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Chair: Mr. Marschik (Austria)
later: Ms. Monica (Vice-Chair). (Bangladesh)

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

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/78/243, A/78/263, A/78/271, A/78/281, A/78/324 and A/78/354)
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- (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/78/316, A/78/326, A/78/327, A/78/338, A/78/340, A/78/358, A/78/375, A/78/511, A/78/526, A/78/527, A/78/540 and A/78/545)
- (d) **Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (continued) (A/78/36)

1. **Mr. Othman** (Chair of the International Commission of Human Rights Experts on Ethiopia), introducing his report (A/HRC/54/55; see A/78/223), said that, just days after the Commission had addressed the Committee in 2022, the Federal Government of Ethiopia and the Tigray People's Liberation Front had signed a cessation of hostilities agreement with the aim of putting an end to one of the deadliest conflicts of the twenty-first century. Early optimism over the agreement had since given way to deep concern over the failure to fully implement it. Meanwhile, the country appeared to be spiralling into renewed conflict and instability.

2. In September, the Commission had presented its latest, and what was to be its final, report to the Human Rights Council. The report described wide-ranging atrocities committed by all parties to the conflict in

Ethiopia since 3 November 2020, including war crimes and crimes against humanity.

3. In its investigation, the Commission had established and verified facts and circumstances guided by the principles of independence, impartiality and confidentiality, rigorously following established methodologies used by other United Nations commissions of inquiry. The Commission had applied a standard of "reasonable grounds to believe" to its factual and legal findings. In addition to conducting more than 500 interviews with survivors and direct witnesses, the Commission had collected hundreds of supplementary documents, including satellite imagery, photographs, videos, public statements by officials, and other digital data.

4. Regrettably, it had not been given access to Ethiopia after its initial visit to Addis Ababa in July 2022, and the Government had neither responded to nor acknowledged any of its repeated requests for cooperation or its advisory note on the ongoing transitional justice consultation process.

5. The Commission had nonetheless found evidence of wide-ranging atrocities. In Tigray, the Ethiopian National Defence Forces, the Eritrean Defence Forces, regional forces and affiliated militias had perpetrated violations and abuses on a staggering scale, including mass killings, widespread and systematic rape and sexual violence against women and girls, deliberate starvation, forced displacement, and large-scale arbitrary detentions. Those acts amounted to war crimes and crimes against humanity. Further investigation would be required to establish command and/or superior responsibility for such crimes.

6. Even with the signing of the cessation of hostilities agreement, Eritrean troops and Amhara militias remained present in the Tigray region and continued to commit atrocities against civilians, including rape and sexual violence against women and girls. Irob and Kunama minorities living close to the Eritrean border were especially at risk. Meanwhile, as a result of the ongoing expulsion of Tigrayans from Western Tigray, tens of thousands of internally displaced women, men, and children were unable to return to their homes. In the Amhara and Afar regions, Tigray forces and allied militia had also committed serious and wide-ranging violations against civilians during the conflict, including killings, rape and sexual violence, destruction of property and looting. Many of those acts constituted war crimes and those responsible must be held accountable.

7. The situation in the Amhara region had deteriorated significantly in recent months. The August

2023 announcement of a state of emergency had been swiftly followed by disturbing reports of human rights violations, including extrajudicial killings, large-scale arrests of Amhara civilians and drone strikes.

8. The establishment of a command post system in Amhara – a militarized governance structure – had been especially alarming. Such structures in other regional states had been accompanied by serious human rights violations. In the Oromia region, the Commission had uncovered ongoing patterns by government forces of arbitrary arrest, detention, and torture of civilians accused of having links to the Oromo Liberation Army, a non-State armed group. In Western Oromia, drone strikes used as part of the counter-insurgency strategy against the Oromo Liberation Army had killed or injured dozens of civilians over the past year. The Commission had received credible reports of further drone strikes in recent weeks.

9. Meanwhile, ongoing attacks against Amhara and Oromo civilians in the Oromia and Amhara regions by the Oromo Liberation Army, its splinter groups, and *fano* militia pointed to a worrying proliferation of non-State armed groups and had led to increased insecurity and large-scale displacement. Instability in the Benishangul-Gumuz, Gambella, and Somali regions, as well as tensions between Ethiopia and Eritrea over access to the Red Sea, were yet another cause for concern.

10. In a recently published report, the Commission had concluded that the situation in Ethiopia exhibited most of the indicators for future atrocities identified in the United Nations Framework of Analysis for Atrocity Crimes. Despite the cessation of hostilities agreement, there was a clear record of serious violations committed by the Government of Ethiopia and forces under its control, the Eritrean forces still present in Ethiopia, regional state actors and non-State armed groups and militias, all of which had the capacity to continue committing atrocity crimes. Among the other indicators were ongoing situations of violence and instability across the country, accompanied by the imposition of emergency laws; the prevalence of hate speech; restrictions on the Internet and telecommunications; significant weaknesses in State structures tasked with ensuring accountability for serious violations and abuses; and an absence of mitigating factors that could help prevent future atrocity crimes. Civic space, for example, was extremely restricted, and human rights defenders, including journalists, faced arrest, detention, harassment and other reprisals.

11. The Government of Ethiopia had embarked on a transitional justice process, and earlier in the year, had

initiated public consultations with a view to developing a national transitional justice policy. A careful review of that process by the Commission had found it to be seriously deficient, failing to comply with African Union and international standards. It lacked transparency, inclusiveness and representation, and crucially, did not enjoy the confidence or support of victims. Indeed, many had expressed serious mistrust in State institutions and feared reprisals for speaking out about human rights abuses.

12. With regard to accountability, a key pillar of transitional justice, the Government had offered no credible evidence of legitimate investigations or prosecutions of members of its armed forces or proxies. Prospects for domestic accountability were extremely remote. There were no realistic pathways to obtain justice for atrocities committed by Eritrean forces on Ethiopian territory. Victims' demands for justice were nonetheless unwavering. Without accountability, serious crimes were likely to be repeated, as the country's history had shown.

13. In sum, the actions of the Ethiopian Government with regard to international and regional monitoring showed all the hallmarks of a strategy referred to as “quasi-compliance”, in other words, a deliberate effort to evade regional and international scrutiny through the creation of flawed domestic mechanisms and the instrumentalization of other institutions. While those mechanisms ostensibly advanced accountability, in practice, they were aimed at alleviating international pressure. Such strategies often came at the expense of victims' rights to truth, justice, reparations and non-recurrence, and posed a serious threat to the entire international human rights system. Given the gravity of the crimes committed in Ethiopia, as well as the risk of future atrocities, continued robust international scrutiny of the situation was essential. Such reporting could act as an early warning and prevention tool.

14. The decision by the Human Rights Council to discontinue the mandate of the Commission and the termination of the mandate of the African Union commission of inquiry meant that there was no longer any trusted independent mechanism – whether domestic, regional, or international – investigating atrocities in Ethiopia. In recent weeks, the Commission had heard directly from victims who were devastated by the decision to discontinue its mandate. Many had said they felt abandoned by the international community.

15. In that context, it was essential that other organizations and United Nations institutions enhanced their monitoring, reporting, evaluation and advocacy on the human rights situation in Ethiopia. That included the

General Assembly, the Secretary-General, the Human Rights Council, the United Nations High Commissioner for Human Rights, the special procedure mandate holders, and the multilateral system as a whole. Individual Member States also had a major responsibility in that regard, which might include the application of universal jurisdiction. As the Commission finished its work, it urged all members of the international community not to let the situation in Ethiopia fall off the international agenda, and to stand with victims.

16. **Mr. Sabo** (Ethiopia) said that the sovereign right of States to investigate and make arrests in their own territory should be borne in mind at all multilateral meetings. The cessation of hostilities agreement facilitated by the African Union and signed in Pretoria in 2022 had brought closure to the conflict in the northern part of the country. Since that time, Ethiopia had redoubled its efforts to consolidate peace, and to ensure accountability and redress for any human rights violations.

17. It was regrettable that the Commission had again failed to recognize the tremendous progress achieved through the African Union-led and Ethiopian-owned peace process. The Commission's reports and findings, which were based on highly questionable methodology and information from very remote sources, grossly mischaracterized the positive and widely praised political developments in his country.

18. The report also contradicted the findings of a joint investigation on the ground by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Ethiopian Human Rights Commission. Not surprisingly, the Commission had produced yet another substandard, professionally deficient and conspicuously political report that did a great disservice to the cause of human rights. Its confrontational and divisive approach and deliberate politicization of human rights were unfortunate. Several efforts by the Government to engage in cooperation with the Commission had been rejected.

19. The Commission had chosen to make political statements on matters far beyond its assumed competence and had engaged in inflammatory rhetoric. Regrettably, it had relied on unverified interviews, social media and partisan comments, and it fell short of the guidance provided by the Human Rights Council.

