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## Third Committee

### Summary record of the 38th meeting

Held at Headquarters, New York, on Thursday, 26 October 2023, at 10 a.m.

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

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The meeting was called to order at 10.10 a.m.

**Agenda item 71: Promotion and protection of human rights** (continued)

- (a) **Implementation of human rights instruments** (continued) (A/78/40, A/78/44, A/78/48, A/78/55, A/78/56, A/78/240, A/78/263, A/78/271, A/78/281, A/78/324 and A/78/354)
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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/78/541 and A/78/545)
- (d) **Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (continued) (A/78/36)

1. **Ms. Oforiwa Fefoame** (Chair of the Committee on the Rights of Persons with Disabilities) said that, in the context of the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action, the United Nations High Commissioner for Human Rights had launched a campaign for the ratification of human rights treaties. Accordingly, the Committee had engaged with several States signatories to the Convention on the Rights of Persons with Disabilities and its Optional Protocol, to promote their ratification. Only eight more States parties to the Convention needed to ratify it for universal ratification to be achieved, and the Committee welcomed the recent ratification of the treaty by Cameroon, which had brought the total number of ratifications to 188. The 23 States signatories to the Optional Protocol to the

Convention that had not yet ratified it should be encouraged to do so.

2. The current backlog of 72 reports pending consideration was one of the largest across treaty bodies and a major challenge for the Committee, which would need five years to address it, using the prevailing meeting schedule and resources. The plenary time allocated to the Committee had not increased since 2014, when there had been only approximately 130 parties to the Convention. With its current membership of 188 States parties, the Committee would need to hold an additional session each year of no less than four weeks to complete its work and attain the 12 weeks of meeting time allocated to treaty bodies with similar levels of membership. While the Committee would be granted that third session if the General Assembly adopted the eight-year predictable review cycle, a transitional measure could be introduced in the interim to address the backlog. The process of advancing from submission of a report to its public consideration by the Committee took an average of six years for initial reports and four years for periodic reports, a matter of some concern.

3. Over the period 2021–2022, the Committee had focused its activities on the consideration of initial and periodic reports. In 2021, during the coronavirus disease (COVID-19) pandemic, the Committee had only been able to review three State party reports, owing to accessibility challenges, restrictions in the use of online platforms and limited remote support. Following the resumption of in-person sessions, the Committee had considered 14 State party reports in 2022 and 2023 respectively. It planned to consider 16 such reports in 2024, but that target would depend on the resources received from the Secretariat. In addition, the number of overdue initial reports continued to grow. As at September 2023, the initial reports of 21 States had been overdue by more than five years, with nine of those reports overdue by over ten years. While the Committee had not yet enforced the provision under which it was allowed to review the implementation of the Convention in any State party whose submission of a report was significantly overdue, it was considering doing so for initial reports that were overdue by more than a decade, and wished for Member State feedback in that regard. The Committee was also working with the treaty body capacity-building programme of the Office of the United Nations High Commissioner for Human Rights to identify how it could support States in meeting their treaty body obligations.

4. Accessibility and reasonable accommodation were important components of the treaty body strengthening process. The General Assembly had adopted resolution

77/240 to promote and mainstream easy-to-understand communication for accessibility for persons with disabilities, and a high-level panel on the subject had been held in New York in June 2023. Furthermore, in his report on the status of the Convention and the Optional Protocol thereto (A/78/331), the Secretary-General had encouraged Member States to adopt comprehensive strategies to promote the development and use of easy-to-understand communication. In that vein, he had also called on Member States to consider producing the key documents of international processes in easy-to-understand communication, in all of the official languages of the United Nations. The Committee invited Member States to further discuss the ways in which that call could be translated into concrete actions, with adequate resources, to enhance conference service capacities in both New York and Geneva.

5. **Mr. Nyam** (Representative of the European Union, in its capacity as observer) said that persons with disabilities were disproportionately affected by numerous barriers that continued to hinder their full, equal and meaningful participation in society. The European Union would continue to combat all forms of discrimination against persons with disabilities, particularly women and girls with disabilities, in accordance with article 17 of the European Pillar of Social Rights. The experiences and knowledge of persons with disabilities were indispensable in creating disability-inclusive policies and actions. The European Union therefore supported and worked in close partnership with organizations that represented the interests of persons with disabilities and raised awareness through various initiatives, such as the annual celebration of the European Day of Persons with Disabilities and the European Commission Access City Award.

6. More information would be appreciated on how States and United Nations agencies could improve the inclusion of persons with disabilities and their representative organizations, to include all voices in decision-making processes.

7. **Mr. Segura Aragón** (El Salvador) said that the inclusion and well-being of persons with disabilities were cornerstones for building fairer and more equitable societies. In El Salvador, the National Council for the Inclusion of Persons with Disabilities played a key role in monitoring compliance with the Special Law on the Inclusion of Persons with Disabilities, the Convention on the Rights of Persons with Disabilities and other international agreements. Since 1997, his Government had established a national interinstitutional committee on international humanitarian law, which was responsible for assessing the effective implementation

and dissemination of international humanitarian law instruments.

8. He wished to know how Member States could ensure that the special needs of persons with disabilities were addressed in State responses to health emergencies, climate change and other disasters.

9. **Mr. Retalis** (Greece) said that, in the wake of the sixteenth session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, further details would be welcome on how the Committee planned to achieve its objectives relating to the development, use and implementation of easy-to-understand communication, as a tool for persons with disabilities.

10. Greece was implementing a comprehensive legal and institutional framework that protected and promoted the rights of persons with disabilities. In response to the concluding observations made by the Committee following its 2019 review process, a dedicated national action plan had been adopted in 2020, using a human rights-based approach and outlining long-term commitments to the benefit of persons with disabilities.

11. **Mr. Kondratev** (Russian Federation) said that no Russian simultaneous interpretation had been provided at the informal meeting held on 28 August 2023, between the Committee's experts and States. It was important to treat all official languages of the United Nations equally, including at informal meetings.

12. In October 2022, the Russian Federation had, in a timely fashion, submitted to the Committee its second, third and fourth periodic reports on compliance with the Convention on the Rights of Persons with Disabilities. However, given the current backlog, it appeared that those reports would not be considered until March 2031, at which point most of the information collected would no longer be relevant. That considerable delay was apparently attributable to the extra mandate work of the Committee, including the publication of joint declarations, the holding of panel discussions and dialogues, and the preparation of general comments. The Committee should use its allotted time more rationally and focus primarily on its mandate to consider national reports, as contained in article 36 of the Convention on the Rights of Persons with Disabilities.

13. It was regrettable that the Committee had served on many occasions as a platform for spreading biased, politicized and unreliable information from civil society representatives. Unfounded and unjustified accusations had been made against his country on 7 and 8 March 2023, during the Committee's general discussion on persons with disabilities in emergency situations, and

during the interactive dialogue on deinstitutionalization that had been held on 18 October 2023. By allowing such statements, the Committee was undermining its reputation and calling its neutrality into question. At future sessions, the Committee should be more responsible in its choice of invited speakers.

14. **Mr. Zumilla** (Malaysia) said that it was critical to promote and facilitate the involvement of persons with disabilities in every aspect of decision-making processes, including those of a political and public nature. To ensure that they were involved at the highest level of decision-making, his Government had appointed persons with disabilities as senators within the national Parliament. Those appointments were a significant milestone in Malaysia's continued commitment to providing direct support and access to persons with disabilities and giving them a voice in the search for innovative solutions.

15. In the light of the significant impact of the COVID-19 pandemic on persons with disabilities, he wished to know what steps States could take to ensure that they were not left behind in pandemic response and recovery plans.

