



General Assembly

Sixty-second session

Official Records

Distr.: General
14 December 2007

Original: English

Third Committee

Summary record of the 50th meeting

Held at Headquarters, New York, on Tuesday, 20 November 2007, at 3 p.m.

Chairman: Mr. Wolfe (Jamaica)

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07-60536 (E)



The meeting was called to order at 3.25 p.m.

Agenda item 70: Promotion and protection of human rights *(continued)*

(c) Human rights situations and reports of special rapporteurs and representatives *(continued)*
(A/C.3/62/L.41/Rev.1, L.43 and L.83)

Draft resolution A/C.3/62/L.41/Rev.1: Situation of human rights in Myanmar

1. **The Chairman**, drawing attention to draft resolution A/C.3/62/L.41/Rev.1 and to the related statement of budget implications in document A/C.3/62/L.83, invited the Committee to take action on the draft resolution.

2. **Mr. Swe** (Myanmar), speaking on a point of order, said that draft resolution A/C.3/62/L.41/Rev.1 had no place in the Committee's work. Therefore, in accordance with rule 116 of the rules of procedure and with the principles adopted at the Fourteenth Conference of Heads of State or Government of the Non-Aligned Countries, his delegation called for the adjournment of the debate on the draft resolution.

3. **The Chairman** invited two representatives to speak in favour of, and two against, the motion before putting it to the vote in accordance with rule 116.

4. **Ms. Zhang Dan** (China), speaking in favour of the no-action motion regarding the draft resolution, said that China had always advocated the settlement of differences on human-rights issues through dialogue and cooperation on the basis of equality and mutual respect. For many years, country-specific resolutions had failed to protect human rights and had become tools for political purposes. She recalled that General Assembly resolution 60/251 had explicitly stated that the promotion and protection of human rights should respect the various historical, cultural and religious backgrounds of nations and promote equal dialogue and cooperation between countries. Furthermore, the Human Rights Council had convened a special session on the situation of human rights in Myanmar and resolutions had been adopted. The Special Rapporteur on the situation of human rights in Myanmar had also visited that country and had achieved results.

5. The General Assembly should encourage the momentum for dialogue that had been generated and should refrain from any action on politically motivated draft resolutions. A no-action motion did not stifle

dialogue on human-rights issues but rather was intended to rid the Committee of double standards and politicization. On the basis of the above, her delegation called on all countries to support the no-action motion.

6. **Mr. Jesus** (Angola), speaking in favour of the no-action motion, said that the Committee should be a forum for dialogue, not criticism. The Human Rights Council had adopted the universal periodic review, which would provide objective and reliable information on the fulfilment by Myanmar of its human-rights obligations. Furthermore, his delegation welcomed the decision taken by the Government of Myanmar to permit the visit of the Special Rapporteur on the situation of human rights in Myanmar.

7. **Mr. Michelsen** (Norway), speaking against the no-action motion, said that all texts submitted to the Committee should be reviewed on their merits, and delegations should be allowed to comment on them without the use of procedural means to prevent action on substance. Norway therefore opposed no-action motions in principle. Furthermore, serious human-rights situations merited consideration. The United Nations, including the Committee, should remain a forum for addressing such cases. While criticism should be supplemented with dialogue and take into account different national conditions and capabilities, dialogue should not preclude criticism where necessary.

8. **Ms. Lowe** (New Zealand), speaking against the no-action motion, said that the General Assembly had a mandate to consider human-rights situations. It had passed resolutions expressing its collective concerns about some of the worst human-rights situations for more than thirty years. In many cases, such international attention had helped to increase the pressure on States, eventually helping them to become strong promoters of human rights themselves. New Zealand was committed to dialogue and cooperation in situations where there was evidence of serious violations of human rights. While resolutions should be adopted only after negotiations with the countries concerned and with the broadest consensus possible, the Committee needed to address the serious questions that had been raised in the draft resolution on the situation of human rights in Myanmar. Her delegation would therefore vote against the no-action motion and hoped that others would do the same, particularly in the light of current events.

9. *At the request of the representative of Myanmar, a recorded vote was taken on the motion for the adjournment of the debate on draft resolution A/C.3/62/L.41/Rev.1.*

In favour:

Angola, Antigua and Barbuda, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brunei Darussalam, Cambodia, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominica, Dominican Republic, Egypt, Gabon, Gambia, Guinea, India, Iran (Islamic Republic of), Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Namibia, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Somalia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Tunisia, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu.

Abstaining:

Belize, Bolivia, Burkina Faso, Cape Verde, Chad, Colombia, Comoros, Djibouti, Eritrea, Ghana, Guyana, Haiti, Jamaica, Jordan, Kenya, Lesotho,

Malawi, Mali, Mauritania, Mozambique, Nepal, Niger, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Singapore, Solomon Islands, Suriname, Togo, Trinidad and Tobago, Turkmenistan, Tuvalu.

10. *The motion for the adjournment of the debate on draft resolution A/C.3/62/L.41/Rev.1 was rejected by 88 votes to 54, with 34 abstentions.**

11. **Ms. Martins** (Portugal), speaking on behalf of the European Union and the other sponsors, announced that Switzerland had joined the list of sponsors. She also noted that the draft resolution contained a typographical error: the word "towards" should be deleted from the fifth line of paragraph 3 (g).

