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Chair: Mr. Marschik (Austria)
later: Ms. Banaken Elel (Vice-Chair) (Cameroon)

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The meeting was called to order at 10.05 a.m.

Organization of work (A/C.3/78/CRP.1/Add.1)

1. The Chair said that he took it that the Committee wished to extend invitations to the special procedure mandate holders of the Human Rights Council and other experts whose titles were included in conference room paper A/C.3/78/CRP.1/Add.1 to present their reports to and interact with the Committee.

2. *It was so decided.*

Agenda item 71: Promotion and protection of human rights (*continued*) (A/78/198)

(a) **Implementation of human rights instruments** (*continued*) (A/78/40, A/78/44, A/78/48, A/78/55, A/78/56, A/78/240, A/78/263, A/78/271, A/78/281, A/78/324 and A/78/354)

(b) **Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/78/125, A/78/131, A/78/136, A/78/155, A/78/160, A/78/161, A/78/166, A/78/167, A/78/168, A/78/169, A/78/171, A/78/172, A/78/173, A/78/174, A/78/175, A/78/176, A/78/179, A/78/180, A/78/181, A/78/182, A/78/185, A/78/192, A/78/195, A/78/196, A/78/202, A/78/203, A/78/207, A/78/213, A/78/226, A/78/227, A/78/241, A/78/242, A/78/243, A/78/245, A/78/246, A/78/253, A/78/254, A/78/255, A/78/260, A/78/262, A/78/269, A/78/270, A/78/272, A/78/282, A/78/288, A/78/289, A/78/298, A/78/306, A/78/310, A/78/311, A/78/347 and A/78/364)

(c) **Human rights situations and reports of special rapporteurs and representatives** (*continued*) (A/78/204, A/78/212, A/78/223, A/78/244, A/78/278, A/78/297, A/78/299, A/78/326, A/78/327, A/78/338, A/78/340 and A/78/511)

(d) **Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (*continued*) (A/78/36)

3. **Ms. Brands Kehris** (Assistant Secretary-General for Human Rights), introducing the report of the Secretary-General on the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/HRC/52/58; see A/78/240), said that, in 2022, grants amounting to \$525,790 had been awarded to 18 torture prevention projects in 16 States parties to the Optional Protocol.

4. Turning to the report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/78/263), she said that the Fund, which had a fundamental role in enabling the right to redress, had awarded 190 grants in 2022, reaching over 53,000 survivors of torture and their families in 92 countries, had received \$10 million in voluntary contributions and had made efforts to address the intersections between torture and disability. However, civic space was shrinking, and additional resources were required to respond adequately to growing demands for support.

5. Introducing the report of the Secretary-General on the United Nations voluntary trust fund on contemporary forms of slavery (A/78/271), she said that the fund had awarded 38 grants in 2023 for essential services for 7,700 victims of slavery, child and forced marriage, forced, bonded and child labour and sexual exploitation in 33 countries. Under a special call for the Sahel region, the fund had also awarded nine grants for approximately 5,000 survivors of descent-based slavery. It had received over \$800,000 in contributions in 2022, but \$3 million was needed annually to meet the demand for support worldwide.

6. Turning to the report of the Secretary-General and the United Nations High Commissioner on Human Rights on the right to development (A/HRC/54/38; see A/78/125), she said that, in analysing progress and challenges in the realization of that right in the response to and recovery from the coronavirus disease (COVID-19) pandemic, the report focused on access to vaccines, medicines and intellectual property; financial support and debt relief; and the role and responsibilities of international financial institutions in the promotion and protection of human rights, including the right to development. It also provided an overview of the activities of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in that connection.

7. Introducing the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/54/61; see A/78/136), she said that reported acts of intimidation and reprisal by State and non-State actors remained high in number and alarmingly severe. The report included allegations concerning 40 countries from all regions and identified global trends of increased self-censorship, physical and online surveillance, the use of laws concerning civil society, counter-terrorism and national security to obstruct or punish cooperation with the United Nations and specific and severe reprisals against women and girls and Indigenous Peoples, especially Indigenous women. The report also contained good practices for Member States and United

Nations entities and set out commitments by the Secretary-General to strengthen the system-wide response to reprisals. She invited the Third Committee and all Member States to renew political commitments to prevent and respond to reprisals.

8. She then introduced the report of the United Nations High Commissioner for Human Rights entitled “Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers through transformative change for racial justice and equality” (A/HRC/54/66; see A/78/166). She said that the report focused on the challenges faced in exercising the right to participate in public affairs and the measures needed to enhance participation in the promotion of racial justice and equality. The report provided an overview of the developments and actions taken by States and other actors, and updates on seven illustrative cases of deaths during or after interactions with law enforcement in five countries. A guidance note on the right to take part in public affairs in non-electoral contexts was included in an annex to the report.

9. With regard to the report of the Secretary-General on national institutions for the promotion and protection of human rights (A/78/182), she said that it highlighted OHCHR activities to strengthen such institutions, the support provided by United Nations entities to such institutions and the support provided to the Global Alliance of National Human Rights Institutions and its regional networks during the reporting period.

10. Introducing the report of the Secretary-General entitled “Human rights of migrants” (A/HRC/54/81; see A/78/203), she said that the report addressed anti-migrant narratives, discrimination, xenophobia, vulnerabilities in migration, human rights challenges faced in transit and at borders, deaths, disappearances, pathways for safe and regular migration and climate-related migration. Migration could have positive outcomes for migrants and societies when governed in a manner that was centred on migrants and ensured the protection of their rights. States were urged to increase their efforts to respect, promote and fulfil the rights of migrants through the adoption of laws, policies and practices on human rights.

11. Turning to the report of the Secretary-General on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief (A/78/241), she said that individuals and communities worldwide continued to face intolerance, discrimination and violence based on religion or belief, fuelled by

online and offline hate speech. More should be done to support victims, to address the drivers of intolerance and hate and to promote interfaith harmony and mutual respect. Lessons learned and promising practices should continue to be shared, including through the Faith for Rights framework. Political and religious leaders were urged to speak out clearly, firmly and immediately against disrespect and intolerance of their own and other communities and make it clear that violence could not be justified by prior provocation.

12. With regard to the report of the Secretary-General on human rights and cultural diversity (A/78/242), she said that cultural rights and cultural diversity were essential for a dignified life and for building free, peaceful, harmonious and equitable societies.

13. Introducing the report of the Secretary-General on terrorism and human rights (A/78/269), she said that the report highlighted persistent concerns related to national counter-terrorism legislation, due process and fair trial in terrorism-related proceedings, the question of the death penalty and the impact of counter-terrorism measures on civic space. It focused on the use of technologies in counter-terrorism and the situation of third country nationals with suspected ties to designated terrorist groups stranded in conflict zones.

14. Turning to the report of the Secretary-General on the prevention of genocide (A/HRC/53/45; see A/78/282), she said that the report addressed the impact of technology on the right to freedom of expression and other human rights, including the risks it posed. It recommended the implementation of technological safeguards in line with the Guiding Principles on Business and Human Rights, including due diligence throughout the lifecycle of technological tools and digital infrastructure and the integration of risk factors related to atrocity crimes. Technology companies played a key role in the creation of a rights-based, inclusive digital space.

