



General Assembly

Sixty-seventh session

Official Records

Distr.: General
24 December 2012

Original: English

Third Committee

Summary record of the 31st meeting

Held at Headquarters, New York, on Tuesday, 6 November 2012, at 3 p.m.

Chair: Mr. Sparber (Vice-Chair)..... (Liechtenstein)

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In the absence of Mr. Mac-Donald (Suriname), Chair, Mr. Sparber (Liechtenstein), Vice-Chair, took the Chair.

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

Agenda item 69: Promotion and protection of human rights (*continued*) (A/67/387-S/2012/717 and A/67/390)

(a) Implementation of human rights instruments (*continued*) (A/67/40 (Vol. I), A/67/40 (Vol. II), A/67/44, A/67/48 and Corr.1, A/67/222, A/67/264, A/67/269, A/67/279 and A/67/281)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/67/36)

1. **Ms. Tandon** (India) said that special rapporteurs should make sure that their conclusions and recommendations regarding a particular State were first shared with the Government concerned and that the Government received adequate time to respond. In their public statements concerning allegations of human rights violations, the special rapporteurs must fairly reflect States' responses.

2. The fact that only one third of the funding for the Office of the United Nations High Commissioner for Human Rights (OHCHR) came from the regular budget whereas two thirds came from voluntary contributions was a matter of great concern. OHCHR should consider providing technical assistance and capacity-building for developing countries.

3. India granted equal importance to civil and political rights and economic, social and cultural rights. The country's independent judiciary, free, vibrant media, civil society and Constitution protected citizens' human rights. In 1993, the Government had established a national human rights commission and enacted a law to ensure the transparency and accountability of its activities. A highly effective public interest litigation mechanism ensured that members of the most vulnerable sectors of society could seek justice via a public-spirited person or organization.

4. **Ms. Maduhu** (United Republic of Tanzania) said that her Government's combined initial, second and third report on implementation of the International Covenant on Economic, Social and Cultural Rights had been submitted recently. The Government was preparing its seventeenth and eighteenth consolidated

report on implementation of the International Convention on the Elimination of All Forms of Racial Discrimination.

5. Relevant national laws and programmes included the Constitution of 1977, the Law of the Child Act of 2009, the Anti-Trafficking in Persons Act of 2008, the HIV/AIDS (Prevention and Control) Act of 2008, the Persons with Disabilities Act of 2010, a poverty reduction strategy and a development plan.

6. **Mr. Sarki** (Nigeria) said that the federal Government of Nigeria had a national human rights action plan. It included an audit of the human rights situation and concrete measures. The African Peer Review Mechanism, a process similar to the universal periodic review, was in effect.

7. Nigeria was implementing a broad initiative that included political and economic reforms, in order to consolidate democracy and improve the living conditions of all Nigerians. Cooperation between the universal and African human rights mechanisms would establish the desired synergies and complementarities in the region.

8. **Mr. Achgalou** (Morocco) said that in the past two years, political change and crises had put the United Nations human rights architecture to the test. There was a growing demand for rapid response actions, technical assistance and capacity-building. Events in the Arab world and the Sahel had presented the international community with a number of challenges.

9. Human rights should not be used to condemn or punish or to achieve political ends, at times with the complicity of certain States. Non-governmental organizations were also sometimes motivated by political considerations. The General Assembly must be vigilant in that regard, without prejudicing freedom of expression and opinion in the case of genuine human rights defenders.

10. Morocco had adopted a new Constitution in 2011. Following elections that same year, stakeholders had embarked on reforms. All of the recommendations of the Equity and Reconciliation Commission, an innovator in the field of transitional justice, had been enshrined in the Constitution. A national dialogue commission tasked with comprehensive reforms in the field of justice had been established, and some human rights institutions had been strengthened.

11. Morocco had accepted almost all the recommendations offered in the context of the universal periodic review. It had also had visits from the Independent Expert in the field of cultural rights, the Working Group on the issue of discrimination against women in law and in practice, and the Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment. In a recent statement before the Third Committee, the Special Rapporteur had noted the unrestricted access to all detention facilities in Morocco and the opportunity to interview prisoners in private.

12. **Mr. Trung** (Viet Nam) said that respect, protection and promotion of human rights were fully reflected in the Constitution of his country. Viet Nam had issued over 19,000 legal documents of all kinds, including over 208 codes and laws, more than 192 ordinances, 2,097 decrees and approximately 1,516 documents of Government, ministries and sectors. Many, including, inter alia, the Penal Code, the Criminal Proceedings Code, the Civil Code, the Labour Code, the Marriage and Family Code, were important in the protection and promotion of human rights.

13. Viet Nam was a party to 7 international human rights conventions, 15 International Labour Organization conventions and 5 Geneva Conventions relating to the protection of victims of international armed conflicts and to the Treatment of Prisoners of War. In cases where a national law and a convention to which Viet Nam was a party contained divergent provisions, the provisions of the treaty prevailed. Legal reform in Viet Nam was accelerating, and judges, lawyers, investigators and the police were increasingly well-trained.