16. **Ms. Khadeeja** (Maldives) said that her Government had developed a policy for the employment of persons with disabilities within the civil service. In addition, it was conducting programmes to educate employers and advocate for the greater inclusion of persons with disabilities in the workforce. To enhance service delivery, community-based rehabilitation programmes were being implemented in different regions of the country. The National Social Protection Agency provided financial assistance through a range of programmes, including a disability allowance programme, and a recently launched financial support framework had led to a 15 per cent increase in the baseline disability allowance.

17. Early identification of disabilities within educational institutions could mitigate lifelong disability risks and promote successful integration. The Disability Council, which had been established in 2010, had made recommendations for the incorporation of early identification into the growth monitoring and vaccination processes at primary health-care institutions. However, further improvements were required for persons with disabilities to fully enjoy their rights. To that end, it would be useful to know what strategies would be most effective to accelerate progress toward greater inclusivity, especially in employment and in the promotion of the rights of persons with disabilities.

18. **Ms. Tokarska** (Ukraine) said that the situation of persons with disabilities in her country had been deteriorating, as a result of Russia's full-scale invasion. More than 47,000 Ukrainians with disabilities had been internally displaced or had migrated. In April 2022, the Committee had warned that 2.7 million persons with disabilities in Ukraine were at risk of losing all access to basic facilities and support for daily living. That warning had proven to be accurate, and many persons with restricted mobility were unable to evacuate and were being forced to stay in areas where acts of hostility continued. Approximately 15,000 health-care facilities had been damaged in Ukraine, leaving the population without life-saving medication, oxygen supplies and medical assistance. Many health-care workers had died while attempting to continue caring for patients.

19. Nonetheless, medical institutions were continuing to address the impact of the COVID-19 pandemic and vaccinate the population. Currently, her Government was seeking to strengthen inclusion in all national and international plans and strategies. To that end, it was working with different organizations to develop legislation and bolster the contribution of public organizations. Any recommendation on how those efforts could be made more effective would be appreciated.

20. **Mr. Tozik** (Belarus) said that his country was continuing to implement a national plan of action that was aligned with the Convention on the Rights of Persons with Disabilities. Earlier that year, Belarus had enacted a law on the rights and social integration of persons with disabilities, which banned discrimination on the basis of disability, incorporated the principle of inclusivity in the education system, introduced a mechanism for including persons with disabilities in the workplace and recognized sign language as an official language.

21. His delegation had closely considered the report of the Committee and was particularly interested in the chapter on the participation of persons with disabilities in cultural, leisure and sport activities. While the Committee had expressed its concerns about different barriers to participation, more attention should have been paid to the issue of continued discrimination against athletes with disabilities. In March 2022, the International Paralympic Committee had decided to prevent the national Paralympic team of Belarus from participating in the Paralympic Winter Games in Beijing. The situation concerning the suspension of athletes with disabilities on political grounds had not yet been examined by the United Nations and its relevant agencies. His delegation wished to know if the

Committee considered that decision to be appropriate and compliant with the Convention.

22. **Ms. Chen** Jiawen (China) said that there were 85 million persons with disabilities in her country, and her Government was pursuing a people-centred development paradigm that respected and safeguarded their rights and interests, encouraged them to fully participate in society, and attached great value to their social security, education, employment and access to public services. China had enacted more than 90 laws and 50 regulations to protect and promote the rights of persons with disabilities, and over 6,600 persons with disabilities were currently serving as members of the National People's Congress and the Chinese People's Political Consultative Conference. More than 95 per cent of children and adolescents with disabilities were enrolled in compulsory education and a total of over 9 million persons with disabilities were employed in both urban and rural areas. The national university of health and rehabilitation sciences would provide advanced training, for the health and well-being of all.

23. China actively supported relevant international efforts for the implementation of the Convention on the Rights of Persons with Disabilities. In recent years, it had donated close to \$10 million to Rehabilitation International to promote the interests of persons with disabilities in developing countries, enhance international awareness on the subject and contribute to the global advancement of persons with disabilities. On the occasion of its centennial, Rehabilitation International had called on Governments and the international community to take concrete action. In 2022, her country had successfully hosted the Beijing Paralympic Winter Games and it was currently hosting the fourth Asian Para Games.

24. **Mr. Shaked** (Israel) said that he wished to address the troubling statement issued by the Committee on 20 October 2023, with respect to the situation in Israel and Gaza. The statement failed to condemn Hamas for the atrocities committed on and since 7 October 2023, during which the latter had deliberately slaughtered 1,400 Israelis, including many persons with disabilities. Instead of giving a voice to the victims of those atrocities, the Committee had expressed concerns about the deplorable armed conflict occurring in Israel and Gaza, which was resulting in the killing and maiming of civilians. The armed conflict was not the cause of the senseless killing of civilians. Rather, the brutal, premeditated slaughtering of civilians had led to Israel's response in Gaza, in exercise of its right and duty to defend and protect its population. The statement also drew a false moral equivalence between Israel, a democratic country that respected and upheld

international humanitarian law and Hamas, a terrorist organization that had massacred babies, murdered parents in front of their children, brutally raped women and slaughtered persons with disabilities.

25. In its statement, the Committee had urged all States parties and actors to comply with international humanitarian and human rights law and take all necessary measures to ensure the safety of persons with disabilities in situations of armed conflict. Unlike terrorists, Israel adhered to international law. In future statements, Israel fully expected the Committee to clearly condemn Hamas and refrain from implicitly repeating false accusations and drawing false moral equivalences.

26. **Ms. Dabo N'diaye** (Mali) said that her Government was actively promoting and protecting the rights of persons with disabilities by enhancing access to basic social services, employment, housing, public infrastructure, equipment and necessary tools. Persons with disabilities also benefited from medical coverage and were able to participate in cultural activities and sports. Furthermore, they were included in decision-making processes and were represented within the national transitional council.

27. However, other national priorities, especially in the area of security, were limiting Mali's resources. It would be interesting to know what measures could be recommended to support developing countries, and particularly those in situations of crisis, given that persons with disabilities were the most vulnerable during conflicts.

28. **Ms. Monica** (Bangladesh) said that, in 2013, Bangladesh had enacted a law on the rights and protection of persons with disabilities, which was aligned with the Convention and outlined 20 different rights of persons with disabilities. In 2022, her Government had participated in an interactive dialogue with the Committee following the submission of its initial report. Bangladesh placed special focus on mental health issues and had established an advisory committee on autism and neurodevelopmental conditions. In order to ensure and enhance economic opportunities for persons with disabilities, her Government had reformed the national skill development policy, which recommended the adoption of an admission quota for persons with disabilities in all technical and vocational educational and training institutions, as well as the provision of stipends, transport, and reasonable and accessible accommodation for persons with disabilities.

29. In the era of digital technology, all persons, including those with disabilities, were heavily dependent on technological support. While technology

offered persons with disabilities greater access to resources and facilities, it also disproportionately exposed them to online threats and risks, including those relating to financial crimes. It was imperative to ensure that digital technologies were disability-inclusive and equipped with safeguards to protect persons with disabilities, especially those with visual impairments. The private sector had an important role to play in that regard, and additional information would be appreciated on the Committee's work with technological companies.

30. The Committee had expressed concern about the failure to incorporate a disability perspective into national mechanisms for implementing and monitoring the 2030 Agenda for Sustainable Development. She wished to know how it was engaging with Member States to effectively incorporate such a disability perspective and asked for examples of best practices.