20. The Commission had conveniently decided to exclude any mention of the interministerial task force established by Ethiopia to oversee the implementation of the accepted recommendations contained in the OHCHR/Ethiopian Human Rights Commission joint

investigation report or its efforts to ensure full accountability for alleged violations and provide redress to victims, including within the framework of rehabilitation and reconstruction. Participatory nationwide consultations on the transitional justice policy had been held in compliance with African Union standards, and with the support of OHCHR and the Ethiopian Human Rights Commission and input from civil society organizations and international experts.

21. In conclusion, Ethiopia welcomed the termination of the Commission's mandate. It would continue to honour its human rights treaty obligations through the universal periodic review process, and to work with relevant regional and international organizations, including United Nations offices, to augment the capacity of its national institutions.

22. **Mr. Nyman** (Representative of the European Union in its capacity as observer), said that the European Union welcomed the steps taken by Ethiopia to implement the Agreement for Lasting Peace through a Permanent Cessation of Hostilities and the Declaration of the Senior Commanders on the Modalities for the Implementation of the Peace Agreement. It hoped that further progress would be achieved on the implementation of both agreements, and called for the immediate cessation of all ongoing violations of international law, continued humanitarian access and the further expansion of basic services in conflict-affected areas in northern Ethiopia.

23. The European Union welcomed the work of the Ethiopian Human Rights Commission, as well as its cooperation with OHCHR, and underlined the urgent need for independent, transparent and impartial investigations into all allegations of violations and abuses of international human rights law, international humanitarian law and international refugee law. Recognizing the ongoing process on transitional justice, it stressed the importance of initiating judicial procedures on the most pressing cases related to the conflict in northern Ethiopia and of safeguarding evidence for future prosecution.

24. The European Union was concerned at the reports of ongoing human rights violations and abuses committed in the Amhara, Afar and Oromia regional states, including conflict-related sexual and gender-based violence. It joined the African Union and the Ethiopian Human Rights Commission in calling for the protection of civilians, and supported the efforts of the Ethiopian National Dialogue Commission to organize a constructive dialogue process.

25. He wondered if the Chair of the Commission could outline benchmarks for ensuring that the future

transitional justice policy would be implemented in a timely manner.

26. **Mr. Kondratev** (Russian Federation) said that his delegation welcomed the constructive position taken by the Government of Ethiopia, its continued work with OHCHR and the African Commission on Human and Peoples' Rights to investigate civilian deaths and other crimes, and the positive role played by the Ethiopian Human Rights Commission, which had demonstrated professionalism and impartiality. It also welcomed the decision by the Ethiopian leadership to launch a political dialogue and to free detained political actors, including members of the Tigray People's Liberation Front.

27. A definitive resolution to the situation in Ethiopia would only be possible through constructive dialogue with the participation of all sides. The Russian Federation strongly rejected the imposition of unilateral approaches and believed instead in African solutions to African problems. His delegation called on all Member States to support the Government of Ethiopia in its efforts to normalize the situation in its territory and improve the well-being of its people. The Russian Federation would continue to provide Ethiopia with the necessary political and diplomatic assistance to increase stability.

28. **Ms. Leonard** (United States of America) said that the United States condemned the atrocities, including sexual violence and mass killings, that had been perpetrated against civilians during the conflict, and reportedly, after the signing of the cessation of hostilities agreement. It was troubled by rising violence in Amhara, Oromia and elsewhere, including extrajudicial killings and arbitrary detentions, as well as restrictions on press freedom and arrests of journalists. All actors were urged to refrain from hate speech, toxic rhetoric and arbitrary, unlawful discrimination and violence based on gender and ethnicity.

29. Her delegation called on the Government of Ethiopia to hold perpetrators accountable, including any within the Government itself. It welcomed steps taken to cooperate with OHCHR but was disappointed by the lack of cooperation with the Commission's efforts to carry out its mandate. The Ethiopian Government should cooperate fully with international human rights monitors, allow access by journalists and restore the Internet in conflict areas.

30. The United States wished to see a firm, inclusive, victim-centred transitional justice process put in place and would continue to assess its progress. It was committed to working with the Government of Ethiopia to ensure a more peaceful and prosperous future. Her delegation would appreciate information on steps the

Government of Ethiopia had taken to build trust with victims and to ensure that consultations were an inclusive process, and wondered whether the Chair of the Commission found those steps to be sufficient.

31. **Mr. Milambo** (Zambia), speaking on behalf of the Group of African States, said that the Group reaffirmed the primary responsibility of States for the protection and promotion of human rights. International human rights mechanisms could best attain their objectives when they were guided by a fair and objective assessment of the diversity of contexts, and by respect for national sovereignty. The Group underscored the importance of constructive and consultative approaches with all Member States, and reaffirmed that the universal periodic review of the Human Rights Council was the only universally agreed mechanism for reviewing the status of human rights at the country level.

32. The Group was opposed to politicization and double standards in the implementation of human rights instruments, which contravened the principles of universality, objectivity and non-selectivity. It was of the view that no meaningful outcome could be achieved from the confrontational and counterproductive politicization of human rights.

33. The Group commended the Ethiopian Government for its commitment to investigating human rights violations and ensuring accountability. It appreciated the continued engagement of the Government with OHCHR, including for the preparation and implementation of a national transitional justice policy. It noted the measures taken by the Government to implement the accepted recommendations of the joint OHCHR/Ethiopian Human Rights Commission investigation team, and encouraged all stakeholders to continue to support the national efforts of Ethiopia based on its own priorities and plans.

34. **Ms. Fontana** (Switzerland) said that, while Switzerland welcomed the positive developments that had followed the signing of the cessation of hostilities agreement and the steps taken to launch a transitional justice process, it remained gravely concerned at the persistence of human rights violations and abuses in Ethiopia. Her delegation called on all parties to respect human rights and international humanitarian law. While the Commission's mandate had not been renewed at the fifty-fourth session of the Human Rights Council, it remained vital to conduct credible, transparent, independent and impartial investigations into all violations of international law in order to bring perpetrators to justice. Perhaps the Chair of the Commission could outline measures that would best

protect human rights in Ethiopia once the mandate came to an end.

35. **Mr. González Behmaras** (Cuba) said that Cuba reiterated its opposition to politically and hegemonically motivated exercises deployed as tools to pressure the global South. Selective practices, double standards and punitive measures did nothing to improve the human rights situation on the ground and only led to confrontation and mistrust. Cooperation and dialogue based on the principles of objectivity, universality and non-discrimination were the most appropriate means of promoting and protecting human rights in all countries.

36. **Ms. Pichardo Urbina** (Nicaragua) said that her delegation reiterated its opposition to the country-specific reports submitted in the Committee every year, and to the use of the human rights agenda as a pretext for interfering in the internal affairs of sovereign and independent States and exercising political pressure on developing countries. Human rights issues should be addressed on the basis of universality, impartiality, objectivity and non-selectivity. Nicaragua supported the efforts by its brother country to promote stability and ensure the protection of human rights for its citizens.

37. **Mr. Manyanga** (Zimbabwe) said that his delegation reaffirmed its commitment to dialogue and cooperation, and to the fundamental principles enshrined in the Charter of the United Nations, including solidarity, cooperation, equality, non-selectivity, non-interference in the internal affairs of Member States, objectivity and genuine dialogue. It did not support country-specific reports and their resulting resolutions on principle, especially in cases where the country-specific mandate had not been agreed to by the Member States in question and had been established in order to name and shame. Zimbabwe reiterated its call for dialogue and diplomacy. His statement applied to the country-specific mandates on Ethiopia, on Burundi and on Eritrea.

38. **Ms. Gordet** (Luxembourg) said that the decision not to renew the Commission's mandate was regrettable, as violations and abuses continued despite the signing of the cessation of hostilities agreement. Documents accompanying the report of the Commission cited multiple risk factors in Ethiopia that could lead to crimes and atrocities. Luxembourg urged the Ethiopian Government to implement the Commission's recommendations and to work with the African Commission on Human and Peoples' Rights and other African partners to avoid the risks of structural instability. The situations in Tigray, Amhara and Oromia, in particular, were aggravated by the climate of impunity that prevailed and the continued presence of

Eritrean troops and Tigrayan militias. Luxembourg called for the withdrawal of Eritrean troops and a transitional justice policy that conformed to regional and international standards. In view of the risk factors identified and the steps that would have to be taken to address them, she wondered what the Commission thought the most sensitive stages were likely to be in the months ahead.

39. **Mr. Mao Yizong** (China) said that his country believed in the capacity and wisdom of Ethiopia and its people to independently resolve internal differences. It had always respected the sovereignty and territorial integrity of Ethiopia and had supported the efforts of the Ethiopian Government and people to achieve peace, unity and development. China believed in African solutions to African problems. It welcomed the constructive role of the African Union in that regard, as well as the signing of the cessation of hostilities agreement and efforts to implement it.