14. **Mr. Kvas** (Ukraine) said that in the past four years, his country had ratified a number of international instruments, including, inter alia, the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, the Council of Europe Convention on Action against Trafficking in Human Beings, the European Convention on the Adoption of Children (Revised), the Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

15. The adoption by the Human Rights Council of a resolution initiated by Ukraine on the role of

prevention in the protection of human rights demonstrated the vital importance of preventive measures to ensure respect for human rights. Ukraine welcomed further strengthening and increased transparency in the selection and appointment of special procedures mandate-holders. Ukraine had issued standing invitations to all special procedures and had presented its candidature for the Human Rights Council for the term from 2018 to 2020.

16. **Ms. Kondratzuka** (Latvia) said that Latvia had become a party to over 50 international human rights instruments since joining the United Nations in 1991. Having improved its economic situation, Latvia had resumed making voluntary contributions to the United Nations High Commissioner for Refugees in 2011 and would do the same with regard to OHCHR.

17. Latvia had been one of the first States to issue a standing invitation to all special procedures mandate-holders and actively promoted cooperation with them. A standing invitation unambiguously signaled a country's commitment to human rights. Latvia would run in the Human Rights Council elections in 2014.

18. Latvia had comprehensive legislation and an institutional system for the protection of human rights. Individuals could file complaints with the Constitutional Court. The Ombudsman's Office was responsible for promoting protection of the rights of individuals and for preventing all forms of discrimination. The Ombudsman could submit an application to the Constitutional Court and to a court of general jurisdiction.

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued) (A/67/56, A/67/159, A/67/163, A/67/178, A/67/181, A/67/226, A/67/260, A/67/261, A/67/267, A/67/268, A/67/271 and Add.1, A/67/275, A/67/277, A/67/278, A/67/285, A/67/286, A/67/287, A/67/288, A/67/289, A/67/292, A/67/293, A/67/296, A/67/299, A/67/302, A/67/303, A/67/304, A/67/305, A/67/310, A/67/357, A/67/368, A/67/380 and A/67/396)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

(A/67/327, A/67/333, A/67/362, A/67/369, A/67/370, A/67/379, A/67/383; A/C.3/67/4¹)

19. **Mr. Goddard** (Barbados), speaking on behalf of the Caribbean Community (CARICOM), noted that several CARICOM nationals would, in their capacity as independent treaty body experts, continue to contribute to the discussions on enhancing the effectiveness of the treaty body system.

20. CARICOM reiterated its concerns regarding the selective implementation of recommendations contained in the High Commissioner's report on the strengthening of the human rights treaty body system.

21. Challenges in realizing the right to development persisted owing to crises to which small developing States were particularly vulnerable. CARICOM welcomed the mention of the Montego Bay Declaration in the report of the Special Rapporteur on the right to education. The realization of the right to the highest attainable standards of physical and mental health was compromised by the high prevalence of communicable and non-communicable diseases.

22. The productivity of fisheries as a source of food was declining, mainly owing to destructive fishing practices and distorting subsidies. A human rights approach to sustainable development in the fisheries sector was essential. Residents of developing countries were most vulnerable to the negative impacts of challenges facing global fisheries. With regard to that issue, the Caribbean Regional Fisheries Mechanism, a regional organization in the Caribbean region, was of particular relevance.

23. **Mr. Haniff** (Malaysia), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that the work of the international community to promote and protect human rights should take into account principles of respect for national sovereignty, territorial integrity and non-interference in the internal affairs of States. A balance between the rights of the individual and those of the community fostered freedom, progress and national stability.

24. Under the ASEAN Charter, adopted in 2007, there were annual high-priority programmes and activities, as well as a five-year workplan. Thematic

studies on, inter alia, migration, human trafficking, child soldiers and women and children in conflicts and disasters were planned in connection with the five-year workplan. The ASEAN Human Rights Declaration, currently at the drafting stage, would lay the groundwork for regional human rights cooperation.

25. The ASEAN Commission on the Promotion and Protection of the Rights of Women and Children sought to promote women's and children's well-being, development, empowerment and participation. Recently, there had been meetings between the Commission and experts of the Committee on the Elimination of Discrimination against Women and between the Commission and the Special Representative of the Secretary-General on Violence against Children.

26. The Commission's projects for the next few years included publication of ASEAN best practices in eliminating violence against women and children and development of a regional network of social services to empower women and children who were victims of violence. With regard to children in particular, plans included the development of standards for quality early childhood care and education; the creation of an enabling environment for children to participate in decision-making; and convening a consultative meeting on cultural and religious practices impacting the rights of children. In July, the Commission had convened a dialogue with child representatives from ASEAN member States. The children had highlighted the outcomes of the second ASEAN Children's Forum and reminded the Commission of their motto, "Don't speak about us without us."

27. While ASEAN sought to set the agenda for the promotion and protection of human rights in the region, it took into account the need for non-confrontational and constructive methods of engagement owing to regional particularities and varied cultures, religions and traditions.

28. **Mr. Errazuríz** (Chile), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that the contