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## Third Committee

### Summary record of the 42nd meeting

Held at Headquarters, New York, on Friday, 16 November 2001, at 10 a.m.

*Chairman:* Mr. Al-Hinni. . . . . (Oman)

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*The meeting was called to order at 10.25 a.m.*

1. **The Chairman** said that he trusted that Ramadan, which had fallen at a particularly difficult time, would be a month of reflection, hope and peace.

**Agenda item 118: Right of peoples to self-determination** (*continued*) (A/C.3/56/L.42)

*Draft resolution A/C.3/56/L.32: Universal realization of the right of peoples to self-determination*

2. **Mr. Andrabi** (Pakistan), introducing the draft resolution, said that Bosnia and Herzegovina, Chile, Comoros and El Salvador had joined the sponsors. The draft resolution updated General Assembly resolution 55/85 by introducing in the preamble a reference to the Millennium Declaration. He trusted that the draft would be adopted by consensus as at the previous session. The right of peoples to self-determination was an inalienable right and a prerequisite for the enjoyment of all human rights, as emphasized in every important international instrument, including Article 1 of the Charter of the United Nations, which stated that the right to self-determination was the basis of friendly relations among nations, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the Vienna Declaration, and the Millennium Declaration.

3. **The Chairman** said that Burkina Faso, Cameroon and Madagascar had joined the sponsors of the draft resolution.

**Agenda item 119: Human rights questions** (*continued*)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/56/168, A/56/190, A/56/204, A/56/207 and Add.1, A/56/209, A/56/212, A/56/230, A/56/253, A/56/254 and Add.1, A/56/255, A/56/256, A/56/258, A/56/263, A/56/271, A/56/292 and Add.1, A/56/310, A/56/334, A/56/341, A/56/344 and A/56/608)

**(c) Human rights situations and reports of special rapporteurs and representatives** (*continued*) (A/56/210, A/56/217, A/56/220, A/56/278, A/56/281, A/56/312, A/56/327, A/56/336, A/56/337, A/56/340, A/56/409 and Add.1, A/56/440, A/56/460, A/56/479 and A/56/505; A/C.3/56/4 and A/C.3/56/7)

**(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (*continued*) (A/56/36 and Add.1 and A/56/524)

**(e) Report of the United Nations High Commissioner for Human Rights** (*continued*) (A/56/36 and Add.1)

4. **Mr. Cherif** (Tunisia), speaking under agenda items 119 (b) and (c), noted with satisfaction that the special session of the General Assembly on HIV/AIDS, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and the preparations for the special session of the General Assembly on children had contributed to the development of a common vision of human rights, and that the final documents adopted at the conclusion of those meetings had allowed the international community to strengthen its commitment to human rights. Consideration of the question of human rights should lead to a convergence of views through an open exchange of ideas and to developments in conformity with the principles of the Charter of the United Nations and the international conventions.

5. His delegation, concerned by the serious human rights violations in situations of conflict, which particularly affected vulnerable groups — women, children and older persons — urged parties to conflicts to respect human rights and resolve their differences peacefully. The situation in the Palestinian territories was unacceptable, and he called on the international community to denounce the abuses committed by Israel, which had been debated at some length in the Fourth Committee, on special political questions and decolonization.

6. Human rights formed a whole: they were simultaneously political, civil, economic, social and cultural, and could not be selectively invoked. Moreover, they were all equally important, and some could not be emphasized at the expense of others. The right to development, which was a precondition for the

effective exercise of all human rights, was threatened by poverty. For that reason the international community had made poverty alleviation a priority objective and, at the Millennium Summit, had reaffirmed its willingness to coordinate its efforts to eradicate poverty. In that spirit Tunisia had proposed to the General Assembly, at its fifty-fifth session, the establishment of a world solidarity fund, a proposal which had been endorsed by the Assembly in its resolution 55/210. He hoped that there would be practical follow-up to the resolution at the current session.

7. His Government had adopted a comprehensive and progressive approach to human rights so that Tunisian society could develop in stability and security, taking account of geographical, social and economic realities, and encouraging a synergistic approach to promote the democratic process. In the context of a comprehensive strategy, it had implemented several legislative reforms (to promote a culture of human rights) as well as socio-economic measures (education, care, advancement of women, right of the child, poverty alleviation). The President had also announced a constitutional reform, intended to prepare for change, which provided for pluralism in presidential elections, the strengthening of links between the Chamber of Deputies and the Government, establishment of a second chamber in the legislature and consolidation of the role of the Constitutional Council. That set of reforms, in which human rights and fundamental freedoms would be in the forefront, would also relate to the protection of privacy, communications and personal data, as well as to the strengthening of the laws governing police custody and preventive detention.