15. Turning to the report of the Secretary-General on the safety of journalists and the issue of impunity (A/78/270), she said that the report described the current situation worldwide, focused on women journalists and highlighted the activities of the United Nations interagency Network of Focal Points on the safety of journalists.

16. Introducing the report of the Secretary-General on strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity (A/78/272), she said that the report presented proposals in that connection from

Member States, international organizations and civil society.

17. Introducing the report of the Secretary-General on the Subregional Centre for Human rights and Democracy in Central Africa (A/78/298), she said that the report outlined the work and challenges faced by the Centre, including violations committed in the subregion, and called for an increase in the regular budget allocation to the Centre.

18. With regard to the report of the Secretary-General on the effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (A/78/306), she said that the report highlighted events and activities to commemorate the thirtieth anniversary of the Declaration, including a high-level meeting of the General Assembly that had been held in September 2022.

19. Turning to the report of the Secretary-General on the promotion of equitable geographical distribution in the membership of the human rights treaty bodies (A/78/311), she said that the report noted that the Asia-Pacific States were underrepresented by 6 per cent and the Western European and Other States were overrepresented by 6 per cent. Women comprised 53 per cent of treaty body membership, but just 46 per cent when the Committee on the Elimination of Discrimination against Women was excluded. States parties were encouraged to strive for equitable geographical and gender balance in treaty body membership.

20. Introducing the report of the Secretary-General on the International Convention for the Protection of All Persons from Enforced Disappearance (A/78/347), she said that continuous support for ratification was needed, with only 73 States having ratified the Convention to date. States had a role to play in preventing and eradicating enforced disappearance and were invited to support the World Congress on Enforced Disappearance, which was aimed at establishing an action plan for universal ratification.

21. Introducing the report of the Secretary-General on the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region (A/78/518), she said that the report highlighted activities of the Centre and outlined a new vision for it.

22. With regard to the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Myanmar since 1 February 2021 (see A/78/316), she said that the report identified trends and

patterns of violations, with a focus on the human rights impacts of the denial of humanitarian access, and provided data on the situation of human rights and humanitarian access in Rakhine State after Cyclone Mocha in May 2023.

23. Turning to the report of the Secretary-General on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (A/78/340), she said that the report highlighted the considerable deterioration in the situation due to the invasion and temporary military control by the Russian Federation, reaffirmed the territorial integrity of Ukraine and urged the Russian Federation to adhere to its obligations under international law.

24. Introducing the report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea (A/78/212), she said that the report highlighted escalating tensions in the Korean peninsula, with ongoing strict border closures, an increasingly dire humanitarian situation, lack of progress in the rule of law, increasing restrictions on fundamental freedoms, including freedom of movement, and a continued lack of international staff on the ground. It raised concerns regarding the continued inability to verify information or provide international support due to the country's ongoing COVID-19 measures.

25. Lastly, turning to the report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran (A/78/511), she said that the report provided an update on the situation since the death of Jina Mahsa Amini and the onset of subsequent protests, highlighting weak and ineffective avenues for accountability in that context. It also addressed the situation of economic and social rights of women and girls, focusing on the severe punishments for non-compliance with compulsory veiling, and noted the alarming increase in the use of the death penalty.

26. **Ms. Carlé** (Representative of the European Union, in its capacity as observer) said that the European Union was gravely concerned about the continued human rights violations and abuses documented in the reports of the Secretary-General. In the current global environment, it was more important than ever to stand up for international law, human rights, democratic principles and the rule of law and to defend the Charter of the United Nations. The European Union was particularly concerned by the increase in self-censorship online and offline and the enactment of counter-terrorism and national security laws with the aim or effect of deterring or hindering cooperation with the

United Nations and strongly condemned reprisals of any form.

27. **Ms. Pavļuta-Deslandes** (Latvia) said that the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/54/61; see A/78/136) highlighted that human rights violations could occur or originate in the United Nations, including the Security Council Chamber. Latvia condemned all acts of intimidation and reprisals, both online and offline, by State and non-State actors against those who sought to cooperate with the United Nations. As a candidate in the 2025 elections to the Security Council, Latvia paid special attention to safety procedures and assessed best practices so as to develop and implement protocols that allocated responsibility for and established security guidance on the prevention of reprisals and the treatment of urgent cases.

28. **Mr. Ono** (Japan) said that addressing the root causes of conflict, which often lay in human rights violations, was fundamental to achieving sustainable and lasting solutions. His delegation wished to know how a compelling global narrative could be created that effectively linked conflict resolution and human rights, and what role OHCHR could play to that end.

29. **Mr. Croker** (United Kingdom) said that his country fully supported the meaningful participation of civil society at the United Nations. It was abhorrent that those cooperating with the Organization had been pursued and persecuted for doing so. Their role was not recognized by all Member States, which had a detrimental effect on the work of the United Nations, including the attainment of peace and security and the achievement of the Sustainable Development Goals. The international community must work together to end impunity for reprisals. His delegation wondered how Member States could improve monitoring mechanisms for reprisals in order to better facilitate justice and accountability.

30. **Ms. Mihail** (Romania) said that the New York Office of the Office of the High Commissioner for Human Rights addressed the link between women's rights and gender-related concerns in situations of conflict and instability. In its national action plan on women, peace and security, Romania had committed to fostering the equal participation of women in peacekeeping and in the promotion of peace and security. In the light of the Assistant Secretary-General's recent visits to various countries and peacekeeping missions, her delegation wished to know the extent to which the rights of women and girls were taken into

account in conflict prevention and post-conflict reconstruction.

31. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that the Islamic Republic of Iran had repeatedly emphasized that handing the Secretary-General the task of compiling a report on the human rights situation in a specific country was fundamentally illogical and unreasonable. The judgments and prejudices set forth in the report of the Secretary-General on the human rights situation in Iran (A/78/511) discredited the achievements realized in the country, undermined developments in the legislative and executive spheres and compromised the credibility of the report. Reports of the Secretary-General should be based on verified information. Iran had always responded to claims made in draft reports and shown serious determination to cooperate and interact with OHCHR, special rapporteurs and other international mechanisms.

32. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation categorically rejected the report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea (A/78/212) as a product of hostility towards his country, a double standard and a grave infringement of his country's sovereignty, aimed at tarnishing its image and undermining its social system. The report was nothing more than a plot full of fraud and fabrications cooked up by hostile forces. It had nothing to do with the promotion and protection of human rights and was not worthy of deliberation. It was disappointing that OHCHR continued to deny the real situation in the Democratic People's Republic of Korea, had released a politicized report and had relayed fabricated human rights allegations while blindly following sinister plots by hostile forces. The so-called human rights issues referred to in the report did not and could not occur in the Democratic People's Republic of Korea.

33. **Ms. Zhang Sisi** (China) said that her country supported mutual respect, recognition of the diversity of human rights and the people-centred, coordinated and systematic realization of economic and social rights. Member States should end division, confrontation, the politicization and instrumentalization of human rights and double standards. China had been steadfast in its pursuit of people-centred human rights development that was in line with current trends and its own conditions. China would work with all parties, including OHCHR and other international mechanisms, to promote the healthy development of human rights on the basis of mutual respect, equality and cooperation.