12. In the draft resolution, the international community urgently appealed to the Government of Myanmar to ensure full respect for the human rights of its people. It was a cause for great concern that, despite international efforts, the human-rights situation in Myanmar had further deteriorated since the General Assembly had last considered that issue. The whole world had seen how the Government of Myanmar had violently repressed peaceful demonstrations in September 2007, killing and arbitrarily detaining a large number of citizens who were exercising their rights to freedom of opinion, expression, peaceful assembly and association. The draft resolution called upon the Government of Myanmar to exercise utmost restraint, to desist from further arrests and violence, and to release without delay those who had been arrested and detained. It also called upon the Government to cooperate fully with the Special Rapporteur in the implementation of the Human Rights Council resolution, including by granting him access to Myanmar.

13. The European Union believed in cooperation and wished to encourage the Government of Myanmar to continue to engage with the United Nations on the human-rights situation and to discuss the restoration of democracy. The draft resolution had therefore welcomed the steps taken by the Government in that regard and the European Union had requested the Secretary-General to continue to provide his good offices through his Special Adviser. The Government of Myanmar should give serious consideration to the

* The delegation of Algeria subsequently informed the Committee that it had intended to vote in favour of the no-action motion.

recommendations and proposals of the latter and should cooperate fully with him with a view to restoring democracy and protecting human rights in Myanmar. There had been overwhelming support from the international community for that approach, which should be reflected in support for the draft resolution.

14. While efforts had been made to discuss the text of the draft resolution with the delegation of Myanmar, unfortunately it had not been possible to reach a consensus. However, the General Assembly should not remain silent. She therefore appealed to all delegations to support the people of Myanmar by voting in favour of the draft resolution.

15. **Mr. Swe** (Myanmar) said that the draft resolution sponsored by the European Union would generate confrontation instead of promoting cooperation. His delegation found it objectionable on grounds of procedure as well as substance. The proper forum for country-specific resolutions was the Human Rights Council. However, the current draft resolution made a mockery of the principles that had led to the establishment of the Council. Furthermore, the European Union had once again submitted the draft text to his delegation only three days before introducing the draft resolution, thereby making meaningful negotiations impossible. The real intention of the draft resolution was to manipulate Myanmar's internal political process and to derail the seven-step political road map that it had set for its transition to a democratic society. The draft resolution was full of unfounded allegations by exiles and remnants of the insurgency, who were waging a systematic disinformation campaign aided and funded by powerful Western countries. The draft resolution was entirely unacceptable to Myanmar because it interfered in matters that, in accordance with the Charter, fell under the sovereign domain of Myanmar.

16. The introduction of a country-specific draft resolution on Myanmar at a time when its Government was cooperating with the Secretary-General's good offices and with the Human Rights Council could only be counter-productive. As evidence of such cooperation, he noted that the Special Adviser of the Secretary-General for Myanmar had visited Myanmar twice in recent months and that the Special Rapporteur on the situation of human rights in Myanmar had successfully completed his visit in November. In his most recent report, the Special Adviser had noted the positive outcomes of his mission and had reiterated

that the good-offices role required time, patience, persistence and a comprehensive approach. Moreover, peace and stability had been restored and life had returned to normal in Myanmar. Almost all of those detained in connection with the unrest in September had been released. Only 91 persons found to have been involved in a conspiracy to commit acts of terrorism remained in detention and action would be taken against them in accordance with the law.

17. The first crucial step of the road map, the National Convention, had successfully completed the task of laying down the basic principles to be enshrined in a new constitution. A 54-member committee had been established to draft a new constitution. A minister had also been appointed to liaise with Daw Aung San Suu Kyi, who had stated that the Government was serious about working towards national reconciliation. Given the complex and delicate challenges facing Myanmar, the good-offices role should be allowed time and space to facilitate national reconciliation.

18. The European Union's country-specific draft resolution was anathema to the work of the Committee and ignored the positive developments in Myanmar. It was clearly an attempt to put political pressure on Myanmar under the pretext of promoting human rights and, if left unchallenged, would set a dangerous precedent for developing countries. His delegation was therefore compelled to request a recorded vote. It appealed to all countries to show solidarity with Myanmar and to vote against the draft resolution, in line with the principled stance taken by the Heads of State or Government of the Non-Aligned Movement.

19. **Mr. Jang Hun** (Democratic People's Republic of Korea) said that the European Union had been interfering in the internal affairs of Myanmar for several years by putting forward country-specific resolutions on the situation of human rights in that country. His delegation firmly believed that human rights could not be imposed from outside and that country-specific resolutions only undermined trust among potential partners and politicized the United Nations human-rights machinery. Only through dialogue, cooperation and engagement would human rights be advanced locally and globally. In that light, and in line with the position of the Movement of Non-Aligned Countries, his delegation would vote against the draft resolution.

20. **Mr. Shigabudinov** (Uzbekistan), speaking in explanation of vote before the voting, said that his delegation was firmly convinced that country-specific resolutions on human rights complicated international cooperation on human rights. Such resolutions undermined trust and harmed the work of the United Nations in the area of human rights. The best way to strengthen human rights was a constructive dialogue and respectful cooperation among Member States by discussing human-rights issues within the framework of the Human Rights Council. The United Nations should focus its attention on searching for a joint solution to problems, particularly within the field of human rights. Any attempt to exploit human rights for political purposes was counter-productive. His delegation would therefore vote against the draft resolution.

21. **Mr. Pramudwinai** (Thailand) said that Thailand wished to see a peaceful and stable Myanmar, particularly as it shared a 2,400-km border with that country. The violent incidents which had occurred in Myanmar in September were indeed tragic. However, the overall situation had improved and the Government of Myanmar had taken steps to address the remaining challenges.