8. **Mr. Mammadov** (Azerbaijan), speaking under agenda item 119 (b), said that Azerbaijan was a multiethnic and multi-religious country, and that the various minorities were broadly represented at every level of the State structure, in the Government as well as in Parliament. The Constitution of the Republic of Azerbaijan prohibited any restriction of human rights and freedoms on the basis of race, nationality, religion, language, political affiliation or social status, or sex, nationality or belief. A decree on the protection of minority rights and freedoms had been signed on 16 September 1992 by the President.

9. His Government firmly believed that the promotion and protection of the human rights of all

contributed to the political and social stability of States. Azerbaijan, while focusing on minority rights, must also keep in mind that national minorities, as well as all other citizens, must respect national legislation and the rights of others, including those belonging to the majority or to other minorities. International law clearly distinguished between the individual rights of persons belonging to minorities and the collective right of peoples to self-determination.

10. He drew attention to article 8, paragraph 4, of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (General Assembly resolution 47/135), paragraph 84 of the commentary to the Declaration, drafted by the Chairperson of the Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights (E/CN.4/Sub.2/AC.5/2001/2), and articles 20 and 21 of the Framework Convention for the Protection of National Minorities of the Council of Europe and the related commentary. He noted in that regard that minority rights could not be interpreted as permitting any activity in contravention of the fundamental principle of international law, and, in particular, those relating to sovereign equality, territorial integrity and the political independence of States. Failure to observe those principles was a common cause of conflicts.

11. The foreign aggression of which Azerbaijan had been victim had led to a tragic armed conflict and the occupation by neighbouring Armenia of 20 per cent of the territory of Azerbaijan, including Nagorny-Karabakh, flagrant violations of international humanitarian law, and outright ethnic cleansing in Armenia and the occupied territories of Azerbaijan. An agreement to restore lasting peace could not be based on acceptance of the results of external aggression and militant separatism. The settlement of conflicts relating to minority status must not be based on the establishment of ethnically pure States or semi-States, but on the restoration of and strict respect for territorial integrity, the sovereignty of States, and protection of minorities living within their territories.

12. **Mr. Belinga-Eboutou** (Cameroon), speaking under agenda item 119 (e) on behalf of the Chairman of the Standing Advisory Committee on Security Questions in Central Africa and the President of the Economic Community of Central African States, welcomed the establishment of the Subregional Centre for Human Rights and Democracy in Central Africa as

a subregional office of the United Nations High Commissioner for Human Rights as meeting the expectations of the States of central Africa for a structure that would allow them to assume responsibility for questions relating to the promotion of human rights and democracy in their subregion. He noted the mission of the Centre, as set forth in paragraph 1 of the addendum to the report of the United Nations High Commissioner for Human Rights (A/56/36/Add.1), and drew particular attention to paragraphs 8, 13 and 23 of the report.

13. The Committee should provide the Centre with the necessary political support and endow it with the means to meet the aspirations of its initiators who, in recommending establishment of the office, had sought to indicate their willingness to work for the cause of human rights and democracy and the promotion of those values in their subregion.

14. **Ms. Popescu** (Romania) said that, in the aftermath of the terrorist attacks of 11 September, Member States should strengthen their commitment to human rights, justice and the rule of law. Her Government encouraged closer cooperation between the United Nations (in particular the High Commissioner for Human Rights and the human rights machinery) and the regional and subregional organizations having extensive expertise in that field, such as the Organization for Security and Cooperation in Europe (OSCE). The United Nations could become a focal point for interaction by intergovernmental bodies and specialized organizations in civil society in dealing with major human rights issues. Trafficking in human beings, protection of minorities, and human rights defenders, were among Romania's priorities as Chairman-in-Office of OSCE as areas in which regional cooperation could further develop. Finding a lasting solution to the cross-cutting issue of trafficking in human beings meant viewing it as a problem of organized crime as well as a human rights issue. Her Government had hosted, on 21 May 2001, a regional conference on combating trafficking in human beings and illegal migration, to which the countries of Central and Eastern Europe and other partner Governments and organizations had been invited. The countries of Europe, whether source, transit or destination countries, had made it clear that a Europe-wide response was needed to those problems. They had been invited to design national and regional strategies on public awareness and prevention, law enforcement and

prosecution, and protection and reintegration of victims.