34. **Ms. Mudrenko** (Ukraine) said that her delegation welcomed the report of the Secretary-General on the Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (A/78/340), which provided yet another credible testament to the profoundly detrimental human rights consequences of the full-scale invasion of Ukraine by Russia. The report unequivocally confirmed that Russia was perpetrating the most egregious violations within the concerned territories.

35. **Mr. Heartney** (United States of America) said that his country would continue supporting those on the front lines of the promotion of human rights. Unfortunately, civil society remained under attack globally through intimidation and reprisals. The United States remained gravely concerned about the situations faced by civil society in Belarus, China, Russia, Cuba, Nicaragua and other countries.

36. His country condemned the extra-territorial application of national security law by Hong Kong, China, which had issued bounties for information leading to the arrest of eight pro-democracy activists no longer living there. The United States also condemned the harassment of the legal team supporting Jimmy Lai following their engagement with the Human Rights Council. The United States was deeply concerned by the fact that the Government of Nicaragua had blocked Indigenous leader Anexa Brendalee Alfred Cunningham, a United Nations expert and human rights defender, from returning home, simply for defending the rights of Indigenous Peoples.

37. **Mr. Bin Jadid** (Saudi Arabia) said that peaceful activities were allowed under his country's laws, provided that they did not undermine public morals, national security or human rights. His delegation wished to emphasize the importance of ensuring that reports contained information that was collected from sound and trustworthy sources. He asked how the United Nations could collaborate with Member States with a view to ensuring more accurate and objective reports.

38. **Ms. Leonard** (Ireland) said that Ireland condemned in the strongest possible terms all acts of intimidation or reprisals as well as those States that misused so-called counter-terrorism laws to deter civil society interaction with the United Nations. Her delegation wished to know what more States could do to support a safe and enabling environment for human rights defenders and civil society actors reporting acts of reprisals or intimidation, including in the context of cooperation with the United Nations.

39. **Ms. Rizk** (Egypt) asked for further information on the mainstreaming of best practices to address rising

trends of incitement of violence, hate speech and similar acts based on religion or beliefs.

40. **Ms. Raed** (Iraq) said that her country had been one of the first in the region to develop a plan for the implementation of Security Council resolution 1325 (2000) on women and peace and security, which was aimed at involving women in conflict resolution. In 2018, the Government had established shelters for women survivors of domestic violence in the centre and south of the country. In collaboration with the United Nations Population Fund, Iraq had introduced 73 new health-care and psychological support centres. She asked how Member States could further activate the participation of women in civil society and peacebuilding efforts in line with international standards.

41. **Mr. González Behmaras** (Cuba), speaking in exercise of the right of reply, said that the delegation of the United States had provided false information about his country in order to distort reality and to justify its Government's own hostile policy against Cuba. He asked the delegation of the United States to clarify which situation in Cuba it had referred to and how it could discuss Cuba when the United States had its own serious security situation that affected the most vulnerable populations.

42. **Ms. Zhang Sisi** (China), speaking in exercise of the right of reply, said that the United States had abused the Third Committee to spread lies about China and other developing countries. The human rights situation in the United States itself was tainted. China had repeatedly stated its position with regard to Hong Kong, China, which had been thriving thanks to its prospering financial centre. That trend would never be reversed.

43. **Ms. Brands Kehris** (Assistant Secretary-General for Human Rights) said that the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/54/61; see A/78/136) had been produced following a strict methodology and included allegations provided to OHCHR from around the world, primarily from across the United Nations system, including in the field. Very careful work was carried out to follow up on and verify cases, which, as they were allegations, needed further investigation and remedies. Such allegations, however, were just the tip of the iceberg and a sign that the issue was occurring globally. The report focused on reprisals for cooperation with the United Nations, but the broader issue of reprisals for work on human rights also needed to be addressed.

44. Member States and other stakeholders could provide input on best practices to prevent reprisals.

OHCHR had been working on guidance on ensuring a safe and enabling space for civil society participation in the Security Council and other United Nations bodies, which would address risk assessments and the need to obtain the full and informed consent of persons cooperating with the United Nations. Member States needed to ensure that there was zero tolerance of reprisals, including in their domestic legislation, and to work together to ensure that there was awareness of reprisals and that steps were taken to address the issue. The informal discussion with civil society organizations that the Chair of the Third Committee had held at the beginning of the current session was an example of a good practice, and other such practices could be learned from other committees of the General Assembly and the Human Rights Council.

45. As her country visits had shown, women and other vulnerable groups were disproportionately affected by conflict. OHCHR had a field presence and direct engagement in conflict-affected or direct conflict areas to address the issue. Violence against women needed to be tackled holistically, since conflict-related gender-based violence and domestic violence often occurred in the same situations. Ensuring a safe and enabling environment for women's participation would help in that regard.

46. Reports of the Secretary-General regarding specific Member States were issued pursuant to General Assembly resolutions. She encouraged Member States to respond to requests for information in the context of country-specific reports or reports on cooperation with the United Nations, to provide humanitarian and human rights access to their territories, particularly where only remote monitoring of the situation in the country was possible, and to engage in dialogue with the bodies of the United Nations.

47. **Mr. Khiari** (Assistant Secretary-General for the Middle East, Asia and the Pacific), introducing the report of the Secretary-General on strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization (A/78/260), said that, since 2021, the United Nations had provided electoral assistance to over 60 States and territories, either by request or based on a Security Council mandate, which had primarily consisted of technical assistance to enhance the capacity of national electoral authorities and to promote inclusive electoral processes, particularly the participation of women. Such electoral assistance was provided with full respect for national sovereignty. Member States were responsible for organizing their own elections and, while democracies shared common features, there was no single democratic model.

48. United Nations support to Member States remained a system-wide, collaborative endeavour that involved the Department of Political and Peacebuilding Affairs, the Department of Peace Operations, United Nations missions, the United Nations Development Programme and other United Nations partners such as OHCHR. Resident coordinators also provided in-country strategic leadership and facilitated the coordination and coherence of electoral assistance by United Nations country teams. The Under-Secretary-General for Political and Peacebuilding Affairs was the designated United Nations focal point for electoral assistance matters and strove to ensure coordination and coherence among those partners. Electoral partnerships with regional and subregional organizations had also been strengthened and had contributed to South-South and triangular cooperation.

49. Credible elections were a singularly effective way for citizens to express their political preferences and to confer legitimacy on their chosen leaders and, in some cases, also served as important steps in conflict resolution and peacebuilding. However, conducting elections involved not just implementing the letter of the law, but also following the spirit and values of a genuine electoral process. During the reporting period, there had been concern that certain elections had not adequately safeguarded the principles underpinning elections, which served as a reminder that elections and their institutional foundations required continuous investment by Member States.

50. Responsible political leadership, which involved leading by peaceful and constructive example and encouraging similar behaviour from supporters, was particularly important when a competitor was faced with an electoral loss in a well-administered process. The commitment to a code of conduct had often contributed effectively to the integrity of an electoral process.

51. The spread of misinformation and disinformation and developments in artificial intelligence remained serious concerns. Although views differed on how to best address such phenomena and there were concerns that restrictions on content could hinder freedom of expression, the issue was more straightforward with regard to disinformation in the administration of an election. Deliberately circulating falsehoods regarding voter registration and eligibility, polling dates and locations and official results so as to suppress or change voting behaviour should be considered unacceptable under any circumstance.

52. Despite well-established international obligations and sustained attention, progress in women's political participation and representation remained insufficient,

primarily due to a lack of political will and continued discriminatory attitudes and practices. Women's representation was just 26.7 per cent at the parliamentary level and 35.5 per cent at the local level.

Member States needed to catalyse support for the repeal of discriminatory laws, remove structural barriers and address violence against women. Where appropriate, temporary special measures, including electoral gender quotas, could contribute significantly to positive change.

53. It was also important to enable young people to exercise their right to participate in public affairs, so as to cultivate their trust in political institutions, reduce alienation from elected leaders and foster more inclusive representation.

54. **Ms. Blanco Rothe** (Deputy Director, Sustainable Development Unit, Executive Office of the Secretary-General), introducing the report of the Secretary-General on disability inclusion in the United Nations system (A/78/281), said that United Nations entities had made progress in all areas of the United Nations Disability Inclusion Strategy, particularly when it came to developing disability-specific policies and action plans, establishing disability-inclusive joint initiatives and strengthening disability-inclusive focal point networks. The implementation of the Strategy had also begun to effect structural and operational changes within the Organization. While some aspects of the Strategy could be achieved by individual entities and with limited financial resources, other areas of implementation would require deeper and more concerted efforts. Continued support from all Member States remained crucial in that regard.

55. **Ms. Schuller** (Representative of the European Union, in its capacity as observer) said that, while substantial progress had been made in recent years to increase the participation of persons with disabilities in all areas of life, barriers remained. The European Union therefore placed great importance on inclusion, participation and accessibility, whether physical or digital, and was concerned with addressing issues such as gender-based violence affecting women and girls with disabilities. In 2022, the European Union had set up the Accessible EU programme to increase coherence among accessibility policies and strengthen the implementation of legal instruments. The European Union was also committed to ensuring the digital accessibility of its own services, websites, publications and events.

56. The European Union agreed that disability inclusion could be achieved only through the full, effective and meaningful participation of persons with

disabilities and their representative organizations. Her delegation wished to know more about the approach to data collection taken by the United Nations country teams. Her delegation also wished to know what the United Nations was currently doing to implement initiatives dedicated to the inclusion of persons with disabilities, including those facing multiple and intersecting forms of discrimination.

57. **Ms. Buist-Catherwood** (New Zealand) said that her Government called for greater accessibility throughout the United Nations system and for the inclusion of persons with disabilities in the successful implementation of the United Nations Disability Inclusion Strategy. New Zealand strongly supported the system-wide efforts that were being taken to address the multiple and intersecting forms of discrimination often faced by persons with disabilities. She asked how Member States could help to ensure continued success in the implementation of the Strategy.

58. **Ms. Skoczek** (Poland) said that, in recent years, her country had cultivated a strong partnership with the Executive Office of the Secretary-General, the broader United Nations community and organizations representing persons with disabilities. Poland viewed the United Nations Disability Inclusion Strategy as an integral component of the broader United Nations revitalization process and believed that greater inclusivity would improve the effectiveness and resilience of the Organization.

59. At the national level, Poland continued to improve its regulations and legislative frameworks. In July 2019, it had passed a law to ensure accessibility for persons with special needs. The Government's Accessibility Plus programme included measures to enhance accessibility with respect to transportation, education, health care and public spaces. She asked how the Strategy contributed to achieving disability inclusion in field operations.

60. **Ms. Blanco Rothe** (Deputy Director, Sustainable Development Unit, Executive Office of the Secretary-General) said that, since the launch of the United Nations Disability Inclusion Strategy, the number of indicators met or exceeded by United Nations entities had doubled, which demonstrated that progress was being made. With respect to United Nations entities in the field, more efforts were needed when it came to programming and the integration of topics such as intersectionality in cooperation frameworks. Data collection was carried out through various tools, such as the Multiple Indicator Cluster Surveys, and through partnerships.

61. After the gradual but steady progress of the previous four years, there was now an opportunity to consider goals for the next phase of disability inclusion. While the first phase had focused on the efforts that could be made using modest organizational tools, the next phase should tackle structural issues, which would require a more collective approach.

62. **Mr. Heller** (Chair of the Committee against Torture), introducing the report of the Committee against Torture (A/78/44), said that the report covered the Committee's seventy-fourth, seventy-fifth and seventy-sixth sessions. During the period under review, the Committee had adopted concluding observations on 16 reports submitted by States parties under article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It had also considered the reports submitted by four other States parties. The Committee welcomed the constructive dialogues held with 19 delegations, but regretted the continued lack of cooperation or participation by the Nicaraguan authorities with regard to consideration of the country's second periodic report, and reiterated its strong rejection of the terms of the letter sent in June 2022 by the Minister for Foreign Affairs of Nicaragua, in which the legitimacy and integrity of the Committee, and of other international human rights bodies, had been called into question. In November 2022, in the absence of feedback from the State party on its preliminary findings, the Committee had adopted concluding observations on the report. Furthermore, the refusal by the Government of Nicaragua to cooperate with the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment had led to the application of the procedure set out in article 16 (4) of the Optional Protocol to the Convention and the decision to publish the report of the Subcommittee on its visit to that country in 2014 and a joint statement on the matter in November 2022.

63. The Committee reiterated its regret that some States parties had not fulfilled their reporting obligations, with 29 initial reports and 51 periodic reports now overdue. To facilitate the submission of reports, the Committee offered States parties whose initial reports were not overdue the option of using the simplified reporting procedure and continued to work with the treaty body capacity-building programme of OHCHR to assist States in preparing their reports. With regard to the delayed public consideration of submitted reports owing to the COVID-19 pandemic, 54 of those reports remained pending review. During the reporting period, the Committee had continued to follow up on the implementation of the recommendations in its

concluding observations and expressed its appreciation to those States parties that had provided timely and thorough information to the Rapporteur for such follow-up, and to the non-governmental organizations (NGOs) and other entities that had submitted alternative reports. It had continued to apply the confidential procedure provided for under article 20 of the Convention for the consideration and investigation of complaints concerning the systematic use of torture.

64. The increase in the Committee's workload under article 22 owing to the COVID-19 pandemic and its consequences also remained considerable, with 197 individual complaints pending as at 6 October 2023. Absorbing the backlog in the consideration of both submitted reports and pending communications was a challenge with the current working methods and resources. The Committee continued to regret the failure of some States parties to take into account the decisions adopted under article 22, and it had continued to seek compliance with those decisions through its Rapporteur while addressing the situation with the Permanent Mission to the United Nations Office at Geneva of the relevant State party when necessary. The Committee was also deeply concerned about acts of intimidation and reprisal against individuals and groups who had cooperated or attempted to cooperate with the Committee under articles 19, 20 and 22. The rapporteur on reprisals continued her prevention and monitoring activities in that regard.

65. **Mr. Tanriöven** (Türkiye) said that the Committee's reasoning in two communications concerning Türkiye that had been referred to in the report had unfortunately been ill informed. Although Türkiye had recognized the Committee's competence to receive and consider individual complaints of torture or ill-treatment, it had not been the subject of such a complaint in the past 15 years. Despite that fact, the Committee had relied on manifestly unfounded allegations to form an opinion closely related to Türkiye without involving the country.

