmed cases of the virus.

49. In the context of both of those public health emergencies, ethnic minorities in the United States were clearly and increasingly subjected to systemic racial discrimination. The Government of that country was loudly proclaiming the equality of all people and acting like a lecturer to the world while the rights to life and health of its own minorities were being violated and ruthlessly taken from them. The United States should cease its spectacle of lecturing others and do more for the equality and human rights of its own racial minorities.

50. **Mr. Kavanagh** (Observer for the Joint United Nations Programme on HIV/AIDS (UNAIDS)) said that, during the High-level Meeting on AIDS in held 2021, Member States had focused on the need to decrease the inequalities driving the HIV pandemic in order to get the response back on track. The suggestion in the report of the Special Rapporteur that racism was a driver of ill-health was important when it came to the global AIDS response. The most recent UNAIDS data showed that, as a result of the economic crisis and the COVID-19 pandemic, HIV infections were rising in many countries, in particular in Latin America, the Middle East and Asia. There must be a stronger focus on decreasing inequalities, including those driven by racism.

51. He asked the Special Rapporteur what kinds of programme and policy shifts were needed to address racism as a driver of HIV and other pandemic diseases.

52. **Ms. Mofokeng** (Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health) said the shift in the past two and a half years towards COVID-19 responses had meant that many public health systems had not been sufficiently agile to continue their support and clinical care for many other diseases, including tropical diseases and non-communicable diseases. There was also continued concern about misinformation

around vaccinations. In some countries, a lack of vaccine uptake had been observed with respect to other diseases and should be addressed by additional financing for public health systems.

53. The right to health included the right to information for decision-making purposes. Accountability with respect to the multiple forms of discrimination continued to be the greatest barrier to health-care access for migrant populations. Many people were living under the crushing weight of multiple and compounding effects of discrimination, much of which was enabled by racism. The populations most affected by the issues under discussion were still being left behind with their health and their visions for their own communities not taken seriously.

54. Even before her appointment, mandate holders had been intervening on the issue of unilateral coercive measures and, during the COVID-19 pandemic, had carried out collective interventions to alert Member States that such measures would worsen health outcomes. Mandate holders would continue to work on that issue.

55. She had dedicated her previous report ([A/76/172](#)) to the pandemic. It was important not to read the reports in isolation but rather to understand them as part of work that continued and built upon previous work done under the mandate. In the previous report, she had made clear that the impact of COVID-19 had been disproportionate. Racism continued to be a determinant of health during the pandemic, as well as in many other settings, and the allocation of resources to communities varied according to class and race.

56. Her mandate continued to allow technical support to be provided to United Nations agencies that responded to violations of the right to health. Many of the submissions received by her office were related to issues of research and development, intellectual property and the ability of nations in the so-called global South to distribute vaccines. It was important to understand the matter of access to medicine as a human right and not a charitable activity. Although there were human rights and international standards available to provide guidance on issues such as access to medicines, research and development and intellectual property, people had had to appeal to the morality of richer countries to address the crisis.

57. Her mandate also continued to focus on issues of ethical practices relating to health-care workers, including the unethical poaching of health-care workers. However, she wished to frame the issue of health-care workers within a human rights lens because, under the right to health, individuals had the right to a healthy



working environment, which included fair labour practices and fair remuneration. Formerly colonized countries, which were still reeling from the impact of extraction of minerals and wealth, were also dealing with extraction in the form of recruitment of health-care workers to richer countries, as countries in the global South were unable to offer competitive salaries. Their own gross domestic products could not sustain their health budgets, which perpetuated a cycle of dependency on global financing mechanisms, which often came with very strict conditions regarding interest payments and austerity.

58. When it came to the intersection of HIV and race, discriminatory policies continued to push people further behind. A discussion was needed on how, in many regions, legal frameworks in particular pushed people to the margins. People were not inherently vulnerable. While the law had a very important protective function, the criminalization of poverty, sex work or same-sex relations led to further marginalization and disproportionately affected black people, Indigenous Peoples and people of African descent. That was the case even in rich countries, where disparities still followed racial lines. Long-term, unconditional funding was needed for the work being carried out by certain United Nations agencies on HIV, especially with adolescents.

59. The next report she would prepare for the Human Rights Council would examine digital health and innovation and she hoped that delegations would provide input on the contribution made by technology and health innovation to the pandemic and to the quest for justice. It was important to recognize racism not only in its systemic cultural and interpersonal forms but also as a threat to public health. She would try to extract from the submissions she had received good practices that delegations could use to operationalize the right to health. Some of her recommendations would address legal frameworks and policy issues related to budgeting and infrastructure. More investment was needed in public health infrastructure and services in order to respond to emerging research and the immediate needs of people on the ground.

60. **Mr. Arrojo-Agudo** (Special Rapporteur on the human rights to safe drinking water and sanitation), introducing his report on the human rights to safe drinking water and sanitation of people in impoverished rural areas (A/77/167), said that, following the Second World War, the so-called green revolution had introduced a new model of production. Millions of peasants who could not afford to invest in mechanization, standard seeds, fertilizers and pesticides had fled to the cities, emptying all but marginally

productive rural areas. Nevertheless, 44 per cent of the world's population still lived in rural communities, which accounted for 80 per cent of the 2 billion people without safe drinking water, two thirds of the almost 4 billion people without safe sanitation and 92 per cent of those who practised open defecation. Peasant farmers still fed almost 70 per cent of the world's population, and they could provide valuable lessons in integrated, circular agricultural practices.

61. Rural peasant communities depended directly on rivers, lakes, wetlands, springs and aquifers for water and fish. They obtained their drinking water from untreated public sources, community-managed wells, water vendors, private wells or directly from springs, rivers or lakes.