15. Romania devoted particular attention to the protection of the rights of national minorities, both in its national capacity and as Chairman-in-Office of OSCE. In recent years a number of unresolved questions concerning minorities had led to violent conflict in several OSCE member States. Combating racism and intolerance was a key element in preventing conflicts, scaling down ethnic tension and building a genuinely multicultural and democratic society. From 10 to 13 September 2001, at Bucharest, Romania had hosted an OSCE conference on the theme "Equal opportunities for Roma and Sinti: translating words into facts", which had provided a framework for assessment of national policies and regional projects for Roma communities and for focusing on ways to ensure their effective implementation. A plan of action for Roma and Sinti based on the meeting's recommendations was expected to develop at a later stage. The situation of those communities had become a European problem, a challenge to solidarity and responsibility.

16. With regard to human rights defenders, Romania, while valuing the contribution of non-governmental organizations, supported the principle that Governments had a primary responsibility for human rights protection. In many countries the participation of civil society and implementation and monitoring of human rights-related policies had increased and diversified. She deplored the fact that too often human rights defenders were the target of hostility by the authorities. In cooperation with the Office for Democratic Institutions and Human Rights, OSCE, under Romanian chairmanship, had organized a seminar entitled "Human rights, advocacy and defenders", which had recommended the appointment, following the United Nations model, of a special representative for human rights defenders.

17. **Mr. Smagulov** (Kazakhstan) said that, on achieving independence, Kazakhstan had become an independent entity under international law and had undertaken a programme of democratic reform, including reform of the judiciary, in order to discharge its obligations, including respect for and defence of human rights and the citizen. In that regard it had incorporated in its Constitution the provisions of the Universal Declaration of Human Rights. It had also become party to the 14 international human rights

conventions, had ratified the optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the two optional protocols to the Convention on the Rights of the Child. It had adopted national legislation governing individual rights and freedoms.

18. The collapse of the Soviet Union had complicated relations between nationalities, and Kazakhstan, which had more than 100 ethnic groups, had been faced with the threat of ethnic social conflict. So as to reconcile the interests of the various groups, an assembly of the people of Kazakhstan had been established. Domestic legislation had also established equality of rights and freedoms of all citizens, without distinction on the basis of nationality, language, religious belief, and a law on language had been adopted.

19. In order to maintain the internal stability of the State, the Government was keen to foster interfaith dialogue and mutual comprehension and tolerance, and had established a council of religious leaders responsible to the Assembly of the Peoples, which would shortly begin work.

20. For the same reason, his country had introduced political pluralism, a multi-party system and the independence of the media. The elections to Parliament and to the local executive organs had provided significant impetus to such pluralism. In the framework of the electoral campaign measures had been taken to improve the electoral process and to allow broader public participation, and people had, for the first time, been able to vote on the basis of party lists; candidates had been able to campaign through the media at no cost and the elections had been monitored by foreign and Kazakh observers.

21. There were plans to appoint an ombudsman who would ensure that communications concerning human rights violations were thoroughly investigated, would monitor the situation and would inform civil society.

22. Kazakhstan fully supported the principles set forth in the two International Covenants on human rights and in the optional protocols, and planned to accede to the Covenants.

23. Kazakhstan, as a country historically without liberal or democratic traditions, had been able to resolve the problems that had arisen without recourse to force and without dangerous internal tensions because it had addressed transformation systematically

and in stages, thereby advancing towards democratic values, ensuring political stability and social order and mobilizing national resources to promote full respect for human rights.

24. **Mr. Flores** (Mexico), speaking under agenda item 119 (d), said that his country appreciated the efforts of the United Nations to promote respect for the rights of the disabled, including the establishment of mechanisms and the holding of international conferences at which specific recommendations were made to Governments. The World Conference on Human Rights had reminded States that disabled people should be fully integrated and that appropriate legislation should be enacted for that purpose.

25. Mexico had adopted programmes and measures to ensure respect for the rights of the ten million disabled people in the country by promoting their participation in social, economic and political life, particularly through revisions to the legal framework and the removal of all physical, economic, social or psychological obstacles to such participation. The political will of the Government had also been exemplified by the recent creation, under the Office of the President of the Republic, of the Office for the Advancement and Social Integration of Disabled Persons, of which he was director, and of the National Consultative Council for the Integration of Disabled Persons.

26. Bearing in mind the recommendations of the World Conference on Human Rights, General Assembly resolution 41/120 and the associated World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and because of the importance attached by the Mexican Government to the situation of the disabled, his delegation intended to submit a proposal for the preparation of an international convention for the promotion and protection of the rights and dignity of disabled persons. That instrument, which would be binding and would complement the other initiatives taken by the Organization, would provide a means of strengthening international law and serve as a basis for the drafting of appropriate legislation by States. It should therefore make it possible to respond more effectively to the needs of the 600 million disabled people in the world whose numbers were constantly increasing because of armed conflicts, the use of anti-personnel mines and natural disasters. His Government proposed to host one of the meetings of the special preparatory committee

for the drafting of the convention, an initiative that he hoped would be strongly supported by the international community.