66. A third-party submission from Türkiye, under rule 118 bis of the rules of procedure of the Committee, would have assisted the Committee in finding the actual truth regarding the communications in question. It was particularly unfortunate that, in one of the opinions concerned, the Committee had specifically drawn attention to the importance of Member State cooperation but had not sought the views and inputs of a Member State that could have clearly been of assistance. Türkiye believed that strong cooperation and dialogue with Member States was the primary way in which treaty bodies could better fulfil their mandates and called on the Committee and other treaty bodies to avoid using

language that was based on incorrect and unfounded allegations and to remedy the lack of effective cooperation with Member States.

67. **Ms. Buenrostro Massieu** (Mexico) said that Mexico appreciated the Committee's technical assistance, which had strengthened the country's institutional capacities. Mexico was working to implement the recommendations of the Committee contained in opinions regarding individual communications and had submitted its eighth periodic report to the Committee in May 2023. Her delegation wished to know what best practices had been identified by the Committee to prevent torture and other cruel, inhuman or degrading treatment or punishment against persons in vulnerable situations or at increased risk and what steps States parties could take to identify such risks and protect those persons.

68. **Ms. Lassen** (Denmark) said that the reporting procedure of the Committee was the cornerstone of the global fight against torture. However, the cycle of that procedure was long, and, although delays were partly caused by the regrettably high number of overdue initial and periodic reports, they were also exacerbated by late reviews, which postponed crucial dialogue with States parties and the issuance of the Committee's concluding observations and recommendations. Her delegation wished to know what measures the Committee had taken, aside from engaging in the treaty body strengthening process, to adjust its working methods to address backlogs in the reporting procedure and what States parties could do to support the Committee in that regard.

69. *Ms. Banaken Elel (Cameroon), Vice-Chair, took the Chair.*

70. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that the stagnation in the number of ratifications of the Convention was regrettable. The European Union called on all Member States to ratify the Convention as a priority. The Convention against Torture Initiative was ready to assist States in that process.

71. The possibility for individuals to make complaints of rights violations before an international mechanism brought real meaning to the rights enshrined in the Convention, and all States members of the European Union had recognized the Committee's competence to receive and consider such complaints under article 22 of the Convention. Noting that 196 such complaints had been pending as at 12 May 2023, his delegation wondered what the reasons for that situation were and what measures were needed to accelerate the consideration of such complaints.

72. **Mr. Kuzmenkov** (Russian Federation) said that the Constitution of the Russian Federation provided that no one should be subjected to torture, ill-treatment and other cruel or degrading treatment or punishment, and that such acts were punishable by law. Since 2022, his country had expanded and refined the legal definition of torture and increased accountability for such offences.

73. The authorities of the United States continued to systemically commit torture and ill-treatment against the prisoners of the notorious Guantanamo Bay prison, ignoring appeals from the international community, including special procedures, to close the facility. Nevertheless, the United States continued to judge the situation in other countries.

74. The Russian Federation was concerned by the situation in Ukraine, where civil activists who disagreed with the anti-Russian and ultranationalist policies of the Government of Ukraine were jailed and subjected to torture. Despite efforts by the so-called independent media of the West, the whole world had seen footage of hostage Russian servicemen being subjected to torture and humiliation by the Ukrainian armed forces. It was now useless to talk of compliance with international legal norms, as Western countries continued to close their eyes to such crimes. His delegation urged the Committee to address the issue.

75. **Mr. La Haozhao** (China) said that the domestic legislation and policy of China were aligned with the Convention. The Constitution of China explicitly provided that the State should protect and guarantee human rights, the Criminal Code contained provisions covering all aspects of the definition of torture contained in the Convention, acts of torture were strictly prohibited, and the death penalty was strictly controlled. Under criminal procedure law in China, no person could be forced into admitting guilt, illegal evidence was excluded from consideration, and the right to a defence and the rights of lawyers were protected. Judicial supervision had been strengthened, as had legal frameworks for the prevention of torture. China was currently preparing its next periodic report for submission to the Committee.

76. The Committee played an important role in promoting the elimination of torture worldwide. His delegation expressed its hope that the Committee would continue to act according to the principles of impartiality, objectivity and non-selectivity and would take into account the specific realities of each State party, so as to issue concluding observations and recommendations that were relevant and actionable.

77. **Mr. Merron** (United States of America) said that efforts to end torture must be redoubled. His delegation

called on Member States to contribute to the United Nations Voluntary Fund for Victims of Torture, which, for more than 40 years, had supported social, psychological, medical and legal services for victims and their families, transforming lives and improving human rights situations around the world. The United States was proud to be the largest contributor to the Fund.

78. His delegation called for all States that had not yet done so to ratify the Convention, and for all those that had done so to take their obligations under the Convention seriously. In February 2023, the United States had facilitated a visit of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to the detention facility at Guantanamo Bay, in line with the Government's decision in July 2021 to issue a formal, standing invitation to all Special Rapporteurs reporting and advising on thematic human rights issues.

79. Domestic legislation in the United States restricted the provision of assistance to any unit of a foreign government security force credibly implicated in gross violations of human rights, including torture. His delegation wondered what additional policy steps Governments could take to curb assistance to actors widely known to participate in torture.

80. **Mr. Altarsha** (Syrian Arab Republic) said that, according to paragraph 17 of the report, a rapporteur on reprisals had been appointed during the sixty-third session of the Committee against Torture. The link in the footnote to that paragraph led to a web page with guidelines on issues related to torture and statements, but no information on the activities of the rapporteur. In paragraph 108 of the report of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on its visit to Nicaragua ([CAT/OP/NIC/ROSP/1](#)), it was mentioned that victims of torture feared reprisals if they made complaints.

81. It was very easy to accuse a country of engaging in torture, but such accusations must be backed up by information. It was therefore incumbent on the Committee to provide information on the activities of the rapporteur on reprisals in order to enable Member States to confirm the accuracy and seriousness of accusations made against another Member State.

82. **Ms. Andújar** (Dominican Republic) said that the work of the Committee to meticulously examine torture prevention measures and to disseminate best practices contributed to advancing the elimination of torture. Comprehensive reviews of States parties' implementation of the Convention reflected the

commitment of the Committee to ensuring accountability and justice for victims and that of Member States to cooperating in the elimination of all forms of torture.

83. Her country was making all necessary preparations to submit its overdue initial report under the Convention by 2024 and reaffirmed its commitment to continue collaborating with the Committee. The Dominican Republic called for all Member States to sign and ratify the Convention to improve the rule of law and uphold the dignity of all persons. Her delegation wished to know what current and emerging challenges the Committee faced during the presentation of State party reports, particularly with regard to its current working methods.

84. **Mr. Heller** (Chair of the Committee against Torture) said that, during dialogues with States parties, the Committee invited those that had not yet done so to recognize its competence to receive and consider individual communications under article 22 of the Convention. The Committee had recently begun inviting third-party submissions to help its consideration of the merits of such communications.