22. Thailand had consistently expressed its full support for the good offices of the Secretary-General through his Special Adviser for Myanmar. It fully agreed that the process would require an element of trust as well as patience and perseverance. It also agreed with the Special Adviser's comprehensive approach and his view that the good offices should yield tangible results. His delegation also welcomed the recent visit by the Special Rapporteur to Myanmar.

23. The international community should support the good-offices process, which could pave the way towards national reconciliation. While the future of Myanmar was in the hands of its people, Thailand was ready to continue to work with its regional and other partners to support the momentum towards national reconciliation. His delegation hoped that a substantive, broad-based and time-bound dialogue including all relevant parties would begin shortly. Constructive dialogue and cooperation were the most effective means of advancing human rights. Such an approach was all the more vital as Myanmar entered the crucial but fragile stage of national reconciliation. In the light of the above, his delegation would abstain from voting on the draft resolution.

24. **Ms. Rodríguez de Ortiz** (Bolivarian Republic of Venezuela) said that her delegation would vote against the draft resolution, since it opposed the selective practice employed by some countries of introducing draft resolutions which directly targeted sovereign States, thereby violating the principle of respect for sovereignty and non-interference in their internal affairs. The repeated use of such draft resolutions, which were instruments used to promote narrow political interests, was unwelcome, inconsistent and unlawful. Moreover, that approach did not serve the genuine interests of anyone or benefit the victims of human-rights violations. The promotion and protection of human rights should be based on cooperation and respectful dialogue between the Members of the United Nations with a view to strengthening the capacity of States to comply with their human-rights obligations.

25. **Mr. Degia** (Barbados) said that his delegation had hoped that the establishment of the Human Rights Council would usher in a new era of dialogue, cooperation, non-selectivity, non-politicization and genuine concern for human rights. However, the events of the current and previous sessions of the General Assembly had made it clear that such hopes had been unfounded. It was disappointing that the Council had not been afforded any real opportunity to establish itself and that a confrontational approach had persisted.

26. As a country with a paradoxical history of slavery and colonialism alongside a tradition of parliamentary democracy going back more than 300 years, Barbados attached the highest importance to the issue of human rights and democracy in both its domestic and its foreign policy. His delegation was therefore deeply concerned at the highly political and divisive nature of the human-rights debate in the Committee, particularly concerning country-specific resolutions. The specific targeting of certain countries was not helpful or productive. The principled and consistent position of Barbados with respect to country-specific resolutions had led it in the past either to abstain or to support no-action motions. However, such voting should not be misconstrued as a lack of concern for human rights; rather it was based on the principle of not singling out certain countries for condemnation. Barbados was gravely concerned about human-rights abuses in many parts of the world, including Myanmar, and urged all States to cooperate and to engage in dialogue in order to address such concerns. His delegation therefore called on the authorities in Myanmar to cooperate fully

with the United Nations and regional bodies as part of a sincere effort to improve the situation on the ground.

27. **Mr. Strigelsky** (Belarus) said that his delegation consistently opposed country-specific, politicized resolutions and was convinced that the situation of human rights should be dealt with by the Human Rights Council, which had all the necessary mechanisms to conduct an independent, impartial and expert analysis of compliance by countries with their human-rights obligations. All States should be held accountable for human-rights violations. However, a study of the extent of respect for human rights should be undertaken in a civilized manner on a comprehensive basis and should not impose the views of an individual group of countries. His delegation believed that country-specific resolutions, by their very nature, did not provide a balanced view of the human-rights situation in a particular country. Alternative views existed on such sensitive issues and they should be taken into account. For those reasons, his delegation would vote against the draft resolution.

28. **Ms. Gendi** (Egypt) said that her delegation firmly opposed country-specific draft resolutions, which politicized human-rights issues. The Human Rights Council should consider the situations of human rights in all countries, in accordance with its universal periodic review. Only that approach would remove selectivity and help strengthen solidarity in order to tackle the underlying causes of human-rights violations. Her delegation would therefore vote against the draft resolution.

29. **Mr. Zainuddin** (Malaysia) said that his country would vote against the draft resolution, in line with its position of principle against country-specific resolutions. Malaysia preferred a constructive approach of genuine dialogue and cooperation, which did not mean, however, that it condoned gross violations of human rights, including the use of force against justified civilian protests. There had also been positive developments in Myanmar, including the cooperation extended to the Secretary-General's Special Adviser for Myanmar, Mr. Gambari, and the Special Rapporteur on the situation of human rights in Myanmar, Mr. Pinheiro. The Government should engage all stakeholders in dialogue in order to find a peaceful solution.

30. **Mr. Saeed** (Sudan) said that his country's position of principle on country-specific draft resolutions on human rights remained unchanged. Such

resolutions did not help Member States to achieve the goal of protecting human rights but were a mechanism for achieving political objectives and served the interests of the sponsor countries. Member States should strengthen the role of the Human Rights Council, which had opened a new stage in the area of human rights on the basis of impartiality, dialogue and cooperation and had established special mechanisms to review human rights in all countries.

31. In view of its position of principle, his delegation would not comment on the text of the draft resolution and would vote against it, as such a resolution could only harm the negotiations between Myanmar and the Special Adviser.

32. *At the request of the representative of Myanmar, a recorded vote was taken on draft resolution A/C.3/62/L.41/Rev.1.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu.

Against:

Algeria, Bangladesh, Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, India, Iran (Islamic Republic of), Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Oman, Pakistan, Russian Federation, Somalia, Sudan, Syrian Arab Republic,

Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Bahrain, Barbados, Belize, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chad, Colombia, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Guinea, Haiti, Indonesia, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Malawi, Mali, Mozambique, Namibia, Nepal, Nicaragua, Niger, Papua New Guinea, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Swaziland, Tajikistan, Thailand, Togo, Trinidad and Tobago, Turkmenistan, United Arab Emirates, Yemen, Zambia.