62. Safe drinking water should be available, accessible, affordable and acceptable to the community. However, in many cases, overexploitation and pollution by mining, hydropower, agribusiness and industry limited availability; women and girls walked long distances for water in the absence of distribution infrastructure; extreme poverty made the necessary basic investments unaffordable; and necessary measures such as water treatment were rejected by communities that did not understand them. Efforts to provide sanitation also encountered many obstacles, including public policy priorities, cultural taboos, insufficient information or training and, above all, high costs.

63. Traditional systems of community water management offered valuable lessons. Unfortunately, in many rural areas, the traditional vision of water as a common good was being weakened by the growing influence of private ownership, leading those who could do so to build their own wells. Often, underfunded rural municipalities neglected community water authorities within their districts. In some cases, Governments increased the vulnerability of the extremely poor by centralizing or even privatizing rural water management. Rural community water and sanitation systems should be strengthened through legislation and consistent budgetary commitments. In view of the increasing risks of drought and flooding, it was also necessary to fund climate adaptation strategies, which should be developed with the active involvement of communities.

64. In recent decades, land grabs by large agro-livestock companies had left many rural communities without water or resources. Other communities had been displaced by major dams, and still others had seen their land destroyed and water polluted by mining. Legitimate community opposition to such projects often resulted in criminal prosecution, repression and even the

assassination of community leaders. Governments could not absolve themselves from their obligation to ensure the right to safe drinking water and sanitation on the grounds of scarcity when powerful production interests had unlimited water. Furthermore, Governments could not plead insufficient resources when they could afford to launch a new arms race.

65. **Ms. Alonso Giganto** (Spain) said that her Government had made protecting the human rights to safe drinking water and sanitation a priority of Spanish international human rights policy, especially in view of the impacts of climate change.

66. She asked what role those human rights should play in the United Nations Water Conference on the Midterm Comprehensive Review of the Implementation of the Objectives of the International Decade for Action, “Water for Sustainable Development”, 2018–2028 (United Nations 2023 Water Conference) and what Governments should do to promote women’s involvement in community water management boards.

67. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer) said that her delegation appreciated the Special Rapporteur’s attention in previous reports to the impact of climate change and to the importance of democratic water governance. It also welcomed the gender perspective of his work and had been pleased to learn that women were increasingly involved in community water management boards, as well as in legislative and policy initiatives. The European Union continued to emphasize the importance of including menstrual health and hygiene for women and girls in sanitation plans. With respect to the risk of massive climate migration, it agreed that when adaptation was not feasible, national and regional plans for resettlement of the affected rural communities should be put in place.

68. She asked where Governments should focus funding to guarantee sustainable access to safe drinking water and sanitation.

69. **Ms. Soares Leite** (Brazil) said that land regularization and strict laws to combat land grabbing were crucial to ensure the protection and promotion of the human rights to safe drinking water and sanitation. Between 2019 and 2022 alone, Brazil had issued over 362,000 rural property titles, and it had one of the strictest environmental laws in the world. In addition to the water cistern project in its semi-arid region, Brazil was building a system of canals that would bring water to more than 12 million city dwellers.

70. She requested additional information on best practices and innovative approaches for ensuring access

to drinking water and sanitation, particularly in Latin America and the Caribbean.

71. **Ms. von Ernst** (Iceland) said that her country emphasized clean water and sanitation in its development cooperation. Women and girls living in rural areas were disproportionately affected by lack of access to safe water and sanitation, but they were often marginalized in debates and decision-making.

72. She asked what more could be done to guarantee that rural women and girls were at the decision-making table.

73. **Mr. Sahraoui** (Algeria) said that, having met the water- and sanitation-related Millennium Development Goals in 2009, his country was working to ensure and preserve access to drinking water for all through seawater desalination, with a focus on supplying remote rural areas.

74. He asked how local water management know-how could be leveraged to promote nature-based solutions and save water, how education could reduce water consumption and how the absence of water and sanitation networks could lead to displacement, especially in light of other potential drivers such as underdevelopment and climate change.

75. **Mr. Lang** (United States of America) said that, in 2021, his Government had made the single largest investment ever in domestic water and wastewater infrastructure. Internationally, it had committed to connecting 22 million people to water and 22 million people to sanitation by 2027. Adapting to the water-related effects of climate change could boost prosperity and environmental sustainability. In seeking to improve water resilience, States should leverage the power of partnerships and learn from each other’s experiences.

76. **Ms. Rizk** (Egypt) said that, to maximize its scarce water resources, her country was implementing major desalinization projects, facilitating wastewater recycling and covering canals to reduce evaporation. Given its dependence on outside water resources, Egypt valued international cooperation and solidarity in transboundary water management.

77. **Mr. Altarsha** (Syrian Arab Republic) said that his delegation supported the conclusions contained in the report of the Special Rapporteur. Drinking water, irrigation and sanitation were all of extreme importance in the Syrian Arab Republic. His country had faced great problems when it came to water as a result of terrorist sabotage targeting dams, pumping stations and drinking water systems. That was in addition to the devastating effects of economic sanctions, as when the European Investment Bank had stopped financing water projects

in Syria. Companies had been prevented from supplying essential electrical and mechanical equipment, which had led to cuts in the water supply to more than 3.5 million citizens in Aleppo Governorate and more than 2.5 million citizens in Ladhqiyyah Governorate. A number of dams in Syria could collapse at any moment because the Government could not maintain them. Türkiye continued to reduce the level of the Euphrates River to less than half the level provided for in bilateral agreements, which affected not only Syria, but also Iraq. In addition, water cuts to the Uluk pumping station in north-eastern Syria adversely affected more than 2 million civilians. The solution to those problems was clear: the countries concerned should change their policies towards his country.

78. **Ms. Tambwe** (United Republic of Tanzania) said that, in paragraph 108 of the report, her country was mistakenly referred to as the Republic of Tanzania rather than the United Republic of Tanzania. In that paragraph, the Special Rapporteur mentioned water pollution caused by a meat company in her country, citing a paper published in 2012. The problem had been resolved. She wondered why he had called attention to a situation that no longer existed. Her Government was committed to providing clean water to its people. As of 2021, three quarters of the rural population had had access to clean drinking water.