31. **Ms. Arditi di Castelvete Manzo** (Observer for the Sovereign Order of Malta) said that greater compliance with the Convention could lead to a life-changing expansion of social and medical services. The Sovereign Order of Malta was actively working to improve the well-being of persons with disabilities by supporting schools and day-care centres, and training medical professionals in specialized practices. Its global relief agency, Malteser International, operated schools, day-care centres, summer camps and events for persons with disabilities in Romania, Hong Kong and the Czech Republic, and helped children with disabilities and their families to develop essential skills and eventually integrate special or even mainstream education. It also actively supported initiatives aimed at enhancing access to basic and specialized health care. Through its project in Lebanon, Malteser International provided a large range of services, including medical consultations, psycho-social support, paramedical services and dispensing of medication.

32. The international community should adopt a more comprehensive approach to global and emergency responses, to increase the availability of medical and social services. While the Convention was widely ratified, awareness of the marginalization faced by persons with disabilities remained limited.

33. **Ms. Oforiwa Fefoame** (Chair of the Committee on the Rights of Persons with Disabilities) said that to improve representation, States and United Nations agencies should identify the most suitable persons and work with them at every stage and on every aspect of the decision-making process. They should also ensure that gender and the diversity of persons with disabilities were taken into account. The use of enhanced disaggregated data would further help to increase

representation in decision-making. Special attention should be paid to ensuring that existing data was appropriately channelled into ongoing processes. Persons with disabilities should be consulted on their specific needs, and budgets, programmes and policies should be put in place to ensure their involvement in all stages of mainstream efforts and activities. Until it was included in the budget, the Committee would need extra-budgetary allocations to implement the use of easy-to-understand communication. Persons with disabilities should be involved in the development of such tools, to ensure their effective use in all sectors.

34. She took note of the concern expressed regarding the absence of simultaneous interpretation into Russian at an informal meeting. She assured delegations that the Committee worked within its mandate, without bias, in accordance with the guidance and procedures of the human rights treaty bodies.

35. Regarding the risk of leaving persons with disabilities behind in pandemic response and recovery plans, she underscored the need to include a disability component in the development of all programmes, from the inception stage. Too often, disability considerations were overlooked and included at later stages, as so-called "added value". In shifting from a medical approach to a human rights approach, the disability perspective should be a critical element of the planning and all other stages. In addition, disability-related expenses should be factored into social protection mechanisms.

36. In order to foster greater inclusivity, there was a need to have pertinent disaggregated data on the specific situation in urban and rural areas, and on marginalized groups of persons with disabilities and their genders. Such data would enable States to equitably include and address the challenges faced by those furthest behind.

37. Addressing the situation in Ukraine and other countries affected by conflict and unrest, she noted that the Committee was working with international organizations and other entities involved in conflict resolution and emergency humanitarian work. Given the challenges involved in such situations, the Committee was, as part of its mandate, preparing general comments on article 11 of the Convention, with respect to risks and situations of humanitarian emergencies. It would work with States parties and other actors to determine the best way forward for the most effective implementation of the Convention.

38. Turning to the suspension of the national Paralympic team of Belarus, she indicated that she would take the matter before the Committee and work with Belarus to resolve the issue.

39. Addressing the comments made by Israel, she emphasized that the Committee worked within its mandate, without bias. It would take note of and reflect on the concerns raised, while working with all parties to achieve the best possible outcome.

40. The Sustainable Development Goals and human rights were two sides of the same coin. The Committee had played a key role in guiding the implementation of the 2030 Agenda. While the Goals had not yet been achieved, the Committee was engaged in discussions with all stakeholders on how best it could contribute to ongoing efforts. A focal point had been appointed for the Summit of the Future and other matters relating to sustainable development, and the Committee stood ready to work with all parties in that regard.

41. Lastly, regarding digital technologies, persons with disabilities, and especially those with visual impairments, often faced limitations. The human rights treaty body system had already begun to examine the digitalization of its processes and was working with the Committee to collect data and develop guidance for States and United Nations agencies. In general, the Committee did not refer to best practices in countries, because each country had its own specific economic, social and political situation, which would be taken into account during collaborative efforts.

42. **Mr. Quinn** (Special Rapporteur on the rights of persons with disabilities), introducing his most recent report on the rights of persons with disabilities (A/78/174), said that he had promised to connect debates about disability rights with broader international challenges, an approach also taken in the Convention on the Rights of Persons with Disabilities. The Convention linked human rights, peace and security, and development, and its article 11 was a standing invitation to connect the disability rights debate to discussions of civilian protection during armed conflicts under international humanitarian law.

43. In his previous report (A/77/203), the Special Rapporteur had made recommendations to better align the core principles in international humanitarian law of the protection of civilians and of critical civilian infrastructure with international disability rights under the Convention, and he was currently taking that process further.

44. Conflicts typically led to a peacebuilding process promising a break with the past, addressing the causes of the conflict and offering an opportunity to tackle the systemic exclusion of groups, including persons with disabilities. Their inclusion allowed neglected voices to be heard but also helped to sustain peace processes because persons with disabilities knew how to transcend

sectarian and other boundaries. Any process that did not include them might not be sustainable.

45. Only 6 per cent of treaties of the past 30 years had included any reference to disability, and usually only from a medical perspective, which was a wasted opportunity. The current report was aimed at ensuring the automatic consideration of disability in the peacebuilding process so that historic injustices could be properly addressed and persons with disabilities could help to rebuild their own societies and be part of the solution rather than simply part of the problem.

46. The recommendations in the report were relevant for United Nations institutions and all other actors involved in the peacebuilding process. The time was right for the international community to build upon Security Council resolution 2475 (2019), on the situation of persons with disabilities in armed conflict, which included references not just to the protection of persons with disabilities but also to their role in reconciliation, rebuilding and peacemaking.

47. Facing the future also meant facing the past. It was shocking that debates about moral repair and transitional justice for historic wrongs had tended to exclude persons with disabilities.

48. **Ms. Lelisa** (Lesotho) said that the participation of people with disabilities in decision-making processes was indispensable to a well-rounded democratic society and was transformative for the design of laws, policies and programmes. Governments must strengthen efforts to mainstream disability issues throughout the government architecture.

49. Acknowledging the progress made by the Special Rapporteur in promoting the rights of people with disabilities and recognizing that challenges remained, Lesotho reaffirmed its commitment to promoting the equal and meaningful participation of people with disabilities at all levels of decision-making.

50. **Ms. Dostert** (Luxembourg), speaking also on behalf of Belgium and the Kingdom of the Netherlands, said that the United Nations system had in recent years recognized the importance of including in its peacebuilding initiatives women and young people but not persons with disabilities, in particular under the women and peace and security and the youth, peace and security agendas. She asked how to better ensure the mainstreaming of persons with disabilities into those agendas.

51. **Ms. Lortkipanidze** (Georgia) said that her country had established the Interagency Coordination Committee on the Rights of Persons with Disabilities to ensure the active engagement of those persons and

organizations representing them. The Committee had in turn established the Consultative Council, for which applications to join were currently being accepted.

52. The occupation by the Russian Federation of the Abkhazia and Tskhinvali regions of Georgia prevented the Government of Georgia from sharing the human rights protection framework with persons with disabilities in the occupied territory. The dire impact of the occupation on the ground was especially painful for vulnerable communities, including persons with disabilities.

53. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) stressed the importance of highlighting violations of the rights of women and girls with disabilities and focusing on children and young persons with disabilities in conflict and war in order to address poverty and respond to climate-related disasters.

54. The representation of persons with disabilities in peacebuilding, in tackling extreme poverty, in measures to adapt climate change and in emergency response to natural disasters helped to ensure a disability perspective.