33. *Draft resolution A/C.3/62/L.41/Rev.1 was adopted by 88 to 24, with 66 abstentions.*

34. **Mr. Kunwar S. Singh** (India) said that his country had always emphasized the importance of promoting and protecting human rights through dialogue, consultation and cooperation. The Committee should reflect on whether the international community had ever managed to effect genuine improvement in human rights by giving report cards or by undertaking intrusive monitoring.

35. In connection with the recent developments in Myanmar, any new initiatives should be forward-looking and non-condemnatory and should seek to engage the Government in a non-intrusive and constructive manner, thereby supporting the Secretary-General's good offices and the ongoing dialogue between his Special Adviser and the Government of Myanmar. The process of political reform and national reconciliation should be taken forward expeditiously and should include all sections of society. His country therefore supported the Secretary-General's initiative for moving that process forward in an integrated and comprehensive manner.

36. The condemnatory, intrusive and unhelpful tone of the draft resolution, however, could prove counterproductive. It did not reflect the positive steps taken by the Government of Myanmar, including the visit to Myanmar of the Special Rapporteur,

Mr. Pinheiro, and the series of meetings between Daw Aung San Suu Kyi and the specially appointed liaison minister. His delegation had therefore had no option but to vote against the draft resolution.

37. **Mr. Anshor** (Indonesia) said that the good offices of the Secretary-General, through his Special Adviser, emanated from a General Assembly resolution. Those efforts were supported by Indonesia and, more significantly, by Myanmar itself. His delegation's rejection of the proposal to adjourn the debate should be seen in that context.

38. His delegation had abstained from voting on the draft resolution because insufficient effort had been made to reach a consensus. Both the Human Rights Council, in its resolution S-5/1, and the Security Council, in the presidential statement of 11 October 2007, had been able to address the situation in Myanmar by consensus. Indonesia attached great importance to the unity of the international community and its support for Myanmar's efforts to promote national dialogue and reconciliation as part of a peaceful transition to democracy.

39. A consensus resolution on the human-rights situation in Myanmar would have sent a strong message of support for that country to pursue its efforts in the field of human rights. The Committee could have built on the consensus texts adopted at the most recent special session of the Human Rights Council on Myanmar and the presidential statement of the Security Council on the same issue, rather than relying excessively on the previous year's General Assembly resolution on Myanmar.

40. His delegation supported significant aspects of the draft resolution, including the reaffirmation of Human Rights Council resolution S-5/1, support for the presidential statement issued by the Security Council on 11 October 2007 and acknowledgement of the steps taken by the Government of Myanmar in engaging the good offices of the Secretary-General. As a fellow member of the Association of Southeast Asian Nations (ASEAN), Indonesia would continue to support Myanmar's peaceful transition to democracy. His delegation had not voted in favour of the draft resolution, in view of the lack of consensus between the sponsors and Myanmar.

41. **Mr. Cheok** (Singapore) said that his delegation had abstained from voting because the General Assembly was not the appropriate forum for country-

specific human-rights resolutions. By their very nature, such resolutions were divisive, making it difficult for Member States to work together in a constructive way. It would be more appropriate for the present issue to be taken up by the Human Rights Council.

42. Singapore had been troubled by the recent events in Myanmar and, in its capacity as Chair of ASEAN, had recently issued a strong statement expressing concern at the suppression by force of peaceful demonstrations in Myanmar. The statement called on the authorities of Myanmar to exercise restraint and to release all political detainees, including Daw Aung San Suu Kyi. Singapore and other ASEAN countries had continued to call on the various parties in Myanmar to work towards national reconciliation and a peaceful transition to democracy. ASEAN also continued to support the good offices of the Secretary-General through his Special Adviser.

43. The situation in Myanmar was extremely complex and despite the superficial appearance of calm, disturbing reports of arbitrary arrests continued. Singapore called for the release of those detained during the recent protests and was disappointed by the decision of the Government of Myanmar to terminate the assignment of the United Nations Development Programme Resident Coordinator. That action sent the wrong signal about its commitment and willingness to work on those crucial issues with the United Nations.

44. There had also been positive developments, including two visits to Myanmar by the Special Adviser, Mr. Gambari, in a short space of time and a visit by the Special Rapporteur on the situation of human rights in Myanmar after a four-year interval. A minister had been appointed for liaison between Daw Aung San Suu Kyi and the Government, and she had recently met officials of the National League for Democracy. She had made a statement through Mr. Gambari expressing her commitment to dialogue with the regime and her support for the good offices of the United Nations. Those developments should set the stage for an inclusive and genuine dialogue.

45. The leaders of ASEAN had recently decided to respect Myanmar's preference to deal directly with the United Nations and the international community. In that regard, paragraph 3 (g) of the draft resolution did not reflect the most recent developments. It was important that the international community should continue to extend its full support to the good offices

of the Secretary-General, represented by his Special Adviser. Political dialogue for national reconciliation would take time, and the draft resolution just adopted would not necessarily be helpful to that process. Delegations should focus their energies on supporting Mr. Gambari and encouraging all parties to engage in a serious and meaningful dialogue.