79. **Mr. Arrojo-Agudo** (Special Rapporteur on the human rights to safe drinking water and sanitation), expressing his gratitude for the questions posed, said that he would respond to the representatives of the countries concerned in writing and wished to apologize to the representative of the United Republic of Tanzania for misstating her country's name in his report.

80. Providing safe drinking water and sanitation to the billions of people without them was not a business opportunity. Governments should focus their efforts on making peace with aquatic ecosystems and on promoting water governance based on an understanding of water as a common good rather than a commodity.

81. Governments had a responsibility to promote women's equal participation in decision-making, and they should recognize menstrual hygiene as part of the human right to sanitation. It was important to combat discrimination based on descent and work by ensuring safe drinking water and sanitation for all, without exception. Governments must also ensure that communities had legal title to the lands and water rights that they had traditionally enjoyed. In rural areas where climate adaptation was not feasible, it would be necessary to implement resettlement plans backed by international agreements and financing.

82. Although sanitation and water clean-up projects were not as politically popular as water delivery systems, there would be no real progress in ensuring safe drinking water for all without prioritizing sanitation and clean water. He was pleased to note the extent to which countries in Latin America, East Asia and the Pacific were focusing their efforts on sanitation. He hoped that the unprecedented United Nations 2023 Water Conference would give rise to a programme of dialogue and cooperation between the United Nations and defenders of the human rights to safe water and sanitation.

83. **Mr. Muhith** (Bangladesh) said that the Member States must work together to confront the unprecedented threats to human rights created by the COVID-19 pandemic and the food, energy and financial crises. All human rights were equally important, and the best way to promote them was to empower people. His country had achieved impressive socioeconomic progress by encouraging people-centric development and democracy. Convinced that the protection and promotion of human rights should be inclusive and cooperative, Bangladesh worked closely with the Human Rights Council and its various mechanisms, as well as with the treaty bodies. It had recently hosted the United Nations High Commissioner for Human Rights and the Special Rapporteur on the promotion and protection of human rights in the context of climate change, and it was expecting the visits of other mandate holders in the coming months. Bangladesh also engaged with Member States on human rights through the universal periodic review. It had accepted 178 recommendations during its third review and was developing a national implementation plan through multi-stakeholder engagement. It would begin its fifth term as a member of the Human Rights Council in 2023.

84. Climate change remained the most serious threat to humanity and human rights. A champion of the most climate vulnerable, Bangladesh called for a human rights-based approach and enhanced international action, including on financing.

85. Migrants continued to face legal and institutional barriers in exercising their human rights. During the COVID-19 and subsequent crises, they had lost their jobs without any hope of reinstatement. As a party to the International Convention on the Protection of the Rights of All Migrant Workers and Their Families, Bangladesh urged Member States to uphold the commitment made in the Global Compact for Safe, Orderly and Regular Migration to respect, protect and fulfil the human rights and fundamental freedoms of all migrants, regardless of migration status.

86. The Bangladeshi experience of exclusion and systematic discrimination had inspired his country to open its gates to the Rohingyas. Bangladesh was providing the refugees with shelter, protection and other forms of humanitarian assistance, in cooperation with the United Nations and other stakeholders, and was continuing to work to secure their safe, dignified and voluntary return.

87. **Mr. Zavala Porras** (Costa Rica) said that, in the mid-twentieth century, the nations of the world had emerged from one of the worst tragedies of human civilization with the resolve to establish a rules-based system and a new understanding of what they could do on behalf of their societies. Almost 75 years after the adoption of the Universal Declaration of Human Rights, the States Members of the United Nations faced multiple, interrelated challenges which were undermining progress towards sustainable development and fraying their social fabric.

88. The promotion and protection of human rights remained the only avenue to the eradication of poverty, inequalities, discrimination and exclusion. Costa Rica welcomed the recognition of the human right to a clean, healthy and sustainable environment as a starting point. It would continue to support effective, human rights-focused solutions such as the Vanuatu initiative to build a coalition to request an advisory opinion on climate change from the International Court of Justice. Recognizing the empowerment and full participation of women and girls as a prerequisite for progress, Costa Rica would also continue to promote gender equality. As Co-Chair of the UNMute Civil Society coalition, Costa Rica applauded the Committee's decision to invite civil society organizations to participate in its work. Human rights acknowledged the dignity and worth of the individual, but promoting and protecting them required solidarity and cooperation.

89. **Ms. von Ernst** (Iceland) said that serious challenges had emerged to human rights following increases in religious intolerance, violent nationalism, racism, homophobia, transphobia, biphobia, hate speech and a pushback on the gains made towards gender equality and women's reproductive rights. Iceland therefore called for Member States to reverse such trends and work together to secure the human rights of all people. Member States must fight suspicion towards the values of democracy, freedom and human rights and defend the system in which dissent was an integral part of public discourse.

90. In 2022, Iceland had received recommendations from Member States during its universal periodic review and recognized the importance of making steady

progress towards institutionalizing the promotion and respect of human rights. To that end, Iceland had decided to establish a strong, independent and effective national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

91. Evidence from the Nordic countries had shown that gender equality was not only just and fair but also good economic policy. Iceland had been at the top of the Global Gender Gap Index since 2009 but would not stop its drive to achieve gender equality. Iceland would continue to use its membership of the Human Rights Council as a platform to promote human rights, including children's rights, the rights of lesbian, gay, bisexual, transgender and intersex persons, gender equality, the rule of law and democracy.

92. **Mr. Primasto** (Indonesia) said that Indonesia had recently reiterated its commitment to nurturing peaceful coexistence among societies based on tolerance and mutual respect at the high-level meeting to mark the commemoration of the thirtieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

93. Indonesia called for the protection of vulnerable communities and communities in remote areas to be prioritized. In that connection, the Government of Indonesia had implemented national regulations to safeguard the rights of its adat communities, including rights to forestry, fishing and natural resources management. Furthermore, Indonesia called for the protection and preservation of ancestral languages. Efforts to that end had been made in Indonesia through conservation, language revitalization and compulsory teaching of local languages in Indonesian schools.