55. Persons with disabilities were individuals, not a homogeneous group. The European Union reiterated the importance of a human rights-based approach in line with the Convention on the Rights of Persons with Disabilities.

56. **Mr. Breen** (United States of America) said that his country had jointly sponsored Security Council resolution [2475 \(2019\)](#), on the protection of civilians, including persons with disabilities, in situations of armed conflict.

57. The United States supported work at the intersection of women and peace and security and the rights of persons with disabilities to increase the technical capacity of women with disabilities to lead initiatives towards equal treatment under the law.

58. He asked how Member States could be accountable for ensuring that persons with disabilities participated equitably in initiatives throughout the peace-conflict continuum.

59. **Ms. Swan** (Ireland) said that the Convention on the Rights of Persons with Disabilities demonstrated the interaction of the peace and security, development and human rights agendas. Ireland had prioritized the participation of persons with disabilities and their representative organizations in the development of its new national disability strategy and was working to

mainstream disability inclusion into its development cooperation programme.

60. With reference to the finding of the Special Rapporteur that women and children with disabilities tended to be overlooked in the peace and security and the youth, peace and security agendas, she asked how Member States could best address the intersectional nature of disability within both agendas, in particular for those with psychosocial or intellectual disabilities.

61. **Mr. Tun** (Myanmar) said that the illegal coup of February 2021 and the ongoing atrocities by the military junta had reversed all progress achieved in the promotion and protection of human rights, including the rights of persons with disabilities, and created a serious human rights and humanitarian crisis in Myanmar, with many deaths and injuries.

62. The National Unity Government was doing everything possible to promote and protect the rights of persons with disabilities. The most effective means of safeguarding the rights of everyone in Myanmar was to put an end to the military dictatorship, restore democracy and establish a federal democratic union. He asked the Special Rapporteur for his recommendation for the United Nations and Member States to help the National Unity Government and the people of Myanmar in their efforts.

63. **Ms. Lula** (Poland) said that Security Council resolution [2475 \(2019\)](#), which Poland had facilitated with the United Kingdom, remained a call upon Member States and parties to armed conflict to protect persons with disabilities in conflict settings.

64. She highlighted the assistance by Poland to persons with disabilities who had fled Ukraine as a consequence of the Russian aggression. Over the course of 2022, the State fund for the rehabilitation of persons with disabilities had benefited more than 18,000 Ukrainian refugees. She asked the Special rapporteur to share best practices on how host countries could more effectively address the specific needs of civilians with disabilities affected by armed conflict.

65. **Ms. Pongor** (Hungary), referring to the mention by the Special Rapporteur in his report of the importance of memorializing sites of conscience where historic and mass harms had been committed against persons with disabilities, asked for examples of the commemoration of persons with disabilities who had been victims of the Holocaust.

66. The Government of Hungary was committed to implementing the Convention on the Rights of Persons with Disabilities. The national disability programme had been elaborated with the involvement of civil society



organizations in line with the Convention, and its action plan for the period 2024–2025 was under preparation, taking into account the recommendations of the Committee on the Rights of Persons with Disabilities.

67. **Ms. Fruean** (New Zealand) said that it was sobering to learn that 16 per cent of all physical impairments worldwide were because of war or conflict. New Zealand agreed with the focus on moral repair and the elements underpinning it, in particular on truth as a foundation for peace. New Zealand and Mexico were jointly leading a Third Committee resolution on the rights of persons with disabilities in situations of risk and humanitarian emergencies.

68. She asked what were the biggest challenges and opportunities for States in improving the lives of persons with disabilities in the next 10 years.

69. **Ms. Tudor-Bezies** (Canada) said that her delegation was concerned about the increased risk of sexual and gender-based violence faced by women and girls with disabilities and about the frequent exclusion of peacebuilders with disabilities, in particular women and those facing multiple and intersecting forms of discrimination, from peace and security decision-making processes.

70. To achieve sustainable peace, it was crucial to ensure the full, equal and meaningful participation of persons with disabilities, including women with disabilities, in conflict prevention and resolution and in peace measures. She asked how States could best apply the lessons learned from the women and peace and security movement to create a disability-inclusive approach before and after conflict.

71. **Ms. Bryant** (Australia) said that women and girls with disabilities faced specific challenges and offered unique perspectives that were important to peacebuilding processes. Increased diversity of peace negotiators, with the intentional inclusion of women with disabilities, could strengthen peace agreements. Persons with disabilities had a right to engage and a critical contribution to make in ensuring a disability perspective in peace processes.

72. In the report, the Special Rapporteur recommended Security Council resolution [2475 \(2019\)](#) as a basis for mainstreaming and addressing the intersectional nature of disability with other personal characteristics within the women and peace and security and the youth, peace and security agendas. She wondered what the successful implementation of that recommendation would look like in practice.

73. **Ms. Matos Menéndez** (Dominican Republic) said that the Dominican Republic recognized the importance

of persons with disabilities in the post-conflict context as essential actors in peacebuilding processes. Its Government had demonstrated its commitment to the Convention over the years through the national disability council, which had conducted training and awareness-raising workshops on the dignified treatment and the exercise of the rights of persons with disabilities.

74. She asked how to ensure more effective participation of persons with disabilities in post-conflict reconstruction processes and whether those persons were typically prioritized.

75. **Mr. Reza Bautista** (Mexico) said that peace processes presented the opportunity to imagine a different future and that their success depended on their inclusivity and on allowing those historically invisible to play a role in transforming the structural failures that had facilitated the conflict. The contributions of persons with disabilities were essential to the construction of sustainable peace.

76. In his report, the Special Rapporteur examined the Peacebuilding Fund as the main instrument for laying the foundations of a more inclusive and tolerant society, but the Fund's strategy for the period 2020–2024 did not include any mention of persons with disabilities. He asked how the Fund could be used to develop projects dedicated to the participation of persons with disabilities in the peace and reconstruction processes.

77. **Ms. Kalkku** (Finland), speaking on behalf of the Nordic and Baltic countries (Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden), said that persons with disabilities needed to be included early in processes such as peacebuilding operations and treated equally regardless of whether their disabilities were conflict-related. All people should have a voice in addressing wrongdoings of the past and rebuilding a more inclusive, resilient and sustainable society.

78. What could Member States do to address the sidelining of persons with disabilities from peacebuilding processes because of stigma, discrimination and lack of knowledge?

79. **Ms. Aquilina** (Malta) said that her country remained committed to ensuring that the rights and needs of persons with disabilities were reflected in peacebuilding processes, both as recipients and as participants, including in the work of the Security Council. It was important to recognize the intersection of disability with other personal characteristics within the United Nations peacebuilding architecture, including the women and peace and security and the youth, peace and security agendas.

80. The life experiences of children, which were shaped in some cases by their disabilities and their aspirations, could contribute to sustaining peace. She asked how Member States could integrate the rights and needs of children with disabilities into the children and armed conflict agenda.

81. **Ms. Zalaquett** (Chile) said that her country valued the intersectional approach to peacebuilding taken in the report of the Special Rapporteur and expressed concern about the lack of inclusion of persons with disabilities in peacebuilding processes.

82. With regard to the point made in the report that the participation of persons with a physical or sensory disability in peacebuilding processes was half that of persons with disabilities, Chile considered it relevant and worthy of improvement by Member States.

83. She asked what measures or strategies could be implemented to advance the adoption of an intersectional strategy aimed at making peace agreements effective and lasting.

84. **Mr. Kondratev** (Russian Federation) said that his delegation did not see any value added by focusing on persons with disabilities in armed conflict in three separate thematic reports. There was a need for a holistic approach to improving the lives of persons with disabilities in future activities. The Special Rapporteur would benefit from a less narrow focus.

85. Although the views of persons with disability should be taken into account, the Russian Federation could not accept recommendations to involve them earlier in peacebuilding operations. General agreements must be reached first, and consultations at later stages of negotiation should involve a broader range of people on issues that concerned them.

86. The decision of the Committee on the Rights of Persons with Disabilities to prepare general comments on article 11 of the Convention on the Rights of Persons with Disabilities was outside the mandate of the Committee, which should focus on considering the progress reached by States on meeting their obligations under the Convention and should not interpret its various articles.

87. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that the illegal imposition of unilateral coercive measures by the United States, which had not yet ratified the Convention on the Rights of Persons with Disabilities, adversely affected the ability of the Islamic Republic of Iran to realize the rights of persons with disabilities. Her delegation called for a focus on the rights of persons with disabilities and the negative

impacts of unilateral coercive measures in the next report of the Special Rapporteur.

88. The human rights violations and crimes against humanity being endured by the Palestinian people demanded the urgent attention of the international community. The recent escalation of Israeli aggression, in particular the attacks on hospitals, schools and refugee camps, had resulted in deaths, injuries and disabilities. Member States should utilize the Third Committee to shed light on the truth that the Israeli regime had violated the rights of Palestinians for decades.

89. **Ms. Lee Yeseung** (Republic of Korea) said that, as an incoming member of the Security Council for the period 2024–2025, her country sought to contribute to its important discourse. When addressing women and peace and security, and children in armed conflict, women and children with disabilities must not be overlooked and must be included.

90. The Convention on the Rights of Persons with Disabilities and Security Council resolution [2475 \(2019\)](#) would provide normative guidance, and lessons learned from implementing other agendas including women and peace and security should be applied.

91. She asked the Special Rapporteur to specify his priorities for the Security Council, in particular for incoming Council members.

92. **Ms. Chen Jiawen** (China) said that her country called upon all countries to implement the Geneva Conventions, international humanitarian law and Security Council resolutions on protecting women, children and other vulnerable groups, including persons with disabilities, and called for increased attention to the special situation of persons with disabilities in conflicts and post-conflict contacts.

93. China supported the United Nations and the Security Council in maintaining international peace and security and protecting persons with disabilities. It also supported enhancing the visibility of persons with disabilities across the peacekeeping and peacebuilding continuum, leveraging their role in peace processes and promoting their equal participation and full development.

94. **Ms. Samai** (Algeria) said that her country had been among the first to ratify the Convention on the Rights of Persons with Disabilities to ensure the full inclusion of those persons as active participants in society. Persons with disability were sometimes considered a homogeneous group but might include, for example, elderly women with disabilities who suffered

from gender-based discrimination in areas where they were subjected to foreign occupation or armed conflict.

95. She asked how best to take into consideration different and intersecting forms of discrimination addressing the rights of persons with disabilities.

96. **Mr. Shaked** (Israel) said that Hamas terrorists had infiltrated Israel on 7 October 2023 and murdered 1,400 people. Israel had evidence that persons with disabilities and their caretakers had been killed mercilessly. In addition, Hamas had committed gross violations of international law and fundamental human rights by abducting over 220 civilians, including persons with disabilities, who joined two Israeli civilians with mental disabilities already held captive for eight years. Hamas bore full responsibility for protecting the rights of the abductees.

97. Israel urged the international community to protect the abductees and ensure their immediate release. The abducted persons with disabilities should not suffer under those intolerable conditions. Nothing could justify such actions and their consequences. He asked what measures should be taken to ensure that the hostages, in particular those with disabilities, were safely returned to Israel.

98. **Mr. Zumilla** (Malaysia) said that his country had enacted the Persons with Disabilities Act of 2008, guaranteeing the protection of the rights of those persons domestically, and had established a department for their registration, protection, rehabilitation, development and well-being.

99. Malaysia was working on the third action plan for persons with disabilities, which would take into consideration achievements, inputs from studies on employment opportunities, support systems for caregivers and feedback from relevant communities.

100. He asked the Special Rapporteur to elaborate on how United Nations and State-funded development and peacebuilding initiatives could better accommodate individuals with disabilities.

101. **Mr. Altarsha** (Syrian Arab Republic) said that only some delegations in attendance had the stamina needed to listen to the entire intervention of the representative of Israel.

102. His country had long been deluded that Israel had only two skills: killing and claiming victimhood. However, Israel also had the unique skill of creating persons with disabilities. With a single air strike against civilians in Gaza, Israel could kill, leave persons with disabilities, and then portray itself as a victim at the United Nations, begging for sympathy.

103. The situation in Gaza would not have happened but for the support of a small group of countries for the occupation. They were more isolated than ever, which was the reason for the new pattern to their brutality.

104. **Ms. Pereira Gomes** (Brazil) said that the analysis of the Special Rapporteur shed much-needed light on the challenges faced by persons with disabilities. The guiding principles of the new policies of Brazil on the rights of persons with disabilities were grounded in the Convention and centred on the inadequacy of the environment rather than the individual or the disability.

105. Brazil was countering the strictly medical approach to disability by developing a holistic disability assessment system and promoted the participation of all stakeholders and civil societies in decision-making at all levels. The three reports of the Special Rapporteur would help to amplify the voices and enhance the visibility and participation of persons with disabilities in peacebuilding.

106. **Ms. de Sousa** (Timor-Leste) said that 4 per cent of the population of Timor-Leste comprised persons with disabilities, most of whom lived in rural areas and were self-employed, often relying on subsistence farming. The Ministry of Social Solidarity and Inclusion had been working with organizations of persons with disabilities to achieve progress with the adoption of the national action plan for persons with disabilities for the period 2021–2030.

107. In terms of prevention, she asked whether there was an appropriate means of identifying types of disability in unborn children as early as possible in order to introduce an appropriate treatment in advance.

108. Mr. Quinn (Special Rapporteur on the rights of persons with disabilities) thanked Lesotho for reminding those in attendance that not only article 11 of the Convention on the Rights of Persons with Disabilities was relevant but also its article 4, under which persons with disabilities had the right to participation in all processes that affected them.

109. A number of delegations had mentioned the model provided by the women and peace and security paradigm, which was imperfect but worthy of some study and emulation. The Peacebuilding Fund in particular might be reconfigured to assist in building the capacity of organizations of persons with disabilities to engage constructively in the change process.

110. He thanked Georgia for the frank, constructive and engaging country visit in September 2023; the relevant report would be made public soon.

111. Myanmar and New Zealand had touched on the disproportionate impact of conflict on persons with disabilities. One point that had not been raised was the role of veterans with disabilities, who were politically impactful around the world. The time was right to forge alliances between groups of veterans with disabilities and representative organizations of persons with disabilities.

112. Delegations including that of Poland had referred to Security Council resolution 2475 (2019) and asked what the Council could do next. The resolution was clear, so the next step was its implementation and the re-energizing of the United Nations peacebuilding regime and the Peacebuilding Fund to make inclusion a reality.

113. Hungary has asked about memorialization and the existence of sites commemorating Holocaust victims with disabilities. The T4 memorial in Berlin was such a site. Persons with disabilities had been among the first victims of the Nazis.

114. The European Union had mentioned that other factors including climate change generated some of the problems being experienced.

115. The United States had asked what more could be done in terms of accountability under international law. The draft treaty on crimes against humanity was before the Sixth Committee. A major lesson learned in recent years was that such instruments would not be sufficiently inclusive if groups such as persons with disabilities were not included.