40. His delegation was convinced that differences could best be resolved through constructive dialogue and cooperation, and opposed the establishment of country-specific mechanisms by certain countries over the objection of Ethiopia and in disregard of its cooperation with existing United Nations human rights mechanisms.

41. His delegation called on the international community to scale up humanitarian assistance to Ethiopia as it faced the daunting tasks of reconstruction and the restoration of economic and social development, especially in Tigray. China stood ready to offer its support for those endeavours.

42. **Ms. Banaken Elel** (Cameroon) said that Cameroon reaffirmed the importance of a cooperative approach to guaranteeing human rights, one in which all interested parties worked together and showed goodwill. Efforts to improve the human rights situation could only be successful with the approval of the country concerned. Artificially maintained Manichaean division between States was not conducive to dialogue and cooperation or to improving the human rights situations of countries.

43. Her delegation believed that efforts to promote and protect human rights should always be governed by the principles of universality, transparency, impartiality, objectivity and non-selectivity. It favoured national solutions to national problems and trusted the capacity of Ethiopia to solve its own problems. Both the establishment of a national transitional justice policy and the determination by the Human Rights Council that the Commission's mandate was no longer necessary

were positive developments towards a more balanced human rights situation.

44. **Mr. Devereaux** (United Kingdom) said that his country remained deeply troubled by the Commission's findings of continued human rights violations in Ethiopia, especially in the Tigray, Amhara, Afar and Oromia regions, and by the strong likelihood that similar violations would occur in future. He wished to remind the Government of Ethiopia of the need to prevent human rights violations and the importance of impartial monitoring and investigation on the ground.

45. His delegation urged the Government of Ethiopia to continue working collaboratively with the international community to ensure justice and accountability. An enormous task lay ahead of Ethiopian institutions, especially the national justice system, in establishing a transitional justice policy. The United Kingdom stood ready to provide its support to that end. It would be helpful to know how the international community could best support the Government of Ethiopia in ensuring that the transitional justice policy would be effective, transparent and inclusive, and in preventing future atrocities.

46. **Ms. Kolsøe** (Iceland) said that her country remained deeply concerned over human rights violations and abuses in Ethiopia. Conflict, violence and instability had become near-national in dimension. Her delegation called on all parties to the conflict to immediately cease violations of human rights and humanitarian law. The gravity of the crimes committed by all parties, and their implications for future peace and stability, could not be overstated. There was a great risk that future atrocities and crimes would be committed.

47. The termination of international and regional inquiries into the situation was premature. Iceland would have liked to see the mandate of the Commission renewed. It urged the Ethiopian Government to continue making progress towards a credible, inclusive and comprehensive transitional justice policy and independent, impartial and transparent accountability mechanisms that preserved evidence. Investigations should be conducted into all allegations of human rights violations and abuses, and perpetrators should be prosecuted. She asked the Chair of the Commission what the international community should look for to determine whether the transitional justice efforts of Ethiopia were effective.

48. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his delegation rejected country-specific mandates and mechanisms, which only gave rise to confrontation, did not advance constructive dialogue and were contrary to the spirit of the United

Nations. The adoption of human rights instruments, reports and resolutions without the consent of the country concerned smacked of politicization and selectivity. The consultation of third- and fourth-hand sources rather than the country concerned and the use of human rights investigations for political ends violated the principles of impartiality, objectivity, transparency, non-selectivity, non-politicization, non-confrontation, equality and mutual respect, and undermined the political independence of countries, respect for national sovereignty, non-interference in the internal affairs of States and the self-determination of peoples, all of which were enshrined in the Charter of the United Nations.

49. Venezuela urged the continuation of multilateralism through the strengthening of the Human Rights Council without any interference. The universal period review was the basic, and most appropriate, instrument for addressing human rights matters together with States.

50. **Mr. Tozik** (Belarus) said that, in accordance with its long-standing position, Belarus rejected country-specific mandates that did not adhere to the principles of universality, independence, impartiality and non-selectivity.

51. **Ms. Dabo N'diaye** (Mali) said that reports on human rights situations must be impartial, non-selective, objective and respectful of national sovereignty. Any politicization of human rights matters was unacceptable. Countries, especially developing countries, should work together to overcome difficult situations, taking into account economic needs and bearing in mind that the promotion and protection of human rights were essential to achieving the Sustainable Development Goals.

52. **Ms. de Leede** (Kingdom of the Netherlands) said that, even if peace had prevailed since the signing of the Pretoria agreement, the deeply worrying report of the Commission was a reminder of the many factors and underlying grievances that thwarted a settlement of the conflict. The risk of continuing atrocities was real and the perpetrators of human rights violations at all levels must be held accountable. Accountability should not be merely an objective in and of itself but rather one component of a broader approach to ensuring that atrocities did not recur.

53. Her delegation called on the Government of Ethiopia to seek a peaceful solution to conflict and would be interested in hearing the views of the Commission on how the international community could best provide support for the promotion and protection of

human rights in Ethiopia once the mandate was completed.

54. **Mr. Sabo** (Ethiopia) said that he had taken note of delegations' interventions and was grateful to those which had shown an understanding of the situation in all its gravity, supported the idea of African solutions to African problems and recognized his country's continued work with the African Union.

55. The transitional justice policy was being established on the basis of nationwide consultations and the transitional justice framework of the African Union. To those who demanded that a transitional justice policy conform to international law, his reply was that the African Union transitional justice policy framework embodied international law.

56. In response to questions concerning the type of support that the international community should be prepared to provide, he referred Committee members to the final paragraph of his earlier statement. Ethiopia would continue to build the capacity of its national institutions and, in so doing, would continue to cooperate and work with relevant national, regional and international organizations, including United Nations offices.

57. **Mr. Ratner** (Member of the International Commission of Human Rights Experts on Ethiopia) said that, while the cessation of hostilities agreement had been tremendously effective in calming the situation in northern Ethiopia, the scale of violence in that and other parts of the country remained staggering and the conflict was not over. The continued presence of Eritrean forces, incidents of rape and sexual violence on a vast scale and the difficulty of gaining access to victims underscored the reality that the humanitarian situation remained dire. Care for traumatized survivors of rape, sexual violence and other atrocities continued to be inadequate, though he did acknowledge government efforts to provide it. The ongoing prevalence of a number of atrocity and crime factors, including weaknesses of State structures, the capacity of various actors to commit violations, and hate speech were among the atrocity risk factors that did not bode well for the future.

58. The Commission understood that the establishment of a transitional justice policy was a multifaceted and complex process and acknowledged that the Government of Ethiopia had taken positive steps in that direction. And yet, at a workshop it had organized in Nairobi that summer, members of different ethnic groups had voiced strong reservations about the reality of the Ethiopian transitional justice process, its inclusiveness and opportunities for participation by all affected groups.

59. Regarding benchmarks, a number of immediate steps the Government could take towards transitional justice were set out under the recommendations contained in the report. Public order, functional State security forces, credible procedures for ensuring accountability and the prosecution of perpetrators were minimal benchmarks for progress going forward. He hoped that they would be taken into account. The entire international community would have a role to play in assisting Ethiopia and exercising scrutiny over its practices. Governments and non-governmental organizations alike could provide technical assistance and advice, and the African Union could continue to monitor the situation on the ground.

60. As the mandate of the Commission neared an end, the involvement of other United Nations mechanisms would be crucial. The United Nations High Commissioner for Human Rights and individual Member States would have a key role to play in ensuring that the transitional justice process conformed to international standards. As the Chair of the Commission had indicated in his earlier statement, the prospect of quasi-, partial or superficial compliance remained a concern. Despite the hard work by some, there was a disturbing pattern of actions whose purpose was avoiding international scrutiny rather than implementing a serious accountability process. The Commission hoped that the Human Rights Council and the General Assembly would bear that in mind going forward.

61. **Mr. Zongo** (Special Rapporteur on the situation of human rights in Burundi), introducing his report (A/HRC/54/56; see A/78/204), said that despite a standing invitation to special procedure mandate holders issued in June 2013, his requests to visit Burundi had gone unanswered. During the period covered by the report, he had been to Belgium and, just recently, Canada, to meet with various actors.

62. The human rights situation in Burundi was in need of substantial improvement. Its recent election to the Human rights Council did not absolve it of its human rights obligations but rather should be a motivation to set even higher standards for itself. It was his wish to see Burundi engage in open and constructive dialogue with the treaty bodies and the Human Rights Council.