94. Although Indonesia was home to the largest Muslim population in the world, its Constitution provided for the right of citizens and residents to adhere to other religions and beliefs and a review mechanism had been established to ensure that there were no intolerant regional laws or regulations. The respect of all rights, including those of minorities, was an important prerequisite to political and social stability and peace.

95. **Ms. Ahmadova** (Azerbaijan) said that all issues brought to the attention of the Committee, including those related to China, should be approached in full conformity with the principles of territorial integrity and non-interference in internal affairs enshrined in the Charter of the United Nations.

96. Ongoing reforms in Azerbaijan were aimed at strengthening human rights, fundamental freedoms, democracy and rule of law. Azerbaijan considered diversity to be highly valuable and would continue efforts to maintain civic cohesion and to promote inclusivity and human rights.

97. Attempts to weaponize the past and promote fabricated historical narratives fuelled identity-based intolerance, destabilized societies and undermined peaceful coexistence. The statement made by the representative of Armenia (see [A/C.3/77/SR.25](#)) had been one such attempt. Armenia continued to deny its responsibility for numerous war crimes and the concern expressed in the Armenian representative's statement regarding alleged war crimes was an example of the hypocrisy of a country which had consistently failed to comply with its international obligations. The international community had also repeatedly expressed serious concerns about the nature of the intolerance in Armenia, including its discriminatory policies and hatred towards Azerbaijan and other neighbouring countries. Unlike Armenia, Azerbaijan took its international obligations seriously and investigated any claims related to crimes committed during military operations. Strengthening security and building trust among Member States would only be possible through strict compliance with the fundamental norms and principles of international law.

98. **Mr. Tito** (Kiribati) said that the principle of treating every human being with respect, fairness and justice was enshrined in the Constitution of Kiribati. The Constitution also recognized, promoted and safeguarded the rights to life and personal liberty and the freedoms of conscience, expression, assembly and association and protection of movement, and provided protection from violations of human rights such as slavery, forced labour and inhuman treatment.

99. Many people in Kiribati were concerned at the increasing number of young people who were overly assertive about their legal rights and entitlements but not sufficiently enthusiastic about their duty and responsibility to respect others and give back to their families, communities and societies. Such a mindset was the result of a disproportionate push on human rights laws without an accompanying equal push for one's duty and responsibility towards others and society.

100. **Ms. Rizk** (Egypt) said that the current geopolitical crisis had led to other escalating crises with respect to energy, security, food and other vital sectors, which affected the exercise of human rights. In that context, international cooperation was critical in order to elevate the principles of objectivity, non-politicization,

non-selectivity and non-interference in the internal affairs of States for the full implementation of civil, political, economic, social and cultural rights and the right to development. The dire global situation had led to a surge in hate speech and religion- and race-based violence. Although digital platforms had afforded broad scope for freedom of expression, they had also created a conducive environment for hate speech and incitement. States must address those challenges by adopting the appropriate legal and moral frameworks.

101. Her delegation was greatly concerned about the discriminatory policies targeting Americans of African and Latin descent and about deteriorating prison conditions. Egypt was also concerned that Guantanamo Bay detention camp remained a breeding ground for gross human rights violations.

102. Growing attention to certain human rights at the expense of others and the attempt to establish some groups as more deserving of protection than others created a hierarchy of rights, which ran counter to the principle of universality and reflected a lack of respect for multiculturalism. It also undermined the right of individuals and peoples to exercise their rights in accordance with their national contexts and failed to account for the differing priorities of States.

103. Failure to implement the right to development would weaken the links between the pillars of the United Nations. It was surprising that almost 40 years after the adoption of the Declaration on the Right to Development, some countries declined to participate in constructive dialogue on that right, particularly given that progress towards the Sustainable Development Goals was being eroded.

104. The 100 Million Healthy Lives initiative involved the creation of a database of the most widespread diseases in the country. Egypt was also currently implementing the Decent Life initiative, which addressed the most disadvantaged groups in marginalized regions by recognizing the rights to work, food, adequate housing, drinking water, sanitation, education and health care, with special attention paid to women, children, older persons and persons with disabilities. Given the significant scope of that project, it was being implemented in cooperation with civil society and the private sector.

105. In 2021, after consultations with civil society actors, Egypt had launched a national human rights strategy and was currently in the process of finalizing the relevant implementing plans and programmes. Intent on ensuring civil society participation at the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate

Change, Egypt had coordinated with the Conference secretariat with a view to fostering the participation of Egyptian and African non-governmental organizations.

106. **Mr. Lamce** (Albania) said that the increase in humanitarian crises in the world provided an opportunity to reflect on how to improve the human rights system, build more resilient societies, improve access to effective educational systems and develop responsive and inclusive health systems.

107. The Committee should aim to ensure universal respect for human rights and fundamental freedoms for all, with a particular focus on women's rights and gender equality. A gender perspective should be included in its efforts, including with a view to addressing women's lack of access to political and economic resources and the predominantly masculine mentality of domestic and international politics. The protection of civil society activists and human rights defenders should also be a priority and a zero-tolerance approach to reprisals against those groups was needed.

108. Albania opposed the death penalty in all circumstances and considered that it was inhumane and unnecessary and undermined human dignity. It also considered that freedom of religion and belief based on the principles of the Universal Declaration of Human Rights should be protected everywhere.

109. Albania called for decisive action to be taken to improve the situation of children worldwide through a human rights-based approach which put the child at the centre and filtered analysis through the lens of the Convention on the Rights of the Child.