116. Thanking Ireland for its contribution, he said that his interest in the subject under discussion dated back to the Northern Irish peace process in the early 1990s, in which the two communities would be unified only on the issue of disability, which served as an early confidence-building measure. Mexico had asked how the Peacebuilding Fund could support the inclusion of persons with disabilities, and that question deserved an uncompromising answer. Finland had mentioned the philosophy of inclusive peacebuilding as the dominant theme to put before the Security Council as the fifth anniversary of its resolution 2475 (2019) approached. He thanked China for its support and encouragement and expressed appreciation for its peacebuilding and development efforts throughout the world.

117. Referring to Israel, he said that international humanitarian law applied both to Hamas and to the Government of any State represented at the current meeting. The abduction of civilians and wanton violence against civilians were war crimes.

118. The importance of truth and moral repair had been mentioned several times. Professor Linda Steele, the

world's leading expert on memorialization, was present and had contributed significantly to the report. The Special Rapporteur had found from his discussions with international colleagues that moral repair was a universal concept.

119. Clarity concerning standards was needed to facilitate the assessment of country reports and the work of Governments, and he supported the Committee in making that general comment on article 11 of the Convention.

120. **Ms. Ghanea** (Special Rapporteur on freedom of religion or belief), introducing her report (A/78/207), said that, 75 years after the adoption of the Universal Declaration of Human Rights, humanity had not yet achieved the effective, tangible enjoyment of freedom of religion or belief. Recent events only served to underscore the urgency of the issue, as a wake-up call for ensuring that respect for all was at the heart of community resilience. In some cases, obstacles to the enjoyment of that freedom began at birth, with the non-recognition by the State of particular religious or belief groups, and sometimes extended to the outright denial of citizenship or citizenship rights. Such a denial was a form of coercion and marginalization that affected every interaction with the State, including in accessing social services, education, health care and justice.

121. The effective enjoyment or denial of freedom of religion or belief often depended on the actions or inaction of local authorities, such as regions and municipalities, especially when those entities were autonomous. In some countries, those authorities were responsible for the enforcement of religious laws that violated freedom of religion or belief, such as the imposition or prohibition of mandatory fasting, headdress and religious symbols, and for the implementation of plural legal systems that fell short of international human rights standards. Even in countries where the constitutional and legal order guaranteed freedom of religion or belief, the reality of widespread prejudicial and discriminatory attitudes among State functionaries could essentially render those protections ineffectual. Unfortunately, it was often considered politically profitable to engage in the alienation of specific groups, including religious or belief minorities. Credible reports had been received of such behaviour by local government functionaries, who might have gone so far as to incite, promote and engage in direct violence against religious or belief minorities, their properties, homes, businesses and places of worship.

122. That abdication of responsibility by State actors did not exist only at the local level, but often took place in a context of impunity, as law enforcement officials

and justice operators abandoned their allegiance to the rule of law in the service of their own self-interest or prejudices. In the worst cases, the State itself knowingly turned a blind eye to the structural discrimination etched into its systems of governance, or even spearheaded and benefited from violence against religious communities.

123. To have a concrete understanding of violations on the ground, it was important to consider violations of freedom of religion or belief from different perspectives. The gender-justice perspective showed that legal norms and practices that applied to persons identified with a particular religion or belief might place women from that community at a significant disadvantage, in relation to marriage, inheritance, divorce, custody of children and access to places of worship.

124. However, in such a disheartening landscape, there were some positive examples worth noting. Inputs received for the report indicated that some local authorities had established the means of engaging with minorities in policymaking, to better understand and take into account the needs of religious or belief communities. Many State and non-State actors, including civil society and faith-based organizations, were creating vital spaces for meaningful interfaith and intrafaith dialogue, including with secular actors. Those spaces would be more effective if they recognized and included groups that might traditionally be excluded from them, such as women, non-religious groups or marginalized communities.

125. There was a need for those with a platform to speak out against hatred and contempt, including for religious or belief minorities, and affirm their right to maintain their characteristics and be protected against discrimination. In the same vein, it was imperative to ensure that police were acting appropriately, promptly and without discrimination. Effective policies should be adopted, worldwide, to de-escalate, demystify and address the root causes of hatred and intolerance. In addition to ongoing training and capacity-building on freedom of religion or belief, States should appoint national focal points, with an independent mandate, to ensure the comprehensive enjoyment of freedom of religion or belief.

126. **Ms. Eyrich** (United States of America) said that her delegation welcomed the recent visit of the Special Rapporteur to Tajikistan and encouraged its Government to implement the recommendations made. In the wake of reports of arbitrary detentions, expulsions and harassment of Catholic clergy, laity and parishioners in Nicaragua, the United States condemned the imprisonment of Bishop Rolando Álvarez, the

cancellation of the Jesuit order and the seizure of the Jesuit-run Central American University. There was an urgent need for action in Eritrea, where the Government was reportedly arresting individuals on the basis of religion. Some countries were continuing to enforce blasphemy laws that disproportionately affected religious minority groups and criminalized both freedom of expression and freedom of religion or belief.

127. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that the European Union was committed to the promotion and protection of freedom of religion or belief and freedom of expression, which were mutually reinforcing and had equal value and importance. All persons had the right to believe or not believe, and to change, practise and manifest their religion or belief. The European Union condemned any advocacy or hatred based on religion or belief that constituted incitement to discrimination, hostility or violence, and was very concerned about such acts. It upheld respect for diversity, regardless of religion or belief.

128. **Ms. Monica** (Bangladesh) said that her delegation was concerned about the gravity of crimes and violations based on identity politics and hateful stereotypes against religious minorities. The forced displacement of and repeated atrocities committed against the Rohingya Muslims was a glaring example of such trends. The Rohingya had long been denied the right to citizenship in Myanmar, owing to their status as a religious and ethnic minority, and were therefore vulnerable to persecution. Given the increasing use of online platforms to spread hate and provocation against religious minorities, she wished to know how the office of the Special Rapporteur could raise awareness on the responsible use of digital technologies to prevent intolerance and violence on the basis of religion.

129. **Ms. Landy** (Ireland) said that Ireland condemned all forms of discrimination and intolerance on the basis of religion or belief. It was truly disheartening to see growing anti-Semitism, discrimination towards Muslims, repression of Christians, and hatred and persecution of many other religious groups. States should ensure that their domestic laws facilitated and supported freedom of religion and belief, especially for persons belonging to religious minorities, such as the Baha'i people, who were particularly vulnerable to violence and discrimination owing to their religious belief. More information would be appreciated on how Member States could best ensure that State initiatives aimed at promoting freedom of religion or belief were as inclusive and non-discriminatory as possible.

130. **Ms. Bouchikhi** (Morocco) said that her country remained attached to the values of mutual existence and the rejection of hatred and intolerance. Morocco had initiated General Assembly resolution [77/318](#) on countering hate speech, which had been adopted by consensus in July 2023 and was a continuation of its resolutions [73/328](#) and [75/309](#). Her delegation welcomed the decision to convene a conference against hate speech in Geneva in 2025, under the leadership of the Office of the High Commissioner for Human Rights. She asked the Special Rapporteur to elaborate on her plans to participate in the upcoming conference.

131. **Ms. Greenhalgh** (Canada) said that all people had the right to practice their religion or belief without fear of persecution or violence, regardless of race, religion, ethnicity, nationality, gender identity or sexual orientation. Freedom of religion or belief was a cornerstone of peaceful, inclusive and diverse societies. Canada actively engaged in international efforts to uphold and protect the right to freedom of religion or belief and remained committed to collaborating with and learning from other countries, civil society organizations and various stakeholders, in order to advance respect for that right, both globally and domestically. Sustaining dialogues, fostering partnerships and encouraging cooperation among all stakeholders were imperative for ensuring the protection and promotion of freedom of religion or belief for all.