63. Positive developments during the reporting period included the reopening of the border with Rwanda; the participation of Burundi in the fourth cycle of the universal periodic review; the Supreme Court decision to overturn the five-year prison sentence handed down by the Ngozi Court of Appeals to Tony Germain Nkina, attorney for Apollinaire Hitimana, and their release from

prison in December 2022; and an allocation of \$271 million by the International Monetary Fund to help the country meet its protracted balance of payments needs, reduce its debt vulnerability and cope with the effects of recent domestic and external shocks.

64. Nevertheless, Burundi had made only timid progress in dealing with the enormous challenges it continued to face. Alarming weak institutions had degenerated into virtual tools for human rights violations, and inadequate supervision of the National Intelligence Service had allowed it to arbitrarily detain political opponents for vaguely defined offences that did not constitute a threat to national security and, in several cases, had been lawful political and social activities. Its judicial system was plagued by interference from the executive branch, corruption and mistrust. A critical analysis of the role and functioning of the judicial system was all the more necessary in the light of the East African Court of Justice ruling on the third term of President Pierre Nkurunziza.

65. The tendency of the National Independent Human Rights Commission to repeat the official government line in an environment where political parties, the media and civil society were under threat demonstrated its failure to comprehend the true nature of the human rights situation. He therefore recommended that the Global Alliance of National Human Rights Institutions reassess the A status of the National Independent Human Rights Commission in order to encourage it to comply with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

66. The situation that had prevailed before the 2015 crisis could serve as a reference point for restoring human rights in Burundi. It would be crucial to prevent violence before, during and after the elections scheduled for the end of 2025. He hoped that the international community and friends of Burundi would provide assistance and support both to those within the country and those who had been exiled.

67. **Mr. Maniratanga** (Burundi) said that his delegation was opposed to the imposition of any mechanisms targeting specific States without the consent of those States, which ran counter to the principles of impartiality, objectivity, transparency and non-politicization, and to the spirit of the Charter of the United Nations. Burundi strongly disagreed with the content of the report and rejected it wholesale. The insignificance of that “small document” only reconfirmed the uselessness of a mechanism that had been endorsed and imposed by Western countries but rejected by all African countries and others that were

disturbed by the dangerous trend of politicizing human rights.

68. The special rapporteur mechanism was obsolete, as Burundi regularly participated in the universal periodic review process and its human rights situation was already monitored by a number of national human rights bodies, including the ombudsman, the National Independent Human Rights Commission and the Truth and Reconciliation Commission. The criticism of those national human rights bodies in paragraphs 37 to 46 of the report and the defamation of their leaders reaffirmed the baselessness of the report and unmasked a hidden agenda. The United Nations was an intergovernmental body composed of States, not regimes. His delegation represented a legitimate Government that had been the fruit of a pluralist, transparent and peaceful election. The reports of the Special Rapporteur would be far more effective if they showed respect for the people and legitimate institutions of Burundi and refrained from damaging criticism of sovereign States and the use of insulting and degrading language.

69. He wished to remind the Committee that, in 2015, the radical opposition party had committed terrorist acts with the sole intention of overturning democratically elected institutions. The report made no mention of what the world had witnessed in 2015 – grenade attacks against innocent civilians, a failed coup d'état and an innocent civilian burned alive. Armed political opponents had organized numerous disappearances for which they had blamed the Government. Other horrendous acts that had been committed would never show up in the reports of the Special Rapporteur. Combating those terrorists by legal means could not be labelled crimes against humanity.

70. He wondered how the Special Rapporteur could claim in paragraph 96 of the report that the human rights situation in Burundi had not improved when it had been elected to the Human Rights Council by 87 Council members in recognition of the progress it had achieved. The report was a tool for destabilization, was devoid of respect for equality between States and did not add value to the human rights situation. As a member of the Human Rights Council, Burundi would always stand against such politically motivated mechanisms that resorted to immoral tactics and misused the funds allocated to them by the Human Rights Council.

71. **Mr. Nyman** (Representative of the European Union in its capacity as observer) said that the European Union welcomed the participation of Burundi in the universal periodic review process and the commitment of its President to judicial reform. However, it remained concerned by persistent allegations of acts of torture,

enforced disappearances and unjustified restrictions on fundamental freedoms by State agents, youth movements affiliated with the ruling party and rebel groups. The European Union underlined the need to ensure political pluralism in view of the forthcoming elections.

72. The European Union reiterated its call for independent and impartial investigations into all human rights violations and abuses committed in the country. It condemned restrictions on civil society and media professionals and government reprisals against them, including the sentencing of journalist Floriane Irangabiye to 10 years' imprisonment. Concrete action to uphold human rights must be taken, including through implementation of the universal periodic review recommendations.

73. The European Union called on the Government of Burundi to cooperate fully with the treaty bodies, the special procedures in general and the Special Rapporteur in particular by allowing him to visit the country. It encouraged the Government to consider reopening the United Nations human rights office in Burundi. He would appreciate hearing the Special Rapporteur's views on how the international community could best support Burundi in its implementation of the universal periodic review recommendations.

74. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country rejected the creation of country-specific human rights mechanisms and mandates, which led to confrontation, did not contribute to constructive dialogue with States and was contrary to the spirit of the Charter of the United Nations. Politically motivated reports, resolutions and mechanisms targeting specific countries violated the principles of impartiality, objectivity, transparency, non-selectivity, non-politicization, non-confrontation, equality and mutual respect as well as the principles of political independence, respect for national sovereignty, non-interference in the internal affairs of States and the self-determination of peoples, all of which were enshrined in the Charter of the United Nations.

75. His delegation called for the continued promotion of multilateralism and the institutionality of the Human Rights Council through the universal periodic review process, which was the basic, and most appropriate, instrument for addressing human rights together with the State concerned and the treaty bodies on the basis of cooperation and dialogue.

76. **Mr. Milambo** (Zambia), speaking on behalf of the Group of African States, said that the human rights of all countries should be assessed in a fair and equal manner with full respect for national sovereignty and

human dignity, as well as the principles of universality, objectivity and non-selectivity set forth in General Assembly resolution in [60/251](#). The Group was firmly opposed to politicization and double standards, which were counterproductive and confrontational and failed to achieve a meaningful outcome in promoting and protecting human rights.

77. The Group was acutely aware of the complex challenges that the Government of Burundi had faced and commended its efforts to promote dialogue, human rights and reform. The Group had endorsed Burundi as a candidate to the Human Rights Council for the 2024–2026 period and welcomed its election by more than 87 votes in recognition of the progress it had achieved.

78. Human rights must be preserved as a universal and apolitical principle and should never be used as a tool for advancing political interests. The Group supported positive engagement, cooperation and understanding of the respective needs of all countries. It was firmly committed to enhancing constructive international cooperation on the promotion and protection of human rights and encouraged others to strengthen dialogue and cooperation.

79. **Mr. Kondratev** (Russian Federation) said that the Russian Federation valued the efforts by Burundian authorities to normalize the human rights situation, stabilize the domestic situation and ensure the security of its citizens. It took note of the work of national human rights bodies, including the ombudsman, the National Independent Human Rights Commission and the Truth and Reconciliation Commission, to prevent and eliminate genocide, war crimes and crimes against humanity. Despite a difficult economic situation, the Burundian authorities were taking measures to prevent discrimination against national and religious minorities and provide assistance to returning refugees. Against that backdrop, criticism of the Burundian leadership was baseless. Western States must refrain from the practice of pressuring the Burundian people.

80. **Ms. Leonard** (United States of America) said that her delegation was deeply concerned by the lack of accountability for numerous extrajudicial killings, enforced disappearances, torture, arbitrary detention and other human rights violations and abuses by State security forces and their proxies. The United States condemned the recent suspension of the main opposition party and hoped that political pluralism would be restored ahead of the 2025 election. It encouraged the Government of Burundi to thoroughly investigate and prosecute all human rights violations and abuses and to cooperate with United Nations mechanisms, including the Special Rapporteur. Long-term peace and stability

required increased efforts to end impunity and ensure accountability for human rights violations and abuses. United Nations mechanisms could be part of government efforts to that end and the Government was strongly urged to make use of those mechanisms. She asked the Special Rapporteur what collective steps could be taken to help ensure greater accountability for human rights violations and abuses and promote judicial independence in Burundi.

81. **Ms. Pichardo Urbina** (Nicaragua) said that Nicaragua opposed the continued use of the United Nations by Western countries and their allies as a tool to advance their selfish agendas against developing countries. Nicaragua continued to respect the principles of sovereignty, self-determination, territorial integrity and non-interference in the internal affairs of its brother country, and to oppose politically motivated reports that were not objective and did not have the consent of the country and Government concerned. Her delegation firmly rejected the manipulation and use of human rights agendas as a pretext to interfere in the internal affairs of sovereign and independent States and to exert political pressure on developing countries.

82. Human rights situations in all countries should be addressed on the basis of universality, impartiality, objectivity and non-selectivity. The recent election of Burundi to the Human Rights Council was an indication that the international community recognized its progress towards ensuring peace, stability and the promotion and protection of human rights.