85. The adoption of administrative, judicial and legislative measures to protect vulnerable persons from torture was an important step in addressing current crises in different regions of the world. The very existence of the Optional Protocol to the Convention was reason enough for its ratification, which in turn led to the creation of national preventive mechanisms and to visits of the Subcommittee. There were discrepancies in the number of States parties for which each treaty body was responsible and in the membership of each of those bodies. Along with the Committee on Enforced Disappearances, the Committee against Torture had the smallest membership of any treaty body, despite there being 173 States parties to the Convention. The Committee therefore needed to advance its working methods and to have the necessary human and financial resources to address its increasing workload.

86. Cooperation with the OHCHR capacity-building programme would help to overcome difficulties in implementing the Convention. Ratification was not enough on its own, but rather the first step in that implementation. The Committee closely followed the activities of regional human rights bodies, such as the Inter-American Commission on Human Rights. The Convention offered a universal mechanism, but some cases could be better addressed by regional mechanisms.

87. The debate regarding the death penalty had been ongoing in the General Assembly for several years. The Committee encouraged States in which the death

penalty was applied to consider a moratorium with a view to its future abolition. The death penalty entailed ill-treatment for those awaiting execution.

88. Measures to prevent torture could include the establishment of internal monitoring mechanisms. The establishment of national preventive mechanisms and the participation of specialized organizations would also help States parties to fulfil their commitments under the Convention. The Committee had decided in 2014 to designate a rapporteur on reprisals, who followed up on reprisals for participation in the presentation of State party reports and in private meetings with the Committee that took place before meetings with States parties.

89. He welcomed the intention of the Dominican Republic to submit its report shortly. He had been invited to the country by the OHCHR Regional Office for Central America and the Dominican Republic to explain the process of preparing such a report. The Committee could be more active in assisting States in the preparation of reports so that they could fulfil their reporting obligations.

90. **Ms. Jabbour** (Chair of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment), introducing the sixteenth annual report of the Subcommittee (CAT/C/76/2), said that, following ratification by Slovakia, there were now 93 States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and there were now over 70 active national preventive mechanisms. Challenges to universal ratification could be overcome through the collective commitment and political will of States. The growth in the number of ratifications and national preventive mechanisms was attributable to the Subcommittee's dedication to its mission and States' active participation in peer-to-peer engagement.

91. New members elected to the Subcommittee in 2022 had brought fresh perspectives, expertise and renewed commitment to torture prevention. It was important to continue selecting independent experts with diverse professional backgrounds, particularly in health and mental health. The Subcommittee had completed a first draft of a general comment on article 4 of the Optional Protocol, which clarified what constituted places of deprivation of liberty. Diverse stakeholders had contributed to the process. States were encouraged to refer to the draft general comment, once adopted, to ensure comprehensive access to places of deprivation of liberty for any monitoring body, including national preventive mechanisms.

92. In 2022, the Subcommittee had conducted high-level talks in Brazil and visits to Argentina, Australia, Bosnia and Herzegovina, Ecuador, Lebanon, Tunisia and Türkiye, during which it had conducted over 730 individual and collective interviews with more than 2,300 individuals. Such interactions had provided invaluable insights into challenges related to migration detention, corruption and self-governance within detention facilities, restrictions on access to certain locations and limitations in obtaining information. In 2023, the Subcommittee had conducted visits to Croatia, Kazakhstan, Madagascar, South Africa and the State of Palestine and was actively conducting visits in Georgia and Guatemala, with a visit to the Philippines also planned.

93. The adoption of the eight-year reporting cycle within the human rights treaty body system would facilitate an increase in the Subcommittee's annual visits from 8 to 12, for which it currently lacked the required resources. While recognizing the specificity of its mandate to conduct unannounced visits to any State party it deemed necessary, the Subcommittee was committed to visiting all States parties to the Optional Protocol within that eight-year period.

94. States had a crucial role to play in allocating the resources necessary for the effective implementation of the General Assembly resolution on the human rights treaty body system that would be submitted in 2024. Another key factor was the adoption of the conclusions of the thirty-fifth meeting of the Chairs of the treaty bodies, which would transform the strengthening process from a matter exclusive to the treaty bodies into a matter of universal concern.

95. In May 2023, the Subcommittee and the Committee against Torture had engaged in a constructive dialogue to address shared issues and contribute to the treaty body strengthening process. The Subcommittee maintained close connections with international, regional and national organizations working to prevent torture, including NGOs actively utilizing the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to assist States in establishing and enhancing national preventive mechanisms. The Subcommittee called on all States parties and the international community to contribute to the Fund, which would enable the Subcommittee to expand its support and improve the implementation of its recommendations.

96. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that the increasing number of States parties to the Optional

Protocol would require increased activities to support the Subcommittee's work and ease its workload. It would be interesting to know the main challenges affecting the Subcommittee's relationship with States parties and national preventive mechanisms and what measures were envisaged to overcome them.

97. **Ms. Lassen** (Denmark) said that her country welcomed the increasing number of States parties to the Optional Protocol. Avoiding duplication, ensuring coherence and enhancing the effectiveness of preventive mechanisms were of fundamental importance. Her delegation wished to know what measures had been taken or were envisaged by the Subcommittee to consult and cooperate with bodies established under regional conventions in order to give full effect to article 31 of the Optional Protocol by avoiding duplication and promoting effectively the objectives of the Protocol.

98. **Ms. Jabbour** (Chair of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) said that, to avoid duplication in its work and fulfil its obligation to collaborate under article 31 of the Optional Protocol, the Subcommittee held meetings with regional bodies with similar mandates, such as the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, to discuss common concerns regarding visits in that region, and focal points from the Subcommittee and such bodies were in regular communication. Moreover, before visits and before establishing annual strategic planning, the Subcommittee consulted regional bodies and asked to be briefed on their programmes, in full respect of the principle of confidentiality, so as to avoid visiting the same States parties as those bodies in the same year. The activities of the Subcommittee therefore complemented those of other bodies working on torture prevention.

99. National preventive mechanisms were the Subcommittee's counterpart on the ground, and, whereas the Subcommittee could only conduct a visit to a State party once every five or ten years owing to limited resources, national preventive mechanisms could visit and engage with the State party on a regular basis. The Subcommittee therefore did not rely on visits to States parties. Country rapporteurs were in continuous contact with States and engaged with national preventive mechanisms to address challenges on the ground, and, when challenges remained in certain States parties, constructive dialogue was undertaken to continue engagement and ensure that the States parties in question respected their obligations under the Convention. National preventive mechanisms reported annually to the Subcommittee, which held a webinar and workshop for those mechanisms each year. The

Subcommittee provided continuous support to national preventive mechanisms and encouraged States to provide them with adequate financial and human resources to carry out their work effectively and professionally.

100. Monitoring places of detention in conflict zones could be highly challenging. As illustrated by its visits to Ukraine and the State of Palestine, the Subcommittee's engagement included war zones and areas where there was a real need to conduct a visit regardless of the situation on the ground, in line with its mandate.

101. **Ms. Edwards** (Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment), introducing her report (A/78/324), said that, despite signs of progress, the past year had been bleak. There had been a considerable spike in allegations of torture worldwide and an increase in war-related torture. Her enquiry to the Russian Federation, which had set out credible allegations of torture by its military forces in Ukraine, had gone unanswered, and information collected during her recent country visit to Ukraine had suggested that torture was Russian State policy.