27. **Mr. Mladenovic** (Yugoslavia), speaking under agenda items 119 (b) and (c), said that in the wake of the events of 11 September it was incumbent upon the international community to take decisive measures against terrorism, to promote human rights worldwide, and to emphasize tolerance, the rule of law, and the struggle against all forms of discrimination.

28. The Federal Republic of Yugoslavia was part of a region that had seen numerous ethnic conflicts and massive violations of human rights. Aware of its obligations, the Yugoslav Government was ready to discuss those issues openly and constructively with a view to restoring confidence and achieving reconciliation. It had taken a number of measures to establish an independent judiciary, reform the correctional system, promote freedoms and protect minorities.

29. The regulation of the status of national and ethnic minorities was of the utmost importance for the promotion of human rights and, by extension, for the stability of south-east Europe. His Government had made the protection of minorities one of its priorities, in its conviction that it was an important factor in the democratic process and in development, security and stability. At the national level, it had prepared a bill on the rights of national minorities, established the Federal Ministry for Minority and Ethnic Communities, and amended its citizenship laws.

30. At the international level, the Government had acceded to the Framework Convention of the Council of Europe for the Protection of National Minorities. It had also confirmed its accession to all United Nations human rights conventions to which the former Socialist Federative Republic of Yugoslavia had been a party. His country had signed the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography. Yugoslavia had also ratified the Rome Statute of the International Criminal Court.

31. Unfortunately, in the previous decade, Kosovo and Metohija had seen human rights violations that had resulted in terrorism and other forms of violence linked to organized crime, illicit trafficking in narcotics and arms, prostitution and money-laundering. The United

Nations with responsibility for the interim administration of the province had failed to restore the rule of law and respect for human rights, particularly for non-Albanian minorities. The Special Representative of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina and the Federal Republic of Yugoslavia had acknowledged the gravity of the situation in his latest report (A/56/460).

32. Despite its difficulties, including its economic and social problems, the Yugoslav Government was resolved to continue its work for the promotion of human rights and counted on the support of the United Nations and the international community.

33. **Mr. Andrabi** (Pakistan) observed that the hope, at the dawn of the twenty-first century, of witnessing the advent of a better world, founded on respect for human rights and the fundamental values of liberty, equality, justice, human dignity and tolerance, had been shattered by the terrorist attacks of 11 September, which called for a coherent response by the international community. He regretted that certain elements were using the situation to sow discord and hatred, citing Huntington's theory of clash of civilizations. No struggle against terrorism could be effective without tackling the roots of that evil, which lay in inequality, the exploitation of the downtrodden, the negation of fundamental rights, and a sense of injustice. Moreover, if all forms and manifestations of terrorism were to be overcome, the struggle of peoples for self-determination, even by force of arms, was perfectly legitimate, in accordance with the Universal Declaration of Human Rights and the principles of international law.

34. It was regrettable that India had still not recognized the right of Jammu and Kashmir freely to decide its destiny through a referendum monitored by the United Nations, as foreseen in the relevant Security Council resolutions; repression by the Indian security forces, which had left more than 75,000 dead in the preceding 11 years, had escalated since the Indian Government, under the guise of fighting cross-border terrorism, had passed draconian laws, such as the Prevention of Terrorism Ordinance of 24 October 2001, the Armed Forces Special Powers Act and the Kashmir Public Safety Act. The Indian occupation forces also engaged, unchecked, in massive violations of human rights, including extrajudicial killings, desecration of Muslim places of worship, and burning of homes,

events which had been well documented by international human rights organizations such as Amnesty International and Asia Watch, as well as by the international press, the Indian press included. His delegation therefore requested the international community to pressure India into accepting a peaceful resolution of the problem and acceding to the wishes of the Kashmiri people.

35. Human rights could not be guaranteed in an environment of abject poverty and denial of the inalienable right to development. Developing countries continued to contend with their debt burden, reverse financial flows and lack of market access. It was therefore necessary to counter the negative aspects of globalization so that all could enjoy its benefits.