46. **Ms. Abdelhak** (Algeria) said that her delegation had voted against the draft resolution in order to express its opposition to the confrontational approach of submitting a country-specific resolution. Only a cooperative approach based on dialogue could support human rights in Myanmar. The periodic review adopted by the Human Rights Council and recently approved by the Committee in the context of institution-building for the Human Rights Council was the appropriate way to consider the human-rights situation in individual countries. The aim was to improve the performance of States in relation to human rights rather than to stigmatize them.

47. **Mr. Amorós Núñez** (Cuba) said that his delegation, in accordance with its position of principle against double standards and selectivity in human rights, had voted against the draft resolution. Cuba opposed all attempts to use human-rights matters as a tool for political purposes. The Committee should be a forum for dialogue and cooperation and not made into an inquisitorial tribunal against third-world countries.

48. **Mr. Islam** (Bangladesh) said that his delegation had been following the developments in Myanmar very closely and extended its full support for the initiative of the Special Adviser of the Secretary-General. It was also encouraging that Aung San Suu Kyi was ready to pursue constructive dialogue with the Government and had welcomed the good offices of the United Nations. Myanmar should remain constructively engaged in that process. As a neighbouring country, Bangladesh was ready to extend support if required and had taken note of the recent visit to Myanmar of the Special Rapporteur. Despite all those developments, the recently adopted draft resolution could be counterproductive at that critical juncture. His delegation had therefore been constrained to vote against it.

49. **Mr. Chuasoto** (Philippines) said that his delegation had abstained from voting because it acknowledged the positive outcome of Mr. Gambari's recent visit to Myanmar. His delegation fully supported the good-offices mission of the Secretary-General,

represented by Mr. Gambari, and espoused a broader role for the United Nations on the Myanmar issue in order to promote national reconciliation and democratization.

50. His delegation hoped that all the efforts in the region and in the United Nations would soon produce tangible outcomes leading to national reconciliation and a peaceful transition to democracy in Myanmar. At the recent ASEAN Summit, the President of Singapore had called for the early and safe release of Daw Aung San Suu Kyi and political prisoners, the full and free participation of political parties, including the NDL, in the political process and a return to democracy in Myanmar. His delegation would remain attentive to the situation and looked forward to seeing how it would evolve.

51. **Mr. Shinyo** (Japan) said that his country had voted in favour of the draft resolution in the hope that the international community was sending a message that would promote further improvements. Japan was concerned about the human-rights situation and democratization in Myanmar and deeply deplored the use of force by the authorities against peaceful demonstrators, which had resulted in heavy casualties. It was also concerned about the detention of Daw Aung San Suu Kyi and other political prisoners.

52. Japan welcomed the positive developments that had taken place. The Government of Myanmar had accepted two visits from the Special Adviser of the Secretary-General and also one by the Special Rapporteur, after four years of denying him access. The Government had also appointed a minister for liaison with Daw Aung San Suu Kyi, and three meetings with her had already been held.

53. He hoped that the Government of Myanmar would take serious steps to improve the situation with regard to democratization and human rights, taking into account the wishes expressed by the people of Myanmar. Japan would continue to engage in dialogue with Myanmar and fully supported the ongoing good offices of the Secretary-General, including the efforts of his Special Adviser. It was important that the Government of Myanmar should cooperate with the United Nations to improve the situation.

54. **Mr. Pham Hai Anh** (Viet Nam) said that his delegation had voted against the draft resolution. Viet Nam was following closely the recent developments in Myanmar and hoped that restraint would be exercised

and differences resolved peaceably through dialogue by the parties concerned in Myanmar. His delegation continued to support implementation of the seven-point road map and cooperation between the United Nations and the Government. They should work together to contribute to national reconciliation and harmonization in the long-term interests of Myanmar and the region. Viet Nam encouraged dialogue and cooperation to promote and protect human rights as stipulated in General Assembly resolution 60/251 establishing the Human Rights Council.

55. **Mr. Moreira** (Brazil) had voted in favour of the draft resolution. The Government of Brazil had participated in the special session of the Human Rights Council devoted to the situation of human rights in Myanmar. The adoption by consensus of Human Rights Council resolution S-5/1 had initiated a process of fostering dialogue between that country and the United Nations human-rights mechanisms. The visit to Myanmar of the Special Adviser, as well as the recent decision by the Government of Myanmar to accept a visit from the Special Rapporteur after a four-year interval, were encouraging. However, it was still necessary to shed further light on the human rights situation. The authorities of Myanmar should intensify their cooperation with both envoys with a view to improving that situation. Brazil encouraged the Government of Myanmar to take full advantage of that process and to continue cooperation and dialogue with the mechanisms of the Human Rights Council.

56. **Mr. Swe** (Myanmar) said that the results of the voting reflected the divisive nature of country-specific resolutions. His delegation was not surprised or discouraged by the result of the vote: despite the power of block voting and the tremendous pressures exerted on a number of developing countries, the sponsors did not have a convincing majority. It was a clear message that exploitation of human rights for political purposes was unacceptable to Myanmar and to many other countries. At a time when its domestic political process had made significant strides, Myanmar could not allow a blatant attempt at interference in that process. His country was on track for a smooth transition to democracy and was determined to proceed with the seven-step political process. As the Human Rights Council had established its mechanism for universal periodic review, Member States with genuine concern for human rights should oppose any country-specific resolution that selectively targeted developing

countries. Myanmar firmly opposed any politicization of human rights and therefore dissociated itself from the draft resolution and would not be bound by its provisions. In conformity with its foreign policy, Myanmar would continue to cooperate with the United Nations and with the good offices of the Secretary-General. He thanked the many delegations that, despite the pressure exerted on them, had taken a position of principle and stood in solidarity with Myanmar.