110. The protection and promotion of minority rights was a prerequisite for the full enjoyment of human rights by all people. In that connection, Albania wished to draw the attention of the Special Rapporteur on minority issues to allegations and complaints of the "passivization" (deletion) of residential addresses of ethnic Albanians living in the Presevo Valley in south Serbia.

111. **Ms. Leendertse** (Germany) said that the aggression carried out by Russia against Ukraine and the human rights situation in the illegally annexed territories of Ukraine made it imperative to recall the absolute and non-derogable nature of fundamental guarantees. Germany called for the respect and protection of the human rights of all people living in Ukraine. Noting that meaningful and effective accountability was crucial to providing justice for victims and avoiding future serious human rights violations, Germany welcomed and supported the work of the human rights mechanisms in Ukraine and

continued its support of mechanisms against impunity with regard to persisting human rights violations in Syria.

112. Meaningful progress could be achieved within the Committee, as proven by the adoption of the groundbreaking resolution recognizing the human right to a clean, healthy and sustainable environment. It was by gradually expanding the limits of what Member States agreed on that necessary progress could be achieved.

113. Germany welcomed the assessment report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on human rights concerns in the Xinjiang Uighur Autonomous Region of China and called on China to cooperate in the implementation of the report's recommendations.

114. There was much left to do in order to achieve gender equality, including within Germany. However, the full promotion and protection of the rights of women and girls remained at the core of the country's human rights policy and the current protests in Iran showed the importance of such a goal.

115. Human rights defenders, civil society activists and non-governmental organizations played a crucial role in protecting human rights and Germany called for continued engagement and transparent cooperation with them to ensure the enjoyment of universal human rights for all.

116. **Mr. Gastorn** (United Republic of Tanzania) said that his country had appointed a task force to coordinate stakeholders' views on how to best operate the multiparty democracy model. The Government had also taken efforts to ensure access to information and freedom of expression, which were fundamental elements of democracy in the country. Such efforts had included legislative measures to broaden the scope of legal aid to cover both criminal and civil cases and cases involving children in conflict with the law.

117. His Government had adopted a human-rights based approach to its five-year development plan, consistent with the Sustainable Development Goals. Civil society organizations, human rights defenders and other non-State actors complemented the Government's efforts in that regard. The Government had also created an enabling environment for activities contributing to the country's development: there were currently 8,000 non-governmental organizations pursuing socioeconomic development activities free from reprisals and there was a strong synergy between the State and human rights defenders.

118. **Ms. Baptista Grade Zacarias** (Portugal) said that, in the face of escalating aggression and persistent human rights violations around the world, it was necessary to take stock of what had been achieved in the context of human rights and what still needed to be done.

119. One achievement had been the establishment of human rights mechanisms within the United Nations system, such as the Human Rights Council and its special procedures which, alongside the work of treaty bodies, helped Member States to strengthen measures to protect, respect and fulfil all human rights.

120. Portugal called for continued support for the strict independence and impartiality of OHCHR. The human rights pillar of the United Nations did not receive the attention or funding that it deserved.

121. Portugal was fully committed to ensuring the human rights of migrants and facilitating their inclusion and reiterated its firm commitment to protecting, respecting and fulfilling the rights of lesbian, gay, bisexual and transgender persons. Portugal supported the voice of civil society, including within the work of the United Nations, and called for its equal and meaningful participation to be ensured. Human Rights defenders must be protected and all forms of reprisals condemned. Portugal also opposed the death penalty in all circumstances.

*Statements made in exercise of the right of reply*

122. **Mr. Binjadid** (Saudi Arabia), responding to the statement delivered at the previous meeting by the representative of the United States of America regarding freedoms of expression, peaceful assembly and association in a number of countries, including Saudi Arabia (see [A/C.3/77/SR.27](#)), said that freedom of expression in his country was guaranteed by law to every inhabitant, in line with the provisions of international human rights law. That respect for human rights also aligned with the country's Vision 2030, which aimed to achieve prosperity for every person living in Saudi Arabia. His delegation emphasized that peaceful practices were not criminalized, provided that they respected public order and decency, the rights of others and other important limitations stipulated in international human rights law. His delegation also stressed that information must be obtained from credible sources and subject to standards of soundness and significance.

123. **Mr. González Behmaras** (Cuba) said that his country rejected the statement made by the United States at the previous meeting in the strongest possible terms. Such statements had been part of an international

campaign, orchestrated and financed by the United States, which had nothing to do with human rights and was instead designed to disrupt the constitutional order of Cuba. With its usual shamelessness, the United States had claimed to have human rights concerns about a long list of countries, including Cuba. It was no longer a surprise that the list included only developing countries; the United States had a long history of manipulating such countries while remaining silent about the violations committed by its allies or in its own territory. The United States had no international or moral mandate with which to judge Cuba or any other country.

124. Although it claimed to be a defender of human rights, all countries knew, whether they dared to say so or not, that the United States was responsible for some of the most brutal and well documented human rights abuses and violations. It had deliberately used atomic weapons and Agent Orange, promoted coups d'état in Latin America and invaded sovereign countries to satisfy its own appetite. The United States had been responsible for extrajudicial killings, enforced disappearances and terrible acts of torture and had detained foreign citizens for years without any guarantees. There were still currently 39 people arbitrarily detained in Guantanamo Bay, a Cuban territory occupied illegally. None of those responsible for such terrible acts had been brought to justice. The United States had financed agendas to subvert and change the constitutional order of countries whose example it feared, against which it imposed unilateral coercive measures with extremely negative consequences for human rights.

125. Within the United States, laws were used to harass and monitor defenders of the human rights of migrants and several States were drafting laws to limit the freedom of assembly in order to protect corporate interests. In 2020, the world had witnessed how little the United States respected the freedom of assembly and protest within the fight against racism. The country was experiencing a serious crisis of citizen safety due to police violence and in 2021 more than 1,000 people had died at the hands of the police. In 2022, firearms had led to more than 35 thousand deaths and over 500 mass shootings. The cases involving the deaths of George Floyd and Breonna Taylor and the response to COVID-19 had demonstrated that the richest country in the world could not solve its structural and systemic racism towards most minorities of Hispanic American, Indigenous and African descent.