36. Pakistan, a supporter of the right of peoples to self-determination, had worked relentlessly for the realization of all human rights — civil and political, economic, social and cultural. It had made a crucial contribution to the drafting of the Universal Declaration of Human Rights and the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination, and had been one of the six countries whose initiative had led to the World Summit on Children. It had also been one of the first to ratify the Convention on the Rights of the Child and was a signatory to its two Optional Protocols. The signing and ratification of the International Covenant on Economic, Social and Cultural Rights were also under serious consideration. In 2000, Pakistan had organized the first-ever convention on human rights and human dignity, in which all interested sectors of civil society had participated. The convention had drafted recommendations on human rights policy, women, children, education and mass media, and minorities.

37. Under the Constitution of Pakistan, based on the principle of the equality of all citizens, irrespective of their religion, sex or race, minorities enjoyed complete freedom of worship and education and held ministerial positions in the federal and provincial cabinets, and separate seats had been reserved for them in those legislatures. One third of the seats on district-level governing councils had been reserved for women in order to ensure that they participated fully in political life.

38. His delegation agreed with the recommendations formulated by the United Nations High Commissioner

for Human Rights in her report (A/56/36), and pointed out that the Government was endeavouring to create an environment conducive to the promotion and protection of human rights through economic revival, poverty alleviation, good governance and strengthened democracy. The Government was committed to holding general elections for provincial and federal legislatures in October 2002.

39. **Mr. Requeijo Gual** (Cuba) expressed regret that discussion in the Committee had merely confirmed the illusory nature of international cooperation and dialogue in tackling the barriers to the universal exercise of all human rights. Some capitals in the northern hemisphere continued to act condescendingly in a spirit of dominance towards the rest of the world in their failure to understand that it was in the diversity of cultures, religions and political and economic systems that true riches lay. Inspired, for the most part, by greed, they would impose their own societies as the model for neo-liberal globalization, which was really a programme of recolonization using economic domination and cultural and ideological homogenization, and a flagrant violation of human rights.

40. He was aghast that the principles of universality, objectivity, impartiality and non-selectivity in the field of human rights could be found neither in the words nor deeds of many countries, especially those of the United States, the former colonial Powers and other industrialized countries, a situation that was systematically and deliberately overlooked, even with regard to the United States, where a pattern of massive and flagrant violation of the rights of minorities, indigenous populations, immigrants and low-income groups as a whole could be observed. The United States had become a “penal country”: in 2000, with 6.5 million prisoners, 3.1 per cent of the adult population had been behind bars, a 48.7 per cent increase in 10 years. One in four of the world’s prisoners could be found in United States penitentiaries. The United States had also institutionalized racism in its most insidious form: with a mere 6 per cent of the population of African origin, more than 50 per cent of inmates and 98.5 per cent of those on death row over the preceding 20 years had been African-Americans. Of the four million Americans who could not vote because they were in prison, 1.8 million were African-Americans.

41. The Committee on the Elimination of Racial Discrimination had also condemned that situation

during its consideration of the report of the United States, and had expressed its concern at that country's reservation to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, which permitted racist and xenophobic organizations such as the Ku Klux Klan to go unpunished. The Committee had also expressed its concern about minorities that were victims of socio-economic marginalization and growing political exclusion, while deploring the United States Government's decision to expropriate, without compensation, the ancestral lands of Indian tribes, such as the Western Shoshoni, in order to develop a nuclear-waste-burial and mining project.

42. In May 2001 the Committee against Torture had likewise expressed concerns about the human rights situation in the United States, on the grounds that torture was not considered a federal crime, that particularly strict detention conditions prevailed in high-security prison areas, that minors were sometimes placed in adult detention centres, and that some prisoners were shackled, even in public. It was ironic that the United States authorities were forever proclaiming that their system was a model to be imitated the world over, when in reality the political life of the society, based on money and corruption, was for sale. The United States was the most flagrant example of a plutocracy in the world: 10 per cent of its families held 67 per cent of the net wealth, and in reality controlled the future of the nation and the results of elections that followed on very costly electoral campaigns. A society in which half of the citizenry did not register to vote was not a democracy. A society in which a president could be elected without a majority of the popular vote was not a democracy. A social system in which 22 per cent of the children lived in poverty, 40 million people lacked medical insurance and 36 million people lived below the poverty line could not possibly offer an example to be followed. The arrogance of the United States would be laughable if it did not go along with pressure and threats and even, in the case of Cuba, a virtual economic and political war.