102. In recent days, she had been shaken by the mass murder and kidnapping of civilians by Hamas in Israel and was currently alarmed by the Israeli siege of Gaza and the restrictions on fuel, food, water and access for humanitarian actors. Protection of civilians and respect for international law must be prioritized. She called on all State and non-State actors at war to direct their soldiers to conform to international norms and to investigate allegations promptly.

103. **Ms. González** (Argentina) asked how an international torture-free trade instrument would contribute to the effective prevention of torture and other cruel, inhuman or degrading treatment or punishment and other human rights abuses at the global and national levels and what the most significant challenges to the effective implementation of such an instrument would be.

104. **Mr. Chabi** (Morocco) asked the Special Rapporteur how much international support existed for the Principles on Effective Interviewing for Investigations and Information Gathering, and what measures she envisaged for increasing that support. He also asked how she would work with the Committee against Torture and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to promote the universal ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

105. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that, in 2017, the European Union, together with Argentina and Mongolia, had launched the Alliance for Torture-Free Trade, which currently had 60 members. The report of the Special Rapporteur was an important contribution to the discussion on advancing the recommendations contained in the report of the Group of Governmental Experts on torture-free trade (A/76/850) regarding common international standards on torture-free trade. Her asked the Special Rapporteur what steps could be taken towards the elaboration of an international torture-free trade instrument.

106. **Mr. Tun** (Myanmar) said that the military in his country had been committing torture and other atrocities for decades, a situation that had worsened since the illegal military coup in February 2021. Since then, over 25,000 people had been arbitrarily arrested and over 4,100 had been ruthlessly killed with complete impunity. The people of Myanmar had begun to feel hopeless in the face of the increasing number of killings and the lack of decisive action from the international community. Myanmar called for the prohibition and control of weapons that were at risk of being misused for torture.

107. **Ms. Pichardo Urbina** (Nicaragua) said that, in the report of the Special Rapporteur, Nicaragua had been included in a list of countries in which there had been multiple incidents of police violence, some fatal, fuelled by a dangerous mix of heavily armed and technologically equipped police and increasing mobilization of social movements and peaceful protests. Such violence did not exist in Nicaragua, and the national police successfully implemented national plans for citizen security and the protection of persons, families and communities in urban and rural areas. Citizen security was in fact one of her country's strengths, but that information had not been taken into account in the preparation of the report, which was unsurprising. Nicaragua would continue to promote the progress it had made, which had been achieved through considerable effort.

108. **Ms. Klaise** (Canada) said that torture was unacceptable, unconscionable and illegal. Canada had initiated legal proceedings before the International Court of Justice to hold the Syrian Arab Republic accountable for its violations of the Convention against Torture. The evidence was overwhelming and compelling that the Syrian Arab Republic continued to commit serious human rights violations against its people on a massive scale. She asked the Special Rapporteur what steps States could take to ensure that equipment with a legitimate law enforcement purpose

was not used for sexual and gender-based violence. She also asked what short-term measures States could adopt to prevent torture and ensure access to justice for victims.

109. **Ms. Mudrenko** (Ukraine) said that the Russian Federation must be held accountable for its crimes against the Ukrainian people. Despite multiple appeals from international human rights organizations, the Russian Federation had not allowed access to Ukrainian prisoners of war, which was a matter of grave concern. Her delegation requested the Special Rapporteur to carefully study the violation of the rights of detainees and prisoners of war, the use of torture and ill-treatment in places of internment and the practice of preventing prisoners of war from communicating with the outside world. In particular, she should study the facts surrounding the deliberate killings that had taken place in Olenivka in July 2022.

110. **Ms. Fernández Carter** (Chile) said that, as a member of the Anti-Torture Initiative, Chile urged all Member States that had not yet done so to ratify the Convention Against Torture and its Optional Protocol. In line with its commitments to human rights, Chile was open to discussions regarding an international torture-free trade instrument. Chile would fully cooperate with the Special Rapporteur to ensure that her upcoming visit to the country was successful and led to the identification of good practices and shortcomings in torture prevention.

111. **Ms. Pereira Gomes** (Brazil) said that, during its dialogue in April 2023 with the Committee against Torture, Brazil had recognized that important challenges remained when it came to combating torture and other cruel, inhuman or degrading treatment. Her Government therefore attached importance to strengthening human rights institutions, including national and local preventive mechanisms, and implementing the recommendations of the Committee. Her Government was also developing policies to further integrate human rights principles into security policies and to expand the use of body cameras by police officers. The Minister of Human Rights and Citizenship was planning to visit prisons in each state with the aim of improving the treatment of inmates, and efforts were under way to implement the United Nations Standard Minimum Rules for the Treatment of Prisoners.

112. **Ms. Lepage** (Luxembourg) said that the long-term consequences of ill-treatment, especially of young people, were often overlooked or minimized. As noted in the report of the Special Rapporteur, services were often outsourced to private entities. Precise rules governing the human rights obligations of private actors

were therefore necessary to prevent cruel or inhumane treatment. She asked the Special Rapporteur to share her views on the best approach to protecting young people in institutions from neglect, violence and abuse. She also asked what measures could be taken to prevent tools of torture from falling into the hands of criminal organizations and other non-State actors.

113. **Ms. Kanwal** (Pakistan) said that her country was making efforts to fulfil its obligations under the Convention against Torture and the International Covenant on Civil and Political Rights. Meanwhile, twenty-two States, including India, were not yet party to the Convention against Torture. Torture, custodial killing and gender-based violence continued in Indian-occupied Jammu and Kashmir in a systematic crackdown against the dissenting voices of the people and the suppression of their right to self-determination. Her delegation asked how human rights mechanisms could help put an end to torture in situations of foreign occupation, including in Jammu and Kashmir, and how to ensure monitoring and accountability of occupation forces.

114. **Ms. Andújar** (Dominican Republic) said that, in her country, the prohibition of torture was absolute, the Convention Against Torture had constitutional status, and the provisions of the Constitution were applied in such a way as to guarantee fundamental rights. Harsher sanctions were handed down for acts of torture if the victim held a public position, such as magistrates and other public authorities. Her delegation wished to know how the Special Rapporteur was cooperating with other special procedures and United Nations entities on the development of an international torture-free trade instrument.

115. **Ms. Lortkipanidze** (Georgia) said that it was alarming that no progress had been achieved in delivering justice in the cases of torture and deprivation of life of David Basharuli, Giga Otkhozoria and Archil Tatunashvili, as well as in the case of the death of Irakli Kvaratskhelia. Bringing the perpetrators to justice was vital in order to prevent a sense of impunity and avoid encouraging ethnically targeted violence against the Georgian population in Russian-occupied regions. At the national level, anti-torture action plans adopted by the Inter-Agency Coordinating Council guaranteed the promotion of human rights in accordance with the highest international standards.

116. **Mr. Eldahshan** (Egypt) said that his Government was taking effective measures to investigate and prosecute incidents of torture. The report of the Special Rapporteur contained a focus on the obligations of States when it came to the use of torture instruments and

the adoption of laws to deal with prohibited tools; however, less attention was paid to the companies that exported such tools. He asked why the report did not contain an emphasis on placing obligations on private companies. He would also like to know what strategies could help countries to stop using instruments of torture.