132. *Ms. Monica (Bangladesh), Vice-Chair, took the Chair.*

133. **Mr. Gonzáles Behmaras** (Cuba) said that freedom of religion was enshrined in and protected by the Constitution of Cuba. The subject of freedom of religion or belief should be promoted through dialogue, mutual respect, the recognition of diversity, tolerance and multilateralism. Cuba was opposed to the practice of preparing lists, such as the illegitimate special watch list prepared by the United States Department of State on freedom of religion, to which Cuba had been added in 2022, without any justification whatsoever. The United States had no moral authority to make such lists and should focus instead on mass shootings against religious minorities. He invited the Special Rapporteur to consider the impact of unilateralism on the promotion and protection of religious freedom.

134. **Ms. Tusscher** (Kingdom of the Netherlands) said that the growing animosity between groups within various multilateral forums, which was often characterized by divisions based on religious backgrounds, was a very worrisome trend. To remedy such behaviour, the international community should examine ways of promoting serious and respectful

interreligious and interfaith dialogue. Advice would be welcome on how States could strengthen and revitalize the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, at the local and domestic levels, to bring about inclusive and positive change for those being persecuted on such grounds.

135. **Ms. Orduz Duran** (Colombia) said that Colombia was committed to advancing human rights and fundamental freedoms, and freedom of religion was enshrined in its Constitution. Her Government had adopted a National Development Plan, which established a system of freedom of religion, worship and belief, social dialogue, total peace, equality and non-stigmatization. It had also created a committee on freedom of religion and planned to include the subject in territorial dialogue methodologies, within all entities. Colombia recognized the added value of interaction at the local and regional levels and expected its policy of peace to ensure respect for freedom of religion and worship as an end in itself and as a mechanism to prevent violence.

136. **Mr. Kondratev** (Russian Federation) said that States should strictly respect freedom of religion or belief. His delegation wished to draw attention to the situation in Ukraine and in Western countries. The Kyiv authorities had stepped up their attacks on the Ukrainian Orthodox Church and had embarked on the largest persecution of clergy and parishioners in recent history, as part of a politically motivated campaign to destroy canonical orthodoxy. Amid ongoing infringements on the rights of believers and religious freedom, and crimes against monks and relics in the Kyiv Pechersk Lavra monastery, Western States continued to turn a blind eye to the actions of the Ukrainian authorities. Xenophobia and religious intolerance were growing in Europe.

137. **Ms. Mimran Rosenberg** (Israel) asked the Special Rapporteur when she would break her silence about growing anti-Semitism worldwide, condemn all hate speech and hate crimes against the Jewish people, and denounce Hamas for the terror attack it had committed against Jews on the grounds of religion and belief. The time had come to speak out and urge Member States and other entities to rise to the challenge of effectively combating anti-Semitism and adopting the International Holocaust Remembrance Alliance definition of anti-Semitism, which was non-binding and could serve as a benchmark for naming and combating historical and contemporary forms of anti-Semitism.

138. **Ms. Scoczek** (Poland) said that the protection and promotion of the right to freedom of religion or belief

was of great importance to her country and a priority of its foreign policy. The right to freedom of religion or belief required continuous investment at every level, to be effectively enjoyed, including at the domestic and local levels, which were most relevant to the everyday reality of rights holders. Freedom of religion or belief contributed directly to democracy, development, the rule of law, good governance, peace and stability. No one could suppress those rights by using coercive power. All States and non-State actors should respect the right to freedom of religion or belief.

139. **Ms. Ijaz** (Pakistan) said that her delegation was concerned about the increasing incidence of Islamophobia and, in particular, the desecration of the Qur'an, which was deeply offensive to approximately 1.8 billion Muslims across the world. Pakistan was also troubled by the sharp rise in Islamophobic incidents in India, where there was an ongoing campaign by Hindu extremists to destroy thousands of religious sites, mosques and mausoleums. General Assembly resolution [76/254](#) had acknowledged that issue and had proclaimed 15 March International Day to Combat Islamophobia. Additional details would be appreciated on the measures envisioned by the Special Rapporteur to combat growing Islamophobia, which was significantly infringing on the rights of Muslims across the globe.

140. **Mr. Retalis** (Greece) asked the Special Rapporteur to further elaborate on how States could practically ensure that first responders at the local level would be able to guarantee freedom of religion or belief for all, so that no one was left behind. Greece was determined to continue respecting, promoting and protecting freedom of religion or belief as an integral part of its domestic and foreign policy.

141. **Mr. Ayad** (Iraq) said that his Government had enacted a law on Yazidi survivors who had suffered abuse at the hands of the Islamic State in Iraq and the Levant (ISIL) and condemned any action that hampered the enjoyment of universal human rights. More than 40 years had passed since the adoption of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. His delegation wished to know the Special Rapporteur's opinion on hate speech, which served to incite such action.

142. **Mr. Khairunsyah** (Indonesia) said that his Government was constitutionally mandated to ensure all citizens' right to practise their religion or belief. Sustaining and promoting interreligious tolerance was therefore critical for achieving peace, harmony and unity. The State should play a role in preventing discrimination on religious grounds and review national

laws, policies, law enforcement frameworks and criminal justice systems, with a view to identifying gaps that could impede the prevention and prosecution of advocacy for and acts of religious hatred.

143. **Mr. Manzare** (United Kingdom) said that, in July 2022, the United Kingdom had hosted the International Ministerial Conference on Freedom of Religion or Belief, which had brought together faith and belief leaders, human rights actors, civil society and over 100 Government delegations. At the Conference, his Government had announced new funding to support defenders of freedom of religion or belief, as well as funding and expertise for countries that were prepared to make legislative changes to protect those freedoms. Rhetoric alone was insufficient to protect freedom of religion or belief. He wondered how the international community could help States transform words into action.

144. **Mr. Mogyorósi** (Hungary) said that his country was promoting freedom of religion or belief across the world, through its participation in the International Religious Freedom or Belief Alliance. Hungary was also engaged in concrete actions aimed at combating the spread of intolerance and persecution based on religion or belief, within the framework of the Hungary Helps programme, which provided direct local aid to vulnerable communities and, in particular, those facing persecution because of their religion or belief. In Hungary, no individual group had been left unprotected against violence. Human dignity and respect for the dignity of communities, including religious dignities, were clearly linked to freedom of expression and enshrined in the Constitution.

145. **Ms. Bryant** (Australia) said that her country was a strong advocate for freedom of religion or belief and committed to the universality, indivisibility and interdependence of all human rights. Australia was also committed to protecting the rights of all people to adopt, manifest, change or leave any religion or belief, without experiencing hatred, discrimination or violence. Her delegation was deeply concerned by the increase of discrimination against and intolerance of different religions and beliefs, including through the desecration of sacred books, places of worship and religious symbols, which was inconsistent with the Universal Declaration of Human Rights. She asked how States could improve alignment across sectors and jurisdictions, to ensure the protection of freedom of religion or belief at all levels.