43. The situation in Canada, as well, continued to be worrisome. There the indigenous peoples led a precarious existence, unable to enjoy the fruits of the economic exploitation of their ancestral lands, their only choice being between assimilation or poverty, alcoholism and marginalization. As for the European

Union, so nostalgic for its past conquests and its would-be civilizing mission, it had felt able in its statement to discuss the human rights situation in over 50 countries, even as those who had been its subjects in colonial times now found the doors of Europe shut against them or found themselves prey to increasingly numerous manifestations of violence and discrimination, as evidenced by the proliferation of neo-Fascist and xenophobic political parties. Despite social progress and economic development, the situation of civil and political rights left something to be desired in Norway: periods of temporary detention were sometimes inordinately long, its Lutherans were obliged under the Constitution to give their children a religious education, and a marked racist trend was noticeable in the law enforcement bodies. Freedom and democracy were not the preserve of the nations of the North, and they must give up their totally unjustified pretensions as bearers of civilization and start a real dialogue with the various civilizations in the world, respecting the right to development that was a precondition for peace and security.

44. **Mr. Mekdad** (Syrian Arab Republic) said that peoples and nations attached particular importance to the whole range of human rights, given the direct and permanent bearing that social, cultural, political and civil rights had on their daily lives. Those interdependent rights were guaranteed equally by the International Conventions and international legal instruments.

45. The international community must at all costs avoid double standards and ambiguous criteria in considering human rights violations. National and regional specificities had to be taken into consideration, as well as the various historical, religious and cultural factors particular to each country.

46. His Government attached great importance to the right to development and an independence untrammelled by foreign occupation and external hegemony. In that connection it had serious concerns about the selective use made of human rights issues, and especially civil and political rights, by some States, which were continually launching verbal attacks against a number of countries that, according to them, did not protect human rights. To start a responsible, objective dialogue based on respect for territorial integrity, national sovereignty, non-alignment, non-selectivity and transparency was the best way to bring about a rapprochement of the points of view of



different countries and to strengthen international cooperation, in accordance with the principles of the Vienna Declaration and Programme of Action.

47. The United Nations had an essential part to play in combating racist and inhuman practices, notably foreign occupation, genocide and selective displacement of populations, as it pursued the principles set out in the Charter of the United Nations, in the International Conventions and at conferences organized under United Nations auspices, such as the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, recently held in Durban.

48. His Government believed that Member States had the right, obligation and responsibility to oversee the strict and literal observance of the international human rights instruments and to ascertain that elected bodies and Governments respected the various documents drawn up by the special rapporteurs and representatives of the Commission on Human Rights. The work of the United Nations in the field of human rights needed, furthermore, to be organized more rationally.

49. At a time of flagrant violations of certain human rights conventions, notably the Geneva Conventions, it was important to refrain from politicizing human rights in such a way as to marginalize the role of the United Nations.

50. In order to respect the principles set out in the Charter of the United Nations regarding the sovereignty of each Member State, it was necessary not only to satisfy the criterion of non-selectivity, to abandon racist and other practices, to respect fundamental freedoms and to ensure that everyone had access to food and health care, but also to refrain from applying coercive, unjust and non-democratic procedures on the pretext of protecting the rights of the individual, from unilaterally imposing sanctions on a country and from interfering in its internal affairs on the pretext that it was violating human rights, and to give priority consideration to the most serious and widespread violations, namely occupation and aggression.

51. His Government was satisfied with the report of the Special Rapporteur of the Commission on Human Rights on the question of the violation of human rights in the Palestinian territories occupied by Israel since 1967 (A/56/440); the report described the policies of the occupying Power and its practices, which were

contrary to the principles set out in international human rights instruments, in particular with regard to civil, political, economic and social rights. He paid tribute to the courage of the Special Rapporteur, who had emphasized the selective and unjust manner in which the international community treated those violations.

52. With regard to the report of the United Nations High Commissioner for Human Rights (A/56/36), his delegation regretted the position adopted by some countries concerning human rights violations in the occupied Arab territories, in particular Palestine. There could be no justification for tolerance towards Israel, which was continuing to kill Palestinians and violate their rights while hiding behind hypocritical pretexts.

53. His Government honoured its commitments under international instruments. It sought to protect the civil, political, economic, social and cultural rights of its citizens, which were enshrined in its Constitution and laws. Syrian men and women exercised their democratic rights within the framework of a multi-party political system and were guaranteed the right to vote and the right to freedom of expression.

#### **Statements in exercise of the right of reply**

54. **Mr. Hussein** (Ethiopia) said that the statement on his country made by the representative of Eritrea was so implausible and baseless that he would not even deign to reply to it, especially since Eritrea did not respect any of the fundamental norms of the international community regarding human rights and good governance. His delegation did, however, take seriously the statements by Canada, Norway and the European Union which were partners for development with which Ethiopia wished to hold a constructive dialogue. The Ethiopian Federal Constitution interpreted fundamental freedoms and rights in accordance with the international human rights instruments to which Ethiopia was a party. He was prepared to accept that there might have been shortcomings in applying those instruments. He respected the views of the above-mentioned countries, but they should be based on facts. Any errors should therefore be corrected. For example, no students had been killed in the demonstrations of April 2001. Regrettably, 32 persons had died, but those were looters and thugs who had set about destroying private and public property, including educational establishments. As some missions had recognized, they had thus posed a threat to public safety. As in other

countries, no one in Ethiopia who committed acts of vandalism was above the law. Some member States of the European Union had criticized Ethiopia; however, when his Government had asked them to help it set up a police force to deal with riots, they had refused. They therefore had no moral right to criticize the shortcomings of the police force. Ethiopia was one of the world's poorest countries and thus lacked the resources available to developed countries for tackling social unrest. With regard to the allegations of ill-treatment of prisoners, the Ethiopian Constitution contained provisions prohibiting inhuman or degrading treatment or punishment. Anyone who violated these provisions was liable to be prosecuted. If delegations had any information on the matter, his Government would be grateful to receive it so that it could take appropriate action. The media were not subject to any restrictions either in the Constitution or in practice. However, no Government could tolerate incitements to violence and hatred between different communities. Those responsible for such acts were prosecuted. They were not arrested arbitrarily but enjoyed the procedural safeguards provided by a court of law. His delegation was unable to concur with the view that judicial safeguards were valid in developed countries but not in poor countries.

55. Ethiopia was of course a young democracy, but it had made considerable progress. It had exchanged an extremely autocratic regime without political pluralism of any kind for a democracy with 69 registered political parties, 9 of which were represented in Parliament, and a number of privately owned newspapers, 99 per cent of which were opposed to the Government. It was therefore prepared to work together with its partners to rectify any shortcomings and modify practices which were contrary to international human rights standards, but could not accept statements which were without foundation.

56. **Ms. Ahmed** (Sudan), responding to the statement made on the previous day by the United States delegation, regretted the repeated attacks contained in that statement, which indicated a lack of information and objectivity. The United States Government was influenced by domestic pressure groups which were well known for their intolerance, hatred, ignorance of reality and bias. It was attitudes such as those that had led to the strike against the Al-Shifa factory in 1998, which had been a flagrant violation of human rights and an example of State terrorism.

57. A number of independent human rights organizations existed in her country, including the Islamic Organization for Human Rights and the Sudanese Human Rights Organization. The chairman of the latter was a prominent lawyer and member of the political opposition who was extremely active in the field of human rights; the special envoy of the President of the United States had talked with him recently.

58. She was surprised at the allegations regarding slavery in the Sudan, which had never been proven. Slavery was primarily an issue for the United States; when the question had been addressed at the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance, the United States delegation had withdrawn from the debate. The incidents in question had taken place in the context of conflicts between tribes in the Sudan over the shortage of water and land. The General Assembly and the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan had emphasized that the cases had involved kidnapping, not slavery. Fundamental freedoms and civil rights were respected as much in the Sudan as in other countries, as evidenced by the fact that a number of prominent personalities, including three former Sudanese Presidents, had returned home.

59. She thanked the delegation of the United States for its discreet criticism of the acts of terrorism committed by the rebel movement in the Sudan. She hoped that that unprecedented acknowledgement would pave the way for a less biased attitude on the part of the United States which would enable it to play the role expected of it, namely to promote lasting peace in the Sudan.

60. **Mr. Kitchen** (Zimbabwe), responding to concerns expressed by the representative of Belgium, speaking on behalf of the European Union, Norway, Canada and New Zealand, said that no country was above criticism over human rights and that such criticism was welcome, provided it was constructive. It was interesting to note that several of the countries that had criticized Zimbabwe did not themselves have a spotless record with regard to their treatment of minorities and that they had supported the remnants of colonial rule based on race. He welcomed the corrective measures taken by some of those countries and hoped that they would understand and support the efforts made by his country to set right the wrongs

committed by them and their friends during colonization.