83. **Ms. Banaken Elel** (Cameroon), reaffirming the importance of taking a cooperative approach to human rights issues, said that stakeholders committed to improving the human rights situation in a country could not work effectively without the cooperation of the country concerned. The excessive politicization of human rights and the artificially maintained Manichaean division between States were unlikely to create the conditions for dialogue and cooperation to improve the human rights situation in a country. Cameroon encouraged all delegations sincerely interested in improving the human rights situation in Burundi to adopt a constructive and cooperative approach without delay.

84. The work of the Organization in the field of human rights must be governed by the fundamental principles of universality, transparency, impartiality, non-selectivity, non-politicization and objectivity. Cameroon believed that Burundi was capable of addressing the human rights situation in its own territory and noted the work of the National Independent Human Rights Commission and the ombudsman in that regard.

It viewed the election of Burundi to the Human Rights Council as a positive step. Her delegation urged the international community to support the efforts of Burundi to guarantee human rights, including social, economic and cultural rights.

85. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation rejected all country-specific mandates and reports, including the Special Rapporteur's report on the human rights situation in Burundi. Such politically motivated mandates and reports exerted pressure on individual States and intervened in their affairs to further certain countries' political aims.

86. Politicization, selectivity and double standards in addressing human rights issues had no relevance and only hindered cooperation and constructive dialogue between countries. Human rights issues should be neither politicalized nor used as a political tool to target sovereign States. The work of the United Nations on the promotion and protection of human rights should be conducted in an objective, transparent, non-selective, non-confrontational and non-politicized manner. His delegation congratulated Burundi on its election to the Human Rights Council and looked forward to the important role it would play in the work of the Council.

87. **Ms. Tesfamariam** (Eritrea) said that her delegation opposed country-specific mandates that took a selective approach to the human rights situation in Burundi and certain other countries. Such mandates often targeted developing countries, derailing real efforts by those countries to improve human rights and missing the opportunity to make any meaningful contribution to that end.

88. Eritrea strongly believed that the universal periodic review was the most comprehensive and appropriate mechanism for addressing human rights challenges in all countries in a fair and equal manner. International cooperation in the promotion and protection of human rights could only be advanced by ensuring universality, objectivity, non-selectivity and the elimination of double standards and politicization. Her delegation reiterated the call to assess the human rights situation in Burundi in a spirit of cooperation and constructive dialogue and congratulated Burundi on its election to a seat in the Human Rights Council, on which Eritrea would serve for another year.

89. **Mr. González Behmaras** (Cuba) said that his country reiterated its opposition to mandates that responded to politically motivated and hegemonic interests and were used to exert pressure on countries of the global South. Selectivity, double standards and punitive approaches did not help to improve the human

rights situation on the ground; rather, they led to confrontation and distrust and marred the credibility of the United Nations human rights mechanisms. The politicization of human rights issues must stop. Selectivity and manipulation must be prevented from continuing to taint the international arena. Cooperation and genuine dialogue based on objectivity, universality and non-discrimination were the most appropriate means of promoting and protecting human rights in all countries. The universal periodic review mechanism guaranteed that approach. Cuba congratulated Burundi on the progress it had achieved.

90. The human rights situation in any country, including Burundi, should be assessed in accordance with the principles of equality, non-selectivity and impartiality, and on the basis of dialogue and cooperation with the country concerned. Cuba called for that approach to be taken towards the human rights situation in Burundi and other developing countries that had been the target of unjust practices.

91. **Mr. Eldahshan** (Egypt) said that his country reaffirmed the principles of impartiality, objectivity, cooperation and respect for the sovereignty of countries in accordance with international law and the Charter of the United Nations. It was steadfastly opposed to the initiation of country-specific mechanisms without the prior consent of the country concerned, which violated those principles and instrumentalized human rights. Pressuring countries did not serve the primary objective of promoting and protecting human rights.

92. **Mr. Tozik** (Belarus) said that Belarus maintained its principled position of rejecting country-specific approaches that failed to respect the principles of universality, objectivity, impartiality and non-politicization. The assessments and recommendations of the universal periodic review were objective and tailored to the situation of each individual country. It was the most appropriate mechanism for addressing the human rights issues in all countries without exception. In engaging in the fourth cycle of the universal periodic review, Burundi had demonstrated its commitment to human rights, which Belarus fully supported. His delegation called on Burundi to implement the recommendations made in the review, taking into account its national needs.

93. Unfortunately, the report contained no information on the Special Rapporteur's trip to Belgium or any assessment of the information he had obtained while there. Belarus requested that that information be provided in subsequent reports and called for continued equitable and respectful dialogue on the human rights situation in Burundi.

94. **Mr. Liu Luoge** (China) said that his delegation welcomed the positive steps taken by the Burundian Government in recent years to secure and stabilize the country and promote national reconciliation. Burundi had come a long way towards achieving peace and national stability; the international community should continue to respect its sovereignty and independence. China respected countries' efforts to resolve their domestic issues by themselves and urged the international community to scale up economic cooperation and development assistance to maintain stability and bolster sustainable development in Burundi.

95. China was in favour of bridging any differences through constructive dialogue and cooperation, and opposed the politicization of human rights issues. Regrettably, however, some countries had spread false information on the human rights situation in Burundi to discredit and malign the country without regard for its aspirations. They had pushed the Human Rights Council into creating a special rapporteur mechanism that would only exacerbate confrontation and contribute nothing towards a solution. China urged the countries concerned to respect the path of human rights development chosen by the Burundian people of their own accord and to stop interfering in their internal affairs on the pretext of human rights. A return to dialogue and cooperation was the proper path.

96. **Ms. Maiga** (Mali), congratulating Burundi on its election to the Human Rights Council, said that a country's goodwill could be damaged by a multiplicity of mechanisms and double standards. The politicization of human rights was more about stigmatization and confrontation than sorely needed cooperation. The aim should be to strengthen the capacity of States, not weaken them or sideline reform. Mali called for a spirit of sincere cooperation and urged the international community to support Burundi in its efforts to strengthen the protection of human rights and pursue genuine development projects.

97. **Mr. Zongo** (Special Rapporteur on the situation of human rights in Burundi) said that accusations of politicization, partiality and stigmatization that morning had largely been directed at United Nations bodies and were a matter to be discussed and resolved between States that were members of those bodies. His mandate, established by the Human Rights Council, was to address the human rights situation in Burundi based on the principles of impartiality, independence and objectivity, and through interaction and cooperation with the State concerned. Under that procedure, once a report was prepared, it was transmitted to the country concerned for its review; no report could be issued

without that step. Burundi had systematically rejected such interaction. However, that did not alter the reality of its human rights situation.

98. The characterization of the report as a “small” and insignificant document was regrettable. That “small document” conformed to established standards, which allowed a maximum of 10,600 words to summarize major developments over a period covering slightly more than a year. Without that limitation, the document could have been much longer and included many more specific examples of the situation on the ground. He had made every effort to produce a report that was honest and sincere, and had been more than willing to correct any inaccuracies.

99. Those who had chosen to use the terms “politicization” and “instrumentalization” were members of the very Human Rights Council that had established the mechanisms they were condemning. Perhaps that was an issue to be taken up in United Nations bodies; for his part, his mandate, established by the Human Rights Council, was clear.

100. Accountability and a properly functioning judicial system could not be restored without political will. Soon after his election, the President of Burundi had shown his commitment to ensuring accountability and had taken considerable steps in that direction; however, that had changed after the coup. The international community should support all efforts to restore accountability and a responsible justice system and, together with friends of Burundi, provide necessary technical assistance to help Burundi implement the recommendations contained in the report.

101. **Mr. Babiker** (Special Rapporteur on the situation of human rights in Eritrea), introducing his report ([A/HRC/53/20](#); see [A/78/244](#)) and supplementing it with an oral update, said that, since presenting his previous report to the Committee in October 2022, there had been no progress in the human rights situation in Eritrea. The cessation of hostilities agreement between the Government of Ethiopia and the Tigray People’s Liberation Front had not had the positive effect that might have been expected and, in fact, the situation had deteriorated.

102. The system of indefinite national military service further compounded the already dire internal human rights situation. Eritrean troops had not been demobilized, and the round-up of men, women and children for military conscription continued unabated. He had continued to document the use of coercive practices, such as the collective punishment of entire families and communities to force individuals to join the Eritrean Defence Forces. Family members, including

vulnerable persons such as elderly parents or pregnant women, were detained. Families were evicted from their homes or their houses were destroyed, and their cattle were starved and killed, leaving them destitute and in a highly vulnerable situation.