126. It was in the United States, not Cuba, that women faced the pay gap and where sexual and reproductive rights were blocked. The United States was the country where Indigenous women faced the risk of sexual



violence, enforced disappearances and murder. The problem was so serious that the United States could not even determine with accuracy how many Indigenous women had disappeared.

127. The United States had nothing to teach Cuba in terms of human rights and, if it was truly concerned about the well-being of the Cuban people, it would have lifted the economic, commercial and financial blockade that it had imposed on Cuba for more than six decades. The blockade constituted a flagrant and systematic violation of human rights and the greatest obstacle to human rights development in the country. After six decades of applying the same measure without success, the United States should have learned that it would not achieve its intentions regarding Cuba and that the Cuban people would not stop their efforts to maintain their independence.

128. **Mr. Dai Bing** (China) said that, in its statement delivered the previous day (see [A/C.3/77/SR.26](#)), his delegation had given a detailed account of the historic achievements of China in the development of human rights and its contribution to the international human rights cause. His delegation had also elaborated its position on issues related to Xinjiang, Tibet and Hong Kong. Regrettably, the United States and a few other countries had turned a deaf ear and persisted in their baseless accusations and malicious smears against China, which firmly opposed and categorically rejected them. The facts had repeatedly shown that the United States and a few other Western countries did not truly care about human rights in China. Rather, they intended to interfere in its internal affairs under the pretext of human rights while rejecting truth and facts in an attempt to create chaos in China and maintain their own hegemony.

129. In recent years, the Xinjiang Uyghur Autonomous Region of China had invited more than 2,000 diplomats, officials of international organizations, journalists and religious figures from over 100 countries to Xinjiang, with hundreds of press conferences held. However, the United States and a few other countries had rejected the invitations. As a Western saying went, you could not wake someone who was pretending to be asleep. Those countries dared not face facts and truth and were behaving like an ostrich burying its head in the sand.

130. Those countries had repeatedly fabricated lies. On his last day in office, the former United States Secretary of State had concocted the lie of the century about the so-called “genocide” in Xinjiang. The current United States Administration had gone even further by inventing more lies, such as “crimes against humanity” and “forced labour”. But no matter how many lies the

United States spread, it could not conceal the fact that Xinjiang was a stable and prosperous place where all ethnic groups were united and harmonious.

131. Those countries had also insisted on engaging in coercive diplomacy. During the COVID-19 pandemic they had pressured the former United Nations High Commissioner for Human Rights to visit Xinjiang. However, following the agreement that China had reached with the High Commissioner, they had subsequently made every effort to obstruct her itinerary. In the wake of her successful visit and out of dissatisfaction with her statement, they had resorted to all possible means to pressure her to release the so-called “assessment” on Xinjiang by OHCHR just 15 minutes before she had left office. That assessment was completely illegal and invalid. On 6 October 2022 the Human Rights Council had categorically rejected the draft decision on Xinjiang proposed by the United States and some Western countries and had explicitly refused to endorse the so-called “assessment”. Not willing to accept failure in Geneva, they had turned to the Third Committee of the General Assembly to continue to hype up the issue of Xinjiang, had pushed for a joint statement against China and had even tried to hold a side event on the topic.

132. However, the people of the world, including those in most developing countries, had awakened to the truth. Whoever engaged in hegemony would be met with firm opposition and those who employed coercion would be doomed to failure. The United States and the United Kingdom had gone to great lengths to make a joint statement against China and stage the so-called Xinjiang side event. However, that was nothing but another botched work of anti-China performance art by a few Western countries that would not fool the broader membership of the United Nations.

133. The United States was obsessed with naming and shaming and attacking other countries while turning a blind eye to its own poor human rights situation. In a glaring example of hypocrisy and double standards, the United States targeted only developing countries and chose to look away from the human rights abuses committed by its allies. If the United States truly cared about genocide, it should face up to its crimes of genocide against Native Americans, conduct investigations and hold those responsible accountable. If it truly cared about minority groups, it should face up to its own problem of systemic racism and combat hate crimes against minorities. If it truly cared about crimes against humanity, it should reflect upon its own crimes against humanity and war crimes committed by its military in Iraq, Afghanistan, Syria and other countries

and account for the innocent civilians killed at the hands of United States forces.

134. He wished to recall that the United States and the United Kingdom were caught in the perils of a fierce political struggle, an economic recession and worsening well-being, with a chilling winter ahead. Those who did not genuinely care about their own people and relied on smearing others as a solution to their own internal problems would eventually be abandoned by their people. They should end their hypocritical and arrogant ways. Japan and Germany also needed to be put on notice that they had lost their independence and autonomy.

135. **Mr. Sharma** (India) said that at the previous meeting Pakistan had once again misused the forum to make false allegations against India. His delegation strongly condemned and dismissed such remarks with the contempt that they deserved and wished to set the record straight. Such attempts by Pakistan were aimed at diverting attention away from the serious human rights violations against minorities, women and girls being perpetrated in the country. It was ironic that Pakistan had raised the subject of the human rights of minorities, given that the country had stopped publishing data in order to hide its own sinful record.

136. Pakistan had long committed some of the gravest violations of human rights in history. It had decimated its minorities, to the point where some no longer existed in the country, and continued to commit grave violations of the rights of Sikhs, Hindus, Christians and Ahmadis. Thousands of women and children, especially girls, from minority communities had been subjected to abductions, forced marriage and religious conversion.

137. The entire union territory of Jammu and Kashmir was and would always be an integral and inalienable part of India, regardless of what the representative of Pakistan believed or wished to be true. India called on Pakistan to stop cross-border terrorism so that Indian citizens could exercise their right to life and liberty and encouraged Pakistan to desist from abusing and politicizing meetings of the Committee, which should be used to strengthen the international human rights framework in order to protect and promote the human rights of all individuals.

138. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country was strongly committed to the promotion and protection of human rights, both nationally and internationally. The facts illustrated its commitment: from its robust and increasing cooperation with OHCHR, to its constructive role within the Human Rights Council, to the voluntary adoption of almost all the recommendations that it had received during its third

universal periodic review with the full coordination of its national authorities.

139. It was regrettable that the United States regime had used the Committee to attempt to promote its propaganda. It was shameless that the regime, which had historically committed mass violations of human rights, was attempting to sermonize on the topic. The regime violated the human rights of over 30 million Venezuelan people each day as a result of its maximum pressure policy. Its sick neocolonial experiment of utmost calculated cruelty was based on the outrageous application of unilateral coercive measures, which led to inequality and poverty and were in flagrant violation of the Charter of the United Nations, the norms of international law and legally binding human rights instruments.

140. Venezuela hoped that justice would prevail sooner rather than later. To that end, his country had submitted a complaint to the International Criminal Court, under article 7 of its Rome Statute, in order to determine the criminal responsibility of the United States officials promoting the cruel and inhumane policy against his country which, due to its widespread impact and systematic nature, clearly constituted a crime against humanity.

141. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation condemned in the strongest possible terms the groundless arguments put forward by the representative of South Korea at the previous meeting. The shameless acts of South Korea were the gravest form of political provocation and reckless hostility against the Democratic People's Republic of Korea. Against the common interest and demands of all Korean people, the South Korean conservative forces fuelled distrust and confrontation between the North and the South, abusing the platform of the Committee and discussing non-existent issues on the international stage. The Democratic People's Republic of Korea had a people-first policy embedded in all sectors of social life; therefore, such so-called human rights issues could never exist in the country. The South Korean conservative forces continued to pursue anti-popular policies and committed serious human rights violations while maintaining their own notorious national security law. South Korea should focus on correcting its own tarnished human rights situation by eradicating social inequality, stopping repression against activists and dismantling all anti-popular and malicious laws.

142. The Democratic People's Republic of Korea had already informed the South of the result of its investigation into the incident in the waters of the West

Sea. Nevertheless, South Korea continued to insult its good faith and foster distrust and hostility. The incident was the result of South Korea improperly controlling its citizens in a sensitive and hostile place where the North and South were in active confrontation and technically still at war.

143. South Korea had committed serious crimes against humanity. As the world was engaged in a long and difficult fight against the COVID-19 pandemic, so-called defectors had scattered hundreds of thousands of leaflets and infected items in the territory of the Democratic People's Republic of Korea, spreading the malicious disease. His delegation urged the South Korean authorities to acknowledge their responsibility for such crimes against humanity, to punish all perpetrators and to never again send such items into the territory of the Democratic People's Republic of Korea. If the South Korean conservative forces continued to persistently commit such reckless and hostile acts against the Democratic People's Republic of Korea under the pretext of human rights, they would be faced with a miserable result in the future.

144. The Democratic People's Republic of Korea also completely rejected the allegations made by the United States as a manifestation of its deep-rooted and hostile policy to tarnish the image of the Democratic People's Republic of Korea. The so-called human rights issue touted by the United States was nothing but a political trick to infringe upon the sovereignty of the Democratic People's Republic of Korea and to undermine its social system. His delegation strongly urged the United States to resolve the serious and systematic human rights abuses in its own territory, such as racism and gun violence, rather than talking about the non-existent issues of other countries.

145. The so-called abduction issue mentioned in the groundless claims made by Japan at the previous meeting had already been resolved in a complete and irreversible manner through efforts made in good faith. As the worst war criminal in human history, Japan had no right to be talking about the issues of other countries. In the past century, Japan had committed crimes against humanity such as the forcible trafficking and abduction of 8.4 million young and middle-aged Koreans, the genocide of 1 million innocent Koreans and the military sexual slavery of 200,000 Korean women and girls. Japan should stop its politically motivated campaign against the Democratic People's Republic of Korea and instead prioritize taking steps to officially apologize for its past war crimes and to offer due compensation.

146. **Ms. Saleem** (Pakistan) said that disinformation at the national and international levels continued to define

the policy and diplomacy of India. Jammu and Kashmir was neither a so-called integral part of India, nor was it an internal matter for India. Such a claim was another manifestation of the Indian State-sponsored disinformation campaign. The Bharatiya Janata Party and Rashtriya Swayamsevak Sangh had deployed all means and methods of disinformation to pursue their hostile objectives against Pakistan, to suppress the people of Indian-occupied Jammu and Kashmir and the Muslim minority and to manipulate how its own people and the international community perceived India.

147. Built on the edifice of disinformation, India was the biggest financer, aider and abetter of terrorism in the region and employed State-sponsored terrorism. Millions of dollars were collected from the Indian diaspora by so-called welfare organizations and spent on terrorist activities and disinformation campaigns by India against Muslims in occupied Kashmir and against the people of Pakistan. In Indian-occupied Jammu and Kashmir, journalists, human rights defenders and politicians were also subjected to disinformation campaigns. Disinformation was used as a weapon to suppress news of war crimes, crimes against humanity and genocide perpetrated by Indian forces with impunity. The Indian disinformation network was highly active on social media and spread fake news, disseminating concocted stories about the 200 million members of the Muslim minority in India. Such State-sponsored disinformation was obliterating Muslim culture and heritage and rewriting history. Thousands of accounts on Twitter were actively spreading fake news, bigotry, extremism, Islamophobia, nationalism and supremacist Hindutva slogans. Other minorities were also persecuted through State-sponsored disinformation campaigns.