57. **Mr. Vigny** (Switzerland) said that his country had on various occasions expressed its serious concern about the human-rights situation in Myanmar. Freedom of expression had to be respected and protected, peaceful demonstrators and political prisoners should be released and humanitarian organizations should be guaranteed access to persons in need. The actions of the Government of Myanmar should reflect its willingness to cooperate with the United Nations and to improve the humanitarian and human-rights situation.

58. Switzerland welcomed the invitation extended by the authorities to the Special Rapporteur to visit Myanmar in accordance with his mandate. It considered that visit a first stage in substantial collaboration with the Special Rapporteur.

59. His country, which had supported the draft resolution, welcomed the references made to the Human Rights Council in various parts of the text. In fact, by virtue of General Assembly resolution 60/251, the treatment of human-rights situations in specific countries was mainly a matter for the Human Rights Council. That organ had the relevant mandate and function. On a number of occasions, the Council had responded rapidly and efficiently under that mandate, as in the case of the recent special sessions on specific countries. As it was the Council's task to deal with such situations, any country-specific resolution on human rights that was submitted to the Committee in the future should contain a reference to the relevant instruments of the Human Rights Council.

Draft resolution A/C.3/62/L.43: Situation of human rights in the Islamic Republic of Iran

60. **Mr. Khazaei** (Islamic Republic of Iran), speaking on a point of order, moved the adjournment of the debate on draft resolution A/C.3/62/L.43 in accordance with rule 116 of the rules of procedure. The Human Rights Council, acting through its universal

periodic review, was the body most competent to monitor human rights. Consideration of the draft resolution should therefore be excluded from the work of the Committee.

61. **The Chairman** invited two representatives to speak in favour of, and two against, the motion, before putting it to the vote, in accordance with rule 116.

62. **Mr. Hayee** (Pakistan), speaking in favour of the motion, said that human-rights issues should be addressed in a spirit of fairness and cooperation, not exclusion and confrontation created by country-specific resolutions, which did not promote human rights but alienated Governments, tended to overlook their efforts and created artificial barriers to constructive dialogue between the Member States and the human-rights bodies. The Committee should refrain from criticizing selected developing countries.

63. **Ms. Rodríguez de Ortiz** (Bolivarian Republic of Venezuela) said that her country supported the motion because the selective politicization of human rights and the use of double standards were at odds with the Charter and the mechanism for the universal periodic review. The promotion of human rights required international cooperation and dialogue.

64. **Mr. Ritter** (Liechtenstein), speaking against the motion, said that the Committee dealt with human rights in specific countries, and Iran's human rights had long been under international scrutiny. As a rule, his Government strongly favoured dialogue. If approved, the motion would deprive Liechtenstein and other small countries of a rare opportunity to express their opinion on the Islamic Republic of Iran. During negotiations, his country had proposed a division of labour between the General Assembly and the Human Rights Council. Unlike other thematic resolutions considered by the Committee, the proposed text had no counterpart before the Council. Diversity of opinion enriched dialogue and his delegation was keenly interested in the views of other Governments.

65. **Mr. Normandin** (Canada) said that his delegation opposed the motion because the Committee was a universal body that could recommend action on human-rights issues. The motion would deny Member States the right to discuss human-rights violations. Country-specific human-rights resolutions should be considered on their merits. The Committee had already voted on two such draft resolutions on that basis.

66. *A recorded vote was taken on the motion for the adjournment of the debate on draft resolution A/C.3/62/L.43.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bolivia, Botswana, Brunei Darussalam, Cambodia, Chad, China, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, Equatorial Guinea, Eritrea, Gabon, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Myanmar, Namibia, Nicaragua, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Abstaining:

Belize, Bhutan, Brazil, Burkina Faso, Cape Verde, Colombia, Dominica, Ethiopia, Ghana, Guyana, Haiti, Jamaica, Kenya, Lesotho, Malawi, Mauritius, Mozambique, Nepal, Nigeria, Saint Kitts and Nevis, Saint Lucia, Solomon Islands, Trinidad and Tobago, Tuvalu.

67. *The motion for the adjournment of the debate on draft resolution A/C.3/62/L.43 was rejected by 79 votes to 78, with 24 abstentions.*

68. **Mr. Khane** (Secretary of the Committee) read out a number of technical corrections that had been made at the time of introduction of the draft resolution.

69. **Mr. Normandin** (Canada), introducing draft resolution A/C.3/62/L.43 on behalf of the original sponsors and Fiji and Iceland, said that there has been a continued deterioration in the protection of the human rights of the people of the Islamic Republic of Iran in accordance with that country's international obligations. Until the day when that country's Government acknowledged that it faced human-rights issues and when Iranian citizens would be able to address those issues without fear of persecution, the Committee remained a key avenue for the international community to encourage positive change. The draft resolution could engender respect for human rights in the Islamic Republic of Iran.

70. The draft resolution was meant to accurately reflect the facts. It referred to a marked deterioration with regard to respect for human rights, including confirmed instances of stoning as a method of execution, increased use of cruel, inhuman or degrading treatment or punishment, such as amputations and floggings, and the systematic persecution of human-rights defenders. The Special Rapporteur on extrajudicial, summary or arbitrary executions had focused on the situation in the Islamic Republic of Iran, pointing out that mass executions and other unacceptable forms of capital punishment were on the increase. Five days earlier, Iran had executed a young man for a crime that he had committed at the age of 16. The Government of the Islamic Republic of Iran should be held accountable for the continued violation of the human rights of its citizens.