103. It was estimated that thousands of Eritreans had lost their lives in the Tigray conflict, though no official information had been provided on either the number of fatalities or the identities of the deceased. He called on the Eritrean Government to urgently communicate with families waiting to hear from their loved ones. It was still unclear how incipient transitional justice efforts in Ethiopia might ensure accountability for crimes committed by the Eritrean Defence Forces in Tigray. To ensure the sustainability of peace in the region, those crimes must not remain in impunity.

104. As documented in his previous report, the repression of freedom of religion or belief had intensified, with renewed waves of mass arrests and attempts to control and interfere in all aspects of religious life, both in Eritrea and in the diaspora. Members of Christian charities, including Jehovah’s witnesses, as well as Catholic and Orthodox priests, had been arbitrarily detained. One of those Orthodox priests had been the country’s only psychiatrist at the time of his arrest.

105. Eritrea was a single-party State that had no rule of law. No elections had been held in 30 years and there was no separation of powers. Eritreans had no avenue for participating in decision-making in their own country. Political groups and civil society were not allowed to organize and civic space remained completely closed. As documented in his previous reports, hundreds of journalists, political opponents, artists, people of faith and draft evaders were subjected to grave human rights violations, including enforced disappearance, torture, and arbitrary detention in inhumane or degrading conditions. He urged the Eritrean authorities to promptly release them, to inform the families of victims of enforced disappearance of their whereabouts and to facilitate visits by families.

106. **Ms. Tesfamariam** (Eritrea) said that her delegation rejected the Special Rapporteur’s cherry-picking approach and his failure to respect the principles of non-selectivity, sovereignty and constructive cooperation among States. That politicized, unjust and unfair country-specific approach, orchestrated by Western countries and originally masked as an African initiative, had eventually been rejected by many Member States that had come to realize the hollowness of the charges levelled against Eritrea. It was worth mentioning that the latest resolution to renew the

Special Rapporteur's mandate had not garnered the support of a single African State.

107. Eritrea had never recognized the Special Rapporteur's ill-gotten and politically motivated mandate. Having been targeted by politically-motivated country-specific resolutions and mechanisms for over a decade, her country had once again been presented with a flawed report that repeated many of the unsubstantiated allegations and hearsay that had characterized the reports of special rapporteurs since 2012. The underlying objective of those reports was, and continued to be, the vilification, isolation and destabilization of her country for wider political purposes. Year after year, the usual vitriol was repeated and the deplorable witch hunt against Eritrea recommenced. The reports continued to ignore key contextual factors and deliberately downplayed the earnest progress made by Eritrea. Human rights underpinned her country's development and nation-building strategy. Social justice and the dignity and welfare of all citizens, as well as their civil, cultural, political and economic rights, were the foundation of all its policies and laws. Eritrea had made significant strides in education and health-care services, agricultural production, poverty reduction and the development of its social and economic infrastructure.

108. As with previous reports, the lack of reliable data, the heavy dependence on biased sources, non-verifiable approaches and ignorance of the realities on the ground had rendered the methodology and essence of its allegations tenuous and unacceptable. The principles of non-selectivity, impartiality and objectivity applied to all United Nations bodies in carrying out their mandates, including special rapporteurs and representatives, independent experts and working groups.

109. One egregious example of the extent to which the report was marred by extreme bias, selectivity and partiality was the malicious claim that Somali soldiers training in Eritrea had been deployed by Eritrea in the Ethiopian conflict. While that allegation, regurgitated from unverified reports by Eritrean defectors, had ultimately been denied and dispelled by the Government of Somalia, it had caused unnecessary anxiety among the Somali people. However, the Special Rapporteur had not retracted his lies and mendacious allegations, in contravention of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, in particular article 6 on prerogatives, which required mandate holders to establish facts based on objective, reliable information emanating from relevant credible sources that they had duly cross-checked.

110. The Special Rapporteur had also violated the provisions of article 8 (a) on sources of information, which required mandate holders to be guided by principles of discretion, transparency, impartiality and even-handedness. Her delegation called on the Special Rapporteur to accept responsibility for submitting a fallacious report to the Human Rights Council, in violation of the principles of accountability and compromising the principles of independence, impartiality and objectivity. He had not fulfilled his duty to collect reliable information from a wide range of primary and secondary sources.

111. Her country's tradition of religious respect and tolerance had been grossly misrepresented in the latest report before the Committee. It was shameful for the Special Rapporteur to insert unfounded insinuations in an effort to drive a wedge between various ethnic groups.

112. The Special Rapporteur had gone to great lengths to malign the Eritrean national service programme, a programme that had been introduced immediately after independence to empower new generations critical to nation-building and development. The programme promoted national unity and citizenship. Every Eritrean 18 years of age and above was required by law to complete national service, which amounted to six months of training and education, and 12 months of participation in development activity. In times of peace, national service members had no further obligations after those 18 months but remained part of the reserve army eligible for recall when needed. A significant number of national service members had been integrated into a new remuneration system with a better civil service salary scale. National service preserved Eritrean values and principles, the unity of its people and, most importantly, its civility and security.

113. In view of the deplorable practice of maligning Eritrea on the basis of false accusations that were often prepared in cahoots with its arch enemies, her delegation once again requested the full retraction of the false report submitted by the Special Rapporteur and the application of appropriate punitive measures, including his dismissal for dereliction of duty. The seventy-fifth anniversary of the Universal Declaration of Human Rights might have been celebrated but the world remained unjust and unequal, a situation that was only further aggravated by the politicization of human rights.

114. **The Chair** said that speakers were encouraged to show respect to mandate holders as individuals, and to focus their remarks on the reports and the facts contained in them.

115. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his delegation rejected the creation of mechanisms and mandates that spurred confrontation and in no way contributed to constructive dialogue among States. Failure to enter into dialogue with all parties often degenerated into reliance on third- and fourth-hand sources whose reports were used for political purposes. The universal periodic review was the basic and most appropriate process for addressing human rights together with the country concerned, the treaty bodies and other instruments, on the basis of cooperation and dialogue.

116. As a position of principle, his delegation rejected the creation of any instrument, report or resolution against a specific country without the consent of its Government. The practice of adopting such reports violated the principles of impartiality, objectivity, transparency, non-selectivity, non-politicization, non-confrontation, equality and mutual respect, and undermined the continued promotion of the principles of political independence, respect for national sovereignty, non-interference in the internal affairs of States and the self-determination of peoples, all of which were enshrined in the Charter of the United Nations.

117. Venezuela urged the continuation of multilateralism by strengthening the institutionality of the Human Rights Council and supporting the progress made by the Council since its establishment. All coercive unilateral measures against Eritrea should be lifted.

118. **Mr. Nyman** (Representative of the European Union in its capacity as observer) said that the European Union welcomed the engagement of Eritrea in the universal periodic review process and the African Peer Review Mechanism but remained deeply concerned over the continued arbitrary detention and disappearances of large numbers of persons, as reported by the Special Rapporteur. It called on Eritrea to reveal the whereabouts of disappeared persons; release those who were being arbitrarily held; end the practice of indefinite national service, including the forced conscription of children; and complete the withdrawal of any remaining troops from Ethiopian territory. Credible independent investigations of alleged human rights violations and abuses by armed forces against civilians were key to pursuing justice for victims of the conflict in northern Ethiopia, both inside and outside the Tigray region.

119. The European Union urged Eritrea to consider the benefits of establishing contact with the Special Rapporteur and allowing him to visit. It supported a

comprehensive and long-term approach to the situation and would be interested in hearing the Special Rapporteur's views on new opportunities for progress in the enjoyment of human rights in Eritrea.

120. **Mr. Milambo** (Zambia), speaking on behalf of the Group of African States, said that the Group strongly believed in the principles of universality, objectivity and non-selectivity set out in General Assembly resolution [60/251](#), and firmly opposed politicization and double standards in the field of human rights, an approach that had proved to be confrontational and counterproductive and had failed to achieve any meaningful outcome. The human rights of all countries should be assessed fairly and objectively, with full respect for national sovereignty and human dignity.

121. The Group reaffirmed its commitment to enhancing constructive international cooperation in the promotion and protection of human rights and encouraged others to strengthen dialogue and cooperation to that end. It called for the lifting of unilateral coercive measures imposed on Eritrea, which impeded the full enjoyment of human rights.

122. Human rights in all countries should be assessed in a fair and equal manner with full respect for national sovereignty and human dignity. The Group therefore remained convinced that the universal periodic review was the sole mechanism for addressing the fulfilment of States' human rights obligations and proposing improvements. In that regard, the Group welcomed the various initiatives that the Government of Eritrea continued to take to further improve the human rights of its citizens, including its constructive engagement in the universal periodic review mechanism through regular reporting and the implementation of over 90 per cent of the recommendations made during the previous cycle. The international community should recognize that commitment and support Eritrea in its endeavour to guarantee human rights.