117. **Ms. Sonkar** (India) said that the existing legal framework in her country, including the Constitution and the Penal Code, guaranteed adequate protection against any form of arbitrary detention, torture or cruel, inhuman or degrading treatment or punishment and its independent judiciary served as a bulwark against any violation of human rights. Furthermore, Indian courts had granted compensation to victims in torture-related cases. Her delegation completely dismissed the references made by Pakistan to the union territories of Jammu and Kashmir, which were an integral part of India.

118. **Mr. Kuzmenkov** (Russian Federation) said that his delegation categorically rejected the unjustified and unfounded accusations made against his country by the Special Rapporteur with respect to the situation in Ukraine. The statement that Russian servicemen committed torture against Ukrainians as a matter of State policy had nothing to do with reality. Perhaps the Special Rapporteur had been misled during her visit to Ukraine; establishing the truth would be difficult if one believed the fakery and stagings of the Kyiv authorities. The same applied to Zelenivka, where Ukrainians had been killed by Ukrainian missiles.

119. **Ms. Aviel** (Israel) said that the world had witnessed the horrifying images and the testimonies of torture and cruel and inhumane acts committed by the Hamas jihadist terrorist organization against Israeli citizens. Her delegation asked, on behalf of the Israeli and foreign citizens who had been tortured, including tortured to death, and those whose fate was still unknown, what steps the Special Rapporteur intended to take in the face of such atrocities, which had been committed with bare hands or homemade equipment.

120. **Mr. La Haozhao** (China) said that the report vilified his country's domestic policy on its Xinjiang region. Xinjiang was socially harmonious and stable and there was no such thing as "torture" or "ill-treatment" there. The public was being misled for political ends based on lies and information derived from dubious sources. The Xinjiang issue was not a human rights issue at all, but an issue of terrorism, radicalism and separatism, and measures taken there were fully in line with Chinese law and international practice. Many countries, including Islamic countries, had spoken out in favour of the position of China in that regard.

121. **Ms. Eyrich** (United States of America) said that her Government unequivocally condemned the appalling attack on Israel by Hamas terrorists. She asked the Special Rapporteur to share her views regarding her recent visit to Ukraine. The United States shared the alarm of the Special Rapporteur regarding the robust information emerging from Ukraine, which suggested that Russian forces in Ukraine were consistently and intentionally inflicting severe physical and psychological suffering on civilian detainees and prisoners of war as part of their brutal and illegal invasion. Those reports suggested that the Russian Federation had committed crimes against humanity.

122. **Mr. Albadr** (Saudi Arabia) said that his delegation stressed that the death penalty was permissible under international law. In Saudi Arabia, the death penalty was imposed only for the most serious crimes pursuant to a final ruling from a competent court in accordance with the Criminal Code. Saudi Arabia had introduced reforms to its penal system that limited discretionary punishments in accordance with laws and decisions issued by legislative authorities.

123. **Mr. Hassani** (Algeria) said that his country's ratification of the Convention against Torture in 1989 testified to its willingness to protect human dignity. Article 39 of the Algerian Constitution stated that torture, cruel treatment and trafficking in persons were punishable by law. The Government, in implementation of that provision, provided human rights-related capacity-building for law enforcement authorities through the National Human Rights Council.

124. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that her country was fully committed to protecting the human rights of all, in particular women. The Iranian Constitution prohibited all forms of torture and other ill-treatment. The statements of the Special Rapporteur regarding the recent riots in the country contained inappropriate expressions that reflected the allegations of media outlets hostile to the Islamic Republic of Iran. Her delegation wished to clarify that those were riots, supported by certain countries, and not peaceful protests. Her Government had always supported peaceful assemblies, including those by or about women.

125. **Mr. Mabe** (Observer for the International Committee of the Red Cross (ICRC)) said that his delegation appreciated the Special Rapporteur's recommendations regarding the global trade in items designed or misused to perpetrate torture. In principle, ICRC would support efforts to develop a legally binding instrument that would prohibit trade in goods whose only practical use was torture or other ill-treatment and

would regulate the trade in goods that might have legitimate law enforcement uses, but were frequently abused to perpetrate torture or other ill-treatment.

126. **Mr. Altarsha** (Syrian Arab Republic) said that, according to paragraph 9 of the report, the deployment of torture and intimidation to quash dissent in many countries had been reported. However, his delegation noted that there was no source for that claim. According to the same paragraph, the World Organisation against Torture documented that human rights defenders were at risk in 55 countries. His delegation had been unable to find on the Organisation's website the report that had provided the source for that statement. He asked the Special Rapporteur how she could level accusations on the basis of unreliable information from little-known NGOs.

127. **Ms. Lassen** (Denmark) said that the cross-regional Convention against Torture Initiative was a leading actor in promoting the ratification and implementation of the Convention, with 19 new ratifications since the initiative's creation in 2014. However more work was needed in that regard. Her delegation wondered what the main obstacles were that States parties faced in ratifying the Convention and what more could be done to ensure its universal ratification.

128. **Mr. Harrison Greenwood** (Observer for the Sovereign Order of Malta) said that the Convention against Torture provided a robust framework to protect people, prosecute perpetrators and rehabilitate victims, yet its implementation depended on the political will of Member States.

129. Numerous pivotal and international treaties that supported the central protections enshrined in the Convention, such as the Universal Declaration of Human Rights and the Rome Statute of the International Criminal Court, referred to torture as a crime against humanity and a war crime. Nevertheless, in the past five years, Amnesty International had reported incidents of torture in 141 countries.

130. The Sovereign Order of Malta had provided psychological support to Ukrainian refugees, administered life-saving medical care for Rohingya refugees and cared for victims of persecution in Haiti. He asked how the Special Rapporteur facilitated access to national preventive mechanisms and detention centres for monitoring purposes.

131. **Ms. Edwards** (Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment) said that an international instrument on torture-free trade would assist States in implementing their current obligations to prohibit and prevent torture.

It would also protect individuals in custodial and extra-custodial situations by removing the tools of torture from circulation. It would ensure that public officials were issued lawful equipment with a legitimate purpose and would bring greater transparency to the trade in such equipment. It was extremely important that businesses be involved in the discussions on the development of that instrument so that any challenges regarding its implementation could be resolved. A robust public infrastructure, including oversight bodies, independent investigation procedures and open and transparent procurement rules, was needed for monitoring the trade in and use of lawful equipment.

132. Under an instrument on torture-free trade, States would have the primary obligation to regulate, monitor and manage trade and regulate operators. Under the Guiding Principles on Business and Human Rights, operators already had a growing number of obligations. She hoped that her list of 20 items that were inherently cruel, inhuman or degrading would send a signal to companies and Member States that such items should not be manufactured or distributed.

133. One of her roles as Special Rapporteur was to stress the importance of the right to live in freedom and security, particularly for the many young people actively engaged in peaceful protests and civic movements around the world. Regarding the sources for her report, she was open to meeting and engaging in discussions with any Member State, including China, Nicaragua and the Russian Federation. States were encouraged to show leadership by inviting her to conduct country visits and technical visits.

The meeting rose at 1 p.m.