71. **Mr. Khazaei** (Islamic Republic of Iran) said that some States systematically abused the human-rights mechanisms of the United Nations in order to pursue their own political objectives. Draft resolution

A/C.3/62/L.43 contained flawed information and unfounded allegations. For instance, it claimed that no special-procedure visit to the Islamic Republic of Iran had been allowed by the Iranian Government since July 2005, while actually it had voluntarily extended in 2002 a standing invitation to all special-procedure mandate holders, six of whom had visited the country. In fact, the level of cooperation between the United Nations special-procedure mechanisms and his country ranked among the highest. Other examples of inaccuracy abounded.

72. Although the Government of Canada pretended to be a leading global human-rights advocate, minorities, immigrants, foreigners and indigenous people in Canada suffered human-rights violations that had been documented by United Nations human-rights monitoring bodies. Social exclusion and racial discrimination had engendered significant disparities in employment, health and education. At the international level, Canada's record in dealing with human-rights violations was indefensible. Against the overwhelming majority of Member States, Canada had opposed the General Assembly and Human Rights Council resolutions condemning Israel's systematic violation of the human rights of Palestinians. During Israel's 2006 aggression against Lebanon, Canada had openly supported Israeli brutality. In September 2007, Canada had voted against the United Nations Declaration on the Rights of Indigenous Peoples. In view of the appalling conditions in the Guantánamo Bay facility and in Iraqi prisons or the existence of secret detention centres in various parts of Europe, other sponsors of the draft resolution had no more reason to be proud of their own human-rights record.

73. **Ms. Halabi** (Syrian Arab Republic), speaking in explanation of vote before the voting, reaffirmed her country's opposition to any attempt by a State to intervene in the affairs of another under the pretext of human-rights protection. The sovereignty of all Member States was enshrined in the Charter. The promotion of human rights required responsible dialogue based on mutual respect for national sovereignty, territorial integrity and regional and national characteristics. Human-rights issues should be considered by the Human Rights Council, not by the Committee. Politically motivated country-specific resolutions, based on double standards, undermined a consensus regarding human-rights issues.

74. **Mr. Rachkov** (Belarus) stressed that the Islamic Republic of Iran had a very long history. The draft resolution contained arrogant and unfounded criticism based on disingenuous motives. The sponsors' real target was that State's independent foreign policy.

75. **Mr. Hayee** (Pakistan), speaking on behalf of the Organization of the Islamic Conference (OIC), said that, in October 2007, OIC opposed the submission of country-specific resolutions on human-rights situations selectively targeting developing and Islamic countries, a practice which turned the work of human-rights bodies into an extremely political exercise rather than advancing the cause of human rights.

76. **Mr. Saeed** (Sudan) endorsed the statement made by Pakistan on behalf of OIC and reaffirmed his country's position of principle against country-specific resolutions. No country, regardless of size or power, could claim to be free of human-rights problems. That applied also to those countries which, proclaiming themselves defenders of human rights, adopted such resolutions as a political tool to interfere in other countries' internal affairs, contrary to the Charter. Such double standards had led to the abolition of the Commission on Human Rights and its replacement by the Human Rights Council. The universal periodic review established by the Human Rights Council was the appropriate forum for examining such issues. Draft resolution A/C.3/62/L.43 was an attempt to reactivate the practices of the former Commission, contrary to the spirit of cooperation and impartiality of the Human Rights Council. Sudan would therefore vote against the draft resolution.

77. **Ms. Gendi** (Egypt) said that her country rejected any draft resolution that was based on selectivity and double standards or that sought to politicize human-rights issues. In common with States members of the Movement of Non-Aligned Countries and the Organization of the Islamic Conference, it therefore voted against all draft resolutions on human-rights situations in specific countries.

78. First, it was deeply convinced that human rights should be addressed on a cooperative basis through capacity-building, rather than on a confrontational basis involving the public exposure of human-rights records in accordance with the wishes of self-appointed watchdogs, without the backing of international law or relevant United Nations resolutions.

79. Secondly, human-rights issues should be dealt with through the Human Rights Council and the periodic-review mechanisms established for that purpose, all of which should be given every opportunity to fulfil their role of evaluating human-rights situations worldwide, without regard to the economic status of the countries concerned and to political considerations.

80. Lastly, in making those evaluations, the factors of civilization, culture, religion, demography and ethnicity should be taken into account; such factors were intrinsic to the human diversity that brought communities together and should not be used to impose alien standards in the misguided view that they were instead factors of difference that set apart the countries which annually submitted such draft resolutions. For those reasons, Egypt would vote against the draft resolution.

81. **Ms. Rodríguez de Ortiz** (Bolivarian Republic of Venezuela) said that her delegation would vote against draft resolution A/C.3/62/L.43 out of a deep conviction that the selective tendency shown by certain countries for purely political motives to present draft resolutions directed against a specific sovereign State violated the universal principles of sovereignty and non-interference in internal affairs. Draft resolution A/C.3/62/L.43 was an instrument to promote changes in the political, economic and social system of the Islamic Republic of Iran, part of an undesirable and inconsistent practice which pursued no legitimate interest and offered no real benefit. Countries should promote human rights through constructive dialogue and international cooperation, in keeping with the Charter and with the Declaration on Principles of International Law in General Assembly resolution 2625 (XXV), in a spirit of respect, mutual acceptance and good faith, with a view to strengthening the capacity of States to fulfil their obligations for the benefit of all human beings.