148. A startling 2020 report from the European Union DisinfoLab had revealed after thorough investigation that more than 750 fake media outlets, operating for the past 15 years in 116 countries, were using dubious networks including big news networks and world news networks to build a narrative against Pakistan. The network even impersonated legitimate media outlets. The report also revealed that nine non-governmental organizations with consultative status with the Economic and Social Council had been used for a disinformation campaign against Pakistan and the people of occupied Kashmir. Such organizations continued to overstep their mandate and use false addresses, fake names, fictitious domains, identity theft, impersonation of United Nations institutions and other means to get access to United Nations events and carry out subversive activities. International media, civil society organizations and social media had been

highlighting the systematic State-sponsored disinformation campaign by India and, due to the alarming level of the infodemic, British Broadcasting Corporation had recently launched a new disinformation unit in India to uncover, analyse and report on the widespread fake news.

149. Pakistan called on the international community to recognize the compelling evidence of the State-sponsored disinformation campaign by India and to hold India accountable for using weapons of mass disinformation.

150. **Mr. Altarsha** (Syrian Arab Republic) said that in an interview in May 1996, a news correspondent had told former United States Secretary of State Madeleine Albright that half a million Iraqi children had died in the war on Iraq; more than the children killed in the bombing of Hiroshima. She had asked whether such a price was worth it. Ms. Albright had replied that it was. Such was the human rights legacy of the United States. Was the United States proud of that legacy?

151. **Ms. Song Hye Ryoung** (Republic of Korea) said that her delegation could not reply to all the groundless accusations made by the Democratic People's Republic of Korea against her country. However, the accusation made by the Democratic People's Republic of Korea that leaflets sent by the Republic of Korea were the root cause of the COVID-19 outbreak in the country were not only scientifically unproven but completely false. It was highly regrettable and inappropriate that the Democratic People's Republic of Korea should try to shift blame for the spread of COVID-19 in the country. The Republic of Korea urged the authorities of the Democratic People's Republic of Korea to be more responsible by accepting the proposal by the international community to cooperate for the health and well-being of its people.

152. Furthermore, the incident in which an unarmed civilian from the Republic of Korea was killed by the Democratic People's Republic of Korea military in the Yellow Sea in September 2020 was an inhumane act and completely unacceptable. The Republic of Korea urged the Democratic People's Republic of Korea authorities to be more responsible in fact-finding and in preventing such incidents from happening again.

153. The Republic of Korea also urged the Democratic People's Republic of Korea to cooperate with the international community, including with the United Nations human rights mechanisms, to improve the human rights situation of its people.

154. **Mr. Magosaki** (Japan) said that the claims made by the Democratic People's Republic of Korea on the issue of abductions were based on erroneous

information. During the Japan-North Korea Intergovernmental Consultations held in Stockholm in May 2014, despite its previous position, the Democratic People's Republic of Korea had committed to carrying out a comprehensive and thorough investigation of all Japanese national concerns, including abductees. Japan urged the Democratic People's Republic of Korea to implement the agreement and return abductees to Japan as quickly as possible. As the families of those abducted continued to age, there was no time to lose in resolving the abduction issue.

155. With regard to the history of Japan as raised by the Democratic People's Republic of Korea, each and every country and region should squarely face its own history with humility. Japan had been doing exactly that and its path as a peace-loving nation since the end of the Second World War was the proof. Japan had consistently respected democracy and human rights and had contributed to peace and prosperity in the Asia-Pacific region, as well as the international community, over the last 75 years.

156. Japan was confident that Member States would be aware that the claims and figures mentioned by the Democratic People's Republic of Korea regarding Japan were based on factual errors and were therefore groundless.

157. **Ms. Idres** (Sudan) said that her country deeply condemned the allegations made by the United States in the previous meeting regarding the right of expression in the Sudan. Such allegations were inappropriate, subjective, groundless and far removed from reality.

158. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation rejected and condemned all accusation made by South Korea as nothing but a politically motivated campaign and plot designed to deceive the international community in order to cover up its own serious human rights abuses and crimes against humanity.

159. South Korea was responsible for the incident in the waters of the West Sea. The Democratic People's Republic of Korea strongly urged South Korea to stop its double standards, distrust and bad habit of bringing non-existent issues to the international arena. South Korea should prioritize resolving its own human rights abuses and holding the perpetrators of crimes against humanity responsible. It should never again send dirty items into the territory of the Democratic People's Republic of Korea.

160. The abduction issue no longer existed as it had already been resolved in a complete and irreversible manner. Japanese atonement for the past was a political

issue which needed to be settled without lying. Japan had a legal and moral obligation and responsibility to make a sincere apology and offer compensation to all victims for its past war crimes. Regardless of denials by Japan, history could not be changed and crimes against humanity had no statutory limit. The Democratic People's Republic of Korea strongly urged Japan to stop its failed argument about the so-called abduction issue and sincerely admit, apologize for and compensate for its past war crimes.

161. **Ms. Song Hye Ryoung** (Republic of Korea) said that her delegation would not reply to every single groundless accusation made by the Democratic People's Republic of Korea or build upon its previous statement, including regarding the incident in the Yellow Sea. Once again, the Republic of Korea urged the Democratic People's Republic of Korea to cooperate with the international community, including through human rights mechanisms, to improve the human rights situation of its people.

162. **Mr. Magosaki** (Japan) said that Japan had been absolutely clear on the abduction issue and on the issue of the history of Japan. However, his delegation wished to remind Member States of the issue of property and claims between Japan and the Democratic People's Republic of Korea. The Pyongyang Declaration of 2002 stated that both sides had decided that they would discuss the issue of property and claims concretely in the normalization talks, pursuant to the basic principle that when the bilateral relationship was normalized both Japan and the Democratic People's Republic of Korea would mutually waive all their property and claims and those of their nationals that had arisen from causes which occurred before 15 August 1945. Japan urged the Democratic People's Republic of Korea to take action to concretely resolve the outstanding issues of concern, including abductions and nuclear missile issues, based on the Pyongyang Declaration. Together with its earlier statement, the position of Japan should now be absolutely clear.

*The meeting rose at 6.35 p.m.*