123. **Mr. González Behmaras** (Cuba) said that his delegation reiterated its opposition to exercises that were used as a tool to exert pressure against the global South and responded to politically motivated, hegemonic interests. Selectivity, double standards and punitive approaches did not improve the human rights situation on the ground and only sparked confrontation and distrust. Cooperation and genuine dialogue based on objectivity, universality and non-discrimination were the most appropriate way to address the promotion and protection of human rights in all countries.

124. Concerns expressed over the human rights situation in a specific country were hardly credible when that country was being negatively impacted by unilateral

coercive measures. There must be an immediate end to the imposition of unilateral coercive measures on the global South, especially if there was concern over a country's human rights situation.

125. *Ms. Monica (Bangladesh) took the Chair.*

126. **Mr. Kim** Nam Hyok (Democratic People's Republic of Korea) said that his delegation reiterated its firm rejection of all country-specific mandates and reports, including the mandate on the situation of human rights in Eritrea. It was deeply troubled by the politicized practice of unfairly investigating human rights situations in specific countries, a practice that prevailed in the current international arena. Country-specific reports only served political purposes and were aimed at violating national sovereignty and interfering in the internal affairs of legitimate Governments. Those mechanisms were evoking a strong backlash on the Human Rights Council and denunciation by many countries, as they exclusively targeted developing countries. By contrast, under the universal periodic review of the Human Rights Council, human rights situations in all countries were considered in an impartial, transparent, objective, non-selective and non-political manner. It was his delegation's firm belief that only constructive dialogue and cooperation would bring about sustainable peace, stability and development in Eritrea.

127. **Ms. Pichardo Urbina** (Nicaragua) said that Nicaragua reiterated its strong objection to reports and resolutions on human rights situations in specific countries submitted every year in the Committee. Nicaragua continued to respect the principles of sovereignty, self-determination, territorial integrity and non-intervention in the internal affairs of a brother people. It rejected manipulation and the use of a human rights agenda as a pretext for interfering in the internal affairs of a sovereign and independent State and for exercising political pressure on developing countries, and reiterated the need to assess the promotion and protection of human rights based on the principles of universality, impartiality, objectivity and non-selectivity. Her delegation did not accept any report or update on its brother people that contained distorted, ill-intended information provided by questionable sources and did not have the consent of the country concerned, namely the people of Eritrea. Nicaragua supported the efforts of its brother country to ensure peace, stability and the human rights of its people and demanded an immediate end to the imposition of unilateral coercive measures on Eritrea.

128. **Ms. Asaju** (Nigeria) said that her delegation was convinced that global peace, security and stability, and

democratic gains could only be achieved through deeper cooperation and constructive engagement, rooted in respect for the rule of law, sovereignty and the territorial integrity of Member States. Accordingly, Nigeria seized the opportunity to reiterate its call for addressing all country-specific human rights concerns within the framework of the universal periodic review, which guaranteed the equal treatment of Member States and oversaw their compliance with international human rights obligations.

129. Every effort must be made to build trust in human rights institutions and avoid canvassing certain ideological preferences, especially when they did not enjoy consensus or show sensitivity to root cultural differences among Member States. The sovereignty of all Member States could only be guaranteed by upholding the principles of universality, objectivity, impartiality and non-selectivity and eliminating double standards and politicization in accordance with the spirit and letter of General Assembly resolution [60/251](#).

130. **Ms. Leonard** (United States of America) said that the United States remained deeply concerned by continued reports of unlawful killings, disappearances, torture, unjust detention and undue or unjust restrictions on freedom of expression, association and peaceful assembly, along with other human rights violations and abuses in Eritrea. Eritreans remained the most censored people in the world. Through intimidation and controls, the Government severely restricted the ability of individuals to criticize its policies or hold it accountable.

131. Her delegation had grave concerns about the Eritrean military. The Government used indefinite conscription to force children and students into military or civilian service before they completed their education. Many of them never returned to school. Moreover, the Government targeted those who refused to serve in its military through arbitrary detention, evictions, denial of food rations in a severely impoverished country and a whole litany of other abuses and violations. The United States urged Eritrea to end its use of indefinite conscription and to introduce much-needed reforms that would allow for freedom of expression and press freedom. She wondered if the Special Rapporteur could comment on efforts the United Nations should be making to secure the release of the 16 journalists whom Eritrea had unjustly kept in indefinite detention, many for more than 20 years.

132. **Mr. Liu** Luoge (China) said that China commended Eritrea for its commitment to the promotion and protection of human rights and supported the country's exploration of a path tailored to its national

conditions. His delegation greatly appreciated the progress made by Eritrea in promoting social development, eliminating poverty, strengthening the social security system and protecting the rights of women, children and persons with disabilities. China firmly supported the country's efforts to safeguard its sovereignty, independence and national dignity, and opposed external interference and unilateral coercive measures. China had always maintained that differences in the area of human rights should be resolved through constructive dialogue and cooperation and was against the use of human rights as a political tool to interfere in the internal affairs of other countries. It was also against the establishment of national mechanisms without the consent of the country concerned. Noting that Eritrea and the countries of the region were opposed to continuing the mandate of the Special Rapporteur, he called for the speedy termination of that country-specific mechanism.

133. **Mr. Ghanei** (Islamic Republic of Iran) said that counterproductive and politicized country-specific mandates exploited the Third Committee platform for political ends, in breach of the Charter of the United Nations and the principles of universality, non-selectivity, impartiality and objectivity. Such an approach undermined cooperation and dialogue, which were cornerstones of the promotion and protection of human rights. Such country-specific mandates and reports reflected a futile double-standard policy. The universal periodic review mechanism reviewed the human rights situations in each Member State without discrimination and with the full participation of the State concerned.

134. **Mr. Bakhit** (Sudan) said that human rights were comprehensive and should not be subjected to any double standard based on political criteria. Human rights assessments should be carried out in a manner that was fair and respected countries' sovereignty and specificities. It was important to take into consideration the progress made by the Eritrean Government in promoting and protecting human rights, its positive engagement with human rights instruments and its cooperation at the regional level, especially with neighbouring countries. Lifting of the unilateral coercive measures would allow Eritrea to fulfil its obligations towards its people and the region as whole.

135. **Ms. Banaken Elel** (Cameroon) said that all parties genuinely seeking to improve the human rights situation in a country could work together effectively but only with the cooperation of the country concerned. An artificially maintained Manichaean division between States was not an effective means of encouraging constructive dialogue or improving the human rights

situation in a country. Cameroon encouraged all interested delegations to adopt a cooperative approach without delay.

136. The work of the United Nations in human rights should be governed by the fundamental principles of universality, transparency, impartiality, non-selectivity, non-politicization and objectivity. Cameroon believed in national solutions to national problems and trusted in the capacity of Eritrea to handle its human rights situation. Eritrea had already achieved laudable progress in education, health care, infrastructure and security, facilitated by its policy of self-sufficiency. Her delegation encouraged the international community to strengthen cooperation with Eritrea in a constructive manner that respected its sovereignty and supported human rights, including economic, social and cultural rights and the right to development. Lastly, Cameroon called for the lifting of the unilateral coercive measures that had been imposed.

137. **Mr. Altarsha** (Syrian Arab Republic) said that he questioned the assertion in paragraph 4 of the report that the non-cooperation of Eritrea put the credibility and integrity of the Human Rights Council and the United Nations human rights system as a whole in question. That was negated by the mere fact that Eritrea held a seat on the Human Rights Council and had garnered the votes it needed to be elected.

138. He also believed that it was inaccurate to state, in paragraph 7, that the findings presented in the report had been documented and corroborated in strict compliance with the Code of Conduct for Special Procedure Mandate-holders of the Human Rights Council. In the statement in paragraph 15 that Eritrea "claimed to be in the process of preparing to accede to the remaining core international human rights treaties", the word choice "claim" sounded needlessly accusatory when it was already clear that Eritrea had not yet taken action.

139. In paragraph 25, the Special Rapporteur indicated that he had received no information on judicial processes against Eritrean Defence Forces or Eritrean authorities for their alleged roles in the commission of grave human rights and humanitarian law violations in Ethiopia. However, the reality was that Member States were under no obligation to report to him, especially if his mandate had been established without the consent of the country concerned. The Special Rapporteur should not assume that his status was equal to that of a special envoy of the Secretary-General or that it rose above the sovereign rights of Member States. In no way did failure to engage with him constitute a human rights violation.

140. **Ms. Qureshi** (Pakistan) said that the most appropriate means of addressing human rights concerns

was through the effective, non-politicized, objective, impartial and non-discriminatory mechanisms of the universal periodic review. However, country-specific mandates against developing countries like Eritrea continued to abound. Her delegation appreciated the steps taken by Eritrea to uphold the rights of its citizens and achieve the Sustainable Development Goals. Rather than selectively targeting countries like Eritrea, the international community should help developing countries to fulfil their human rights obligations. As yet, no country-specific mandate had been established against the global North, or in a country where the political and economic interests of the powerful trumped human rights considerations.