82. **Mr. Sergiwa** (Libyan Arab Jamahiriya) said that, in discussing human rights, country-specific resolutions pursued by one country to settle accounts with another caused confrontation and hampered the solution of human-rights situations. Such selectivity and double standards should give way to fair, transparent and respectful dialogue in order to promote international cooperation. The Human Rights Council, especially the consensus-based procedure for universal periodic review, free from selectivity and politicization, was the

appropriate forum in which to discuss human rights in all countries. The specificities of cultures and civilizations should also be taken into account. Consequently, his delegation would vote against draft resolution A/C.3/62/L.43.

83. *A recorded vote was taken on draft resolution A/C.3/62/L.43.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saint Kitts and Nevis, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Against:

Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Morocco, Myanmar, Nicaragua, Niger, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Togo, Tunisia, Turkmenistan, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chad, Colombia, Congo, Côte d'Ivoire, Dominican Republic, Ecuador, Equatorial Guinea,

Eritrea, Ethiopia, Georgia, Ghana, Guatemala, Guyana, Haiti, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Papua New Guinea, Philippines, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, Solomon Islands, Suriname, Swaziland, Thailand, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Uruguay, Zambia.

84. *Draft resolution A/C.3/62/L.43 was adopted by 72 to 50, with 55 abstentions.*

85. **Ms. Abdelhak** (Algeria) said that the procedure for universal periodic review adopted by the Human Rights Council was the appropriate mechanism to examine country human-rights situations. Such a mechanism should help States to improve their human-rights performance, not stigmatize States or create confrontation, such as the one elicited by the draft resolution just adopted, which her delegation had voted against.

86. **Mr. Amorós Núñez** (Cuba) said that his delegation reaffirmed its opposition to selectivity and double standards in regard to human rights, and to the exploitation of human rights for political purposes or domination. The draft resolution just adopted was of that kind and his delegation had voted against it. The Committee was not a tribunal sitting in judgement over countries of the third world. The forum where such issues should be aired was the Human Rights Council.

87. **Mr. Ashiki** (Japan) said his delegation had voted in favour of the draft resolution because further improvement was needed in the human-rights situation in the Islamic Republic of Iran, but Japan welcomed the efforts the Government had made towards such improvement. In July 2007 in Tokyo, the Islamic Republic of Iran and Japan had engaged in the fourth Japan-Iran human-rights dialogue, which his Government believed contributed to the promotion and protection of human rights. Japan likewise welcomed Iran's accession to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Japan would continue supporting Iran's self-help efforts to improve its human-rights situation.

88. **Ms. Maierá** (Brazil) said that, although her delegation had abstained from voting, her country

noted with concern the human-rights situation in the Islamic Republic of Iran, particularly with regard to freedom of expression and opinion, violence and discrimination against women, and the application of cruel forms of punishment. Particularly disquieting was the reported application of the death penalty to persons under the age of 18, and discrimination against the Bahá'í community, including arbitrary detentions, imprisonment based on matters of conscience, restrictions on the right to work and education, and destruction of that community's cultural legacy.

89. Brazil strongly supported consolidation of the Human Rights Council as the main United Nations body to promote and protect human rights by creating an enabling environment to address human-rights situations in a spirit of genuine cooperation and dialogue. Brazil expected the Iranian Government to strengthen its dialogue with the Human Rights Council and all other United Nations human-rights mechanisms in line with the standing invitation offered to all Human Rights Council special procedures and Iran's ratification of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

90. **Ms. Tavares** (Portugal), speaking on behalf of the European Union, the candidate countries Croatia and the former Yugoslav Republic of Macedonia, the stabilization and association process country Montenegro, and, in addition, Moldova, said that the European Union had voted for draft resolution A/C.3/62/L.43 because all countries should be held accountable for fulfilling their obligations, and the international community could not remain silent in the face of continuous, grave and widespread human-rights violations when the countries in question showed no willingness to address the situations or engage in meaningful dialogue.

91. Iranians continued to suffer systematic violations of human rights, and the Government had failed to implement steps called for in previous resolutions on human rights in the country. No special procedure had been able to arrange for a visit to the country since July 2005 and the Government had not implemented the recommendations arising from previous visits. The deterioration of the situation over the previous year was well documented. Systematic violations included the use of torture and other cruel or degrading treatment or punishment; public executions, collective

executions and other executions performed without internationally recognized safeguards, including executions by stoning and execution of juvenile offenders; persistent violations of the human rights of women and of persons belonging to religious, ethnic, linguistic or other minorities; a campaign against women's-rights defenders; and violations of the freedoms of expression, assembly and opinion, and of due process. There was also continued discrimination on the basis of sexual orientation.

92. The European Union urged Iran to promote and protect the human rights of all its citizens regardless of sex, gender, religion, ethnicity, belief and sexual orientation, and hoped that the adoption of the draft resolution and the implementation of the recommendations it contained would open the way to cooperation and contribute to the full enjoyment of all human rights by all Iranians.

93. **Mr. O'Reilly** (United Kingdom), speaking in exercise of the right of reply, and responding to remarks made at the preceding meeting by the representative of Argentina concerning the Falkland Islands, said that the United Kingdom's position was well known and had been set out in detail by the United Kingdom's Permanent Representative to the United Nations, Sir John Sawers, on 1 October 2007 in a written right of reply in response to the statement by President Néstor Carlos Kircher of Argentina in a high-level plenary meeting of the General Assembly. The United Kingdom had no doubts about its sovereignty over the Falkland Islands, a position based on the principle of self-determination. It firmly believed that the islanders had the right to determine their own future. There could be no negotiations on the sovereignty of the Falkland Islands unless and until such time as the islanders so wished.

The meeting rose at 5.50 p.m.