61. Zimbabwe had suffered the most extreme kind of racism engendered by colonialism, and it was still being perpetuated by the heirs to colonialism. The situation, which took the form of discrimination in the control and distribution of natural resources, in particular land, was an abomination. His Government was alarmed at statements seeking to present its land reform programme, which was intended to give the landless majority the chance to feed themselves and improve their living conditions, as a violation of human rights. He emphasized that in the interest of justice, equity, social harmony and political stability the programme sought to rectify the fact that some 4,100 white farmers held over 70 per cent of the best arable land, while some 30 million black Zimbabweans struggled to make a living by cultivating the remaining, less fertile, 30 per cent of the land. The programme would also ensure that no white farmer would remain without a farm. That was not expropriation but, rather, equitable distribution of land. As the Special Rapporteur on the Right to Food had stated, for the Zimbabwean Government that was a positive measure seeking to identify vulnerable groups with a view to implementing policies to allow them to feed themselves. It was thus to be regretted that the efforts made by the Government to correct imbalances in the distribution of land should be viewed as a violation of human rights. The message which emerged from its various statements, and which his delegation could not accept, was that it was normal that a majority of black Zimbabweans should continue to live in poverty and hunger without land.

62. His country had always held general and presidential elections as scheduled. The political violence to which the European Union, Canada, Norway and New Zealand had referred was the direct consequence of the policy of those who wished to see the perpetuation of the vestiges of colonialism. On the subject of observers at the forthcoming elections, his Government emphasized that invitations would be sent to those countries and organizations that respected the sovereignty of Zimbabwe. Concerning press freedom, he pointed out that the information underlying the judgements concerning Zimbabwe which might have influenced the perception of the European Union, Canada, Norway and New Zealand came in the main from a local publication which had demonized the

Government and leaders of the country. He suggested that press freedom was not synonymous with impunity and that journalists who committed offences were not above the law. In conclusion, he pointed out that, in contrast to the information that had appeared in the press, the Commonwealth ministers who had visited Zimbabwe had not identified any violation of the Abuja Agreement and that all interested parties had expressed support for the land reform.

63. **Mr. Tekle** (Eritrea) said that the representative of Ethiopia had tried to trivialize the questions raised in order to dismiss them. On the question of expulsions, he invited the Committee to refer to chapter VI of the Secretary-General's report on Ethiopia and Eritrea (S/2001/843, para. 35), which provided information which the representative of Ethiopia had described in his statement as implausible. In connection with prisoners of war, he referred to a note by the Special Representative of the Secretary-General dated 9 August 2001 citing a statement by the Ethiopians that since the Eritreans could not satisfactorily account for one pilot and 36 others they had decided to stop releasing prisoners of war. His Government had retaliated by doing the same. The International Committee of the Red Cross had stated that the process could not be held up on the pretext that satisfaction had not been provided on one particular point, since that was contrary to the Geneva Conventions. Eritrea had, in fact, unilaterally released 24 Ethiopian prisoners three weeks earlier. It was only after a display of popular protest and the exertion of considerable moral pressure that the Ethiopian Government had also released 24 Eritrean prisoners. Those were the facts, and the use of abusive language could not change the truth or relieve Ethiopia of responsibility.

64. **Ms. van Glaanen Weygel** (Suriname), speaking under agenda item 119 (b), said that her country was aware of the importance of human rights, had ratified all the relevant instruments, and had incorporated in its Constitution the principles set forth in the Universal Declaration of Human Rights. Suriname, as a multi-ethnic and multicultural society was aware that its population should live in conditions of equality and non-discrimination, in accordance with article 8 of the Constitution.

65. Globalization should be made to work for all so that both developing and developed countries had a fair and equal chance. Efforts must also be made to eliminate all forms of racism, racial discrimination,

xenophobia and related intolerance, and to continue the dialogue on that important issue. Her country joined the international community in its struggle against such manifestations.

66. Her delegation commended the High Commissioner for Human Rights, who had been awarded the Indira Gandhi Peace Prize for her efforts to promote and protect human rights throughout the world.

67. Human rights education was essential to the process of development and should begin in childhood. It was necessary to raise public awareness so that the people could grasp the importance of the various human rights instruments, particularly in the social, economic and cultural fields, and of the enjoyment of those rights, which were a guarantee of sustainable human development. For that reason Suriname and Haiti would submit a resolution on that subject; she hoped that other delegations would support it.

#### **Organization of work**

68. **The Chairman** said that, for reasons outside his control relating to the organization of the work of the General Assembly at its fifty-sixth session, the Committee had been unable to take action on a large number of draft resolutions and had thus fallen behind schedule. He therefore suggested that the work of the Committee should be extended to Friday, 30 November, that the afternoon meeting should be shortened in the interest of delegations observing Ramadan, and that the Committee should take action on draft resolutions as soon as they were ready. In that connection he asked the delegations sponsoring draft resolutions to display the necessary transparency and to consult other delegations sufficiently so as to avoid amendments from the floor.

69. *It was so decided.*

*The meeting rose at 1.10 p.m.*