141. The worst example of double standards was in illegally occupied Jammu and Kashmir, where gross and systematic human rights violations had been committed by India and an eerie silence had been maintained for strategic reasons. In order to preserve the credibility and efficacy of human rights machinery, the international community should end politicization and selectivity.

142. **Mr. Hassani** (Algeria) said that his delegation reaffirmed the importance of discussing human rights issues with the country concerned in an impartial and balanced manner. It was in favour of a constructive approach to the promotion and protection of human rights, centred on dialogue and cooperation. Algeria did not believe that country-specific mandates contributed to the protection of human rights, as they only stoked partiality, selectivity, double standards and politicization. Resources allocated for such mandates should instead be channelled into capacity-building and technical assistance that would enhance the protection of human rights. The universal periodic review remained the most appropriate mechanism for assessing human rights situations.

143. **Mr. Tozik** (Belarus) said that Belarus reiterated its position of principle rejecting country-specific approaches, including with regard to the situation in Eritrea. The Special Rapporteur's focus on specific aspects only resulted in a biased description of the country's human rights situation. Unfortunately, that did not build trust, especially in a country that was subjected to unilateral coercive measures. The report lacked universality, impartiality, objectivity and non-selectivity, and contained many questionable recommendations, casting doubt on the mechanisms established to monitor the human rights situation in Eritrea. His delegation noted an increasing trend towards selectivity in country-specific reports and in the approach of special rapporteurs. The universal periodic review of the Human Rights Council was the best means of addressing human rights situations in all countries.

144. **Ms. Dabo N'diaye** (Mali) said that a report that lacked impartiality, non-selectivity and respect for the sovereignty of States did not build trust. It would be far more effective to avoid blame, restore dialogue and strengthen support for economic development in Eritrea, where food insecurity was dire. Unilateral coercive measures did not improve a country's human rights situation and adversely affected the lives of its people. Mali called for the lifting of the unilateral coercive measures imposed on Eritrea so that it could prioritize the promotion and protection of human rights and the advancement of sustainable development.

145. **Mr. Kondratev** (Russian Federation) said that the Russian Federation rejected the practice of politicized, unilateral and country-specific reports and resolutions, which ran counter to mutually respectful and equal dialogue on the promotion and protection of human rights and friendly relations between States. Mechanisms that did not enjoy the support of Eritrea were pointless and would not improve the human rights situation in that country. Eritrea continued to grapple with a difficult socioeconomic situation that negatively affected the migration process.

146. The Russian Federation commended the agreement reached by the political leadership of Eritrea and Ethiopia on the gradual withdrawal from Ethiopia of Eritrean troops participating in operations to restore constitutional order in the Tigray region. It condemned the sanctions imposed by the United States on many Eritrean and Ethiopian officials.

147. The Russian Federation would continue providing assistance to improve the socioeconomic and humanitarian situation in Eritrea and was prepared to expand and deepen its trade and economic relations with the country. It urged Member States to establish partnerships with Eritrea and cautioned Western countries against applying external political pressure under the guise of promoting human rights.

148. **Mr. Sibomana** (Burundi) said that human rights in all countries should be assessed in a fair and equal manner, and with full respect for national sovereignty and human dignity. Burundi welcomed the various initiatives taken by the Government of Eritrea to further improve human rights standards, including its constructive engagement with the universal periodic review process through regular reporting and its work on the Human Rights Council. The growing trend of politicizing human rights and interfering in the internal affairs of States on the pretext of human rights was indeed regrettable.

149. **Ms. Adeng** (South Sudan) said that human rights situations in all countries should be judged equally and

fairly while respecting national sovereignty. South Sudan opposed double standards and the politicization of human rights issues. Country-specific mandates that did not enjoy the consent of the country in question should be avoided, as they did not contribute to the promotion and protection of human rights. Eritrea, a young country, deserved praise for overcoming many challenges and for its success in maintaining peace and order, preserving a harmonious and inclusive society and providing basic social services to its people.

150. The universal periodic review mechanism was a fair and appropriate way to address human rights issues in all countries equally. Her delegation welcomed the continued engagement of Eritrea with the universal periodic review mechanism and the country's continued progress in upholding social and economic rights. It also commended Eritrea on its presentation of a voluntary national review in the 2022 high-level political forum on sustainable development, and encouraged it to continue that practice in future. South Sudan hoped that the international community would support the efforts of Eritrea to promote and protect the human rights of its people.

151. **Mr. Babiker** (Special Rapporteur on the situation of human rights in Eritrea) said that the criticism levelled at him by the representative of Eritrea for failing to "retract his lies" was unacceptable and only showed the degree of hostility borne towards the mandate of the Special Rapporteur. He was grateful to the Chair of the Committee for intervening earlier in the meeting to remind delegations about the need to use appropriate language.

152. He had taken note of the concerns expressed by the representative of Eritrea and regretted that her delegation wished neither to see his mandate extended nor to engage in constructive dialogue with him. The previous year, he had reached out to the same representative in the hope of engaging in a constructive and cooperative dialogue but there had been no response. He had also addressed letters to the Government of Eritrea after drafting his report and various communications but had received no response to any of those either. His invitations to the delegation to meet with him in New York and in Geneva had been met with silence. Cooperation was a vital aspect of the special procedure process but there had been no engagement on the part of Eritrea.

153. The representative of Eritrea had claimed that all the information contained in his report was unsubstantiated and biased and that the report was not based on credible information. However, he had sent his draft to the Eritrean Government two weeks before

submitting his report and it had not proposed any corrections. That total lack of responsiveness had to change.

154. His reporting was not politicized or biased but rather referred to specific cases such as the detention of journalists, which had been raised by the representative of the United States. He had repeatedly reached out to the Eritrean authorities for information on the whereabouts of journalists who had been detained but none had been provided. He also had concerns about children, including a teenage Eritrean-American girl named Ciham who had gone missing 11 years earlier and whose whereabouts were still unknown, as well as the disappearance of religious leaders.

155. He wished to remind members of the Group of African States that the determination that those journalists' rights had been violated had been made by the African Commission on Human and Peoples' Rights, in other words, an African mechanism. He therefore wished to remind the representative of Zambia, who had spoken on behalf of the Group, as well as representatives of other African countries who had addressed the Committee, that that finding had not been biased but rather that Eritrea had refused to cooperate with its own African human rights system. In questioning his mandate, countries in the Group had referred to the universal periodic review. He wished to remind Member States that Eritrea had not implemented the universal periodic review recommendations either. He hoped that those African countries would engage with the Government of Eritrea to address human rights concerns.

156. He wished to remind countries that had questioned the validity of his mandate that he had been appointed by the Human Rights Council, whose decisions were made by its members. Replying to the representative of Syria, he said that his mandate did not affect the credibility of the United Nations. He had never pretended to be a special envoy of the Secretary-General but had simply complied with the code of conduct and established practices for special rapporteurs. As the Special Rapporteur on the situation of human rights in Burundi had said, politicization of the human rights system was not the doing of mandate holders but rather of Member States themselves. He hoped Member States would engage in a constructive dialogue on how the integrity of the human rights system could be preserved.

157. Responding to the question posed by the representative of the European Union, he expressed the hope that the European Union, African countries and all Member States would encourage Eritrea to cooperate with the special procedures mandate and implement the

11 recommendations that had been set out in the reports of special rapporteurs since 2012 as well as those contained in the two reports issued by the Commission of Inquiry. The human rights situation in Eritrea was appalling. He urged African States to maintain pressure on their neighbour country to come up with a road map for its recovery.

158. **Ms. Tesfamariam** (Eritrea) said that, in addition to her previous response, she wished to draw attention to one of the many misrepresentations made by the Special Rapporteur. It was entirely untrue that her Government deployed coercive measures against families in connection with national service or other issues. That was not, and had never been, the policy of the Government of Eritrea. Furthermore, the Special Rapporteur's claim that Eritrea was not engaged with African human rights mechanisms was not based on fact. Her country's engagement with the African Commission on Human and Peoples' Rights and its submission of reports under the African Charter on the Rights and Welfare of the Child demonstrated its commitment to regional human rights frameworks.

159. The Special Rapporteur should refrain from intimidating sovereign States, as that was not appropriate. Eritrea had implemented 80 per cent of the recommendations made in the most recent universal periodic review. The Special Rapporteur's reference to the role of Eritrea in the Ethiopian conflict exceeded his mandate. Perhaps it was an attempt to expand his current mandate as it was nearing an end. Engagement with Member States at the United Nations was the prerogative of Eritrea. It was not the Special Rapporteur's place to tell Eritrea which countries it could speak to and how it should conduct its bilateral affairs.

The meeting rose at 12.55 p.m.