146. **Ms. Bimbaité** (Lithuania), speaking on behalf of the Nordic and Baltic countries, said that the Nordic and Baltic countries strongly condemned all forms of

intolerance and discrimination against individuals, including those based on religion or belief, and disassociated themselves from all hurtful and provocative actions. Freedom of religion or belief and freedom of expression were interdependent, interrelated and mutually reinforcing rights that protected persons, rather than religions or beliefs in and of themselves, and formed the basis for combating all forms of intolerance and discrimination. The Nordic and Baltic countries remained fully committed to collectively promoting and protecting those rights, particularly through common dialogue. Some actors were increasingly misusing religion and instigating religious rivalry for political purposes, thereby contributing to acts of discrimination, hate speech, violence and conflict, and leading to polarized discourse at the national and international levels.

147. **Mr. Bauwens** (Belgium) said that while the ratification of relevant treaties was a necessary first step for the enjoyment of human rights, including freedom of religion or belief, the day-to-day practice of that right required continuous investment at every level. The report provided important reminders on how freedom of religion or belief should be promoted, protected and fulfilled at the domestic level. By detailing the wide array of actors at the domestic level who could contribute to the enjoyment or violation of that right, the report demonstrated how the safeguarding of freedom of religion or belief should be practical and effective.

148. **Ms. Meunluang** (Lao People's Democratic Republic) said that her country attached great importance to respecting and promoting the right to freedom of religion or belief without discrimination. The multi-ethnic people of Lao People's Democratic Republic enjoyed the constitutional right and freedom to voluntarily believe, not believe, or change their belief in any religion, without any force or unlawful incentives. All religious organizations were working to educate people of different social backgrounds on how they could be good citizens and contribute to national development.

149. **Ms. Sonkar** (India) said that India was a multi-ethnic, multireligious and multilingual country of continental proportions that was guided by the principles of democracy, pluralism and the rule of law, whose people respected and celebrated their diversity. The Indian Constitution guaranteed the fundamental human rights of all citizens, without discrimination on any grounds whatsoever, and special legal protection for conserving the distinct cultures, languages, scripts and other interests of minority communities. Her delegation was seriously concerned by the extraneous references to India contained in the report. Furthermore, it dismissed

and condemned the frivolous remarks made by a specific delegation against India.

150. **Mr. Bin Jadid** (Saudi Arabia) said that the report had made no reference to one of the main types of discrimination on the basis of religion, namely the burning of the Qur'an on several occasions, in several States. He wondered how Member States, the international community and the Special Rapporteur could address those attacks against freedom of religion or belief.

151. **Ms. Chen Jiawen** (China) said that her Government had adopted a policy of freedom of religion or belief, maintained religious harmony, and respected and protected people's right to believe or not believe. In China, religions of all types were thriving, with close to 200 million people of different faiths, more than 380,000 clerics, approximately 5,000 religious groups, 144,000 places of worship and 95 seminaries. Her delegation had noted with concern that, according to polling data, 75 per cent of Muslims in the United States of America believed that their society discriminated against them. Bloody incidents frequently flared up at various religious sites in the United States, and anti-Muslim legislation had seriously endangered the Muslim community.

152. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that her country was home to different ethnic groups, each having its own dialect, culture and religious belief. The Constitution of the Islamic Republic of Iran protected the dignity, life, property rights, housing and occupation of each individual from any transgressions. Her delegation took note of the report but strongly rejected the unsupported and fabricated political allegations made therein against the Islamic Republic of Iran. Recommendations would be welcome on how Member States could address the root causes of hate speech and Islamophobia, which had led to incidences of the Qur'an being insulted and Muslim girls being banned from attending school due to their Islamic dress code.

153. **Mr. Muñoz** (Sovereign Order of Malta) said that the Sovereign Order of Malta upheld Catholic teachings on freedom of religion or belief, as exemplified by the Holy Family Hospital in Bethlehem, where Catholics and Muslims collaborated to safeguard lives, particularly those of women and children. The pursuit of truth should be free from external coercion or impediments. Governments should continually strive to achieve a delicate balance between protecting society and ensuring the individual's ability to exercise religious freedom, and between maintaining law and order and safeguarding the principles of human rights.



154. *Mr. Marschik (Austria) resumed the Chair.*

155. **Ms. Ghanea** (Special Rapporteur on freedom of religion or belief) said that States were responsible for guaranteeing freedom of religion or belief to all under their jurisdiction, with no exception. They were therefore obligated to address the complexities and challenges that sometimes arose in making freedom of religion or belief a tangible right at the domestic level. In response to questions on measures States could take to ensure effective and real freedom of religion or belief on the ground, she noted that they could start by could signing and ratifying international treaties that protected freedom of religion or belief, while also rescinding incompatible reservations and domesticating them in national laws. Constitutional and legal arrangements should be aligned with international freedom of religion or belief standards, including by extending equal recognition to all religious or belief traditions, even when the dominant theology or make-up of the State did not recognize other religions or beliefs. Under international law, States had a duty to respect each individual's declaration or self-definition of religion or belief and ensure the equal enjoyment of all rights. They should refrain from coercing individuals or groups in any way, because of their religious or belief identities, and repeal and avoid the criminalization of traditions, identities and manifestations relating to religion or belief.

156. As State functionaries at the local level and across institutions, first responders should be equipped to play a positive role in ensuring freedom of religion or belief for all. Doing so would require robust education and ongoing training, as well as an honest examination of the historical biases and prejudices that were enshrined in cultures, societies, neighbourhoods, laws, policies and practices worldwide. When freedom of religion or belief was refused and discrimination was rampant, access to the entire body of human rights was denied. To ensure the quality of interaction between local State functionaries and those living within the jurisdiction, there needed to be effective domestic oversight and scrutiny, and a robust and accessible set of avenues for complaints and redress. States should create an independent focal point for freedom of religion or belief and concentrate on ensuring the enjoyment of that right for all. The national focal point should be guided by international standards, and have the seniority and authority required to assess and advise on the role of all other State bodies and their compliance with relevant international human rights standards.

157. She acknowledged references to the right to change religion or belief and its guarantee and enjoyment at the domestic level, and underscored the

importance of rescinding blasphemy laws, which violated the freedom of religion or belief of minorities. She also thanked Bangladesh for mentioning the denial of citizenship on the basis of religion or belief. The freedom of religion or belief mandate had existed for 37 years and previous reports had referred to anti-Semitism, anti-Muslim hatred and Islamophobia, and the role of digital technology in freedom of religion or belief. Member States should consult a digest that was available on the website of the mandate and the reports of previous mandate holders. Hatred was on the rise and, as mentioned by Morocco, a conference on hate speech would be convened in 2025.

158. On the issue of growing animosity raised by the Kingdom of the Netherlands and the need to revitalize the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, she noted that the objectives contained in [A/HRC/53/1](#) and General Assembly resolution [77/318](#) included a renewal of the commitment established in the Istanbul Process. Accordingly, States should pay serious attention to the rise within their jurisdictions of hatred based on religion or belief and learn from each other by reporting regularly on challenges and good practices. While some delegations had reiterated some of the messages of the report, others had been dissatisfied with the references to their countries contained in its footnotes. Those references had also been set out in letters of allegation, in keeping with established modalities, and the delegations in question had had ample opportunity to respond to those allegations and were welcome to engage in dialogue with the mandate holder.

159. In response to the observations made by the Islamic Republic of Iran, she indicated that her next thematic report was under preparation and Member States were invited to submit their contributions in the coming days. That report would be presented at the March 2024 session of the Human Rights Council and would examine the issue of advocacy for hatred based on religion or belief, in the light of [A/HRC/53/1](#) and General Assembly resolution [77/318](#). It would seek to identify gaps in State and civil society responses to countering advocacy for such hatred, explore its impact and share best practices based on the ongoing efforts of various stakeholders. The report would also assess the implications of developing transformative responses to hatred based on religion or belief.

*The meeting rose at 12:50 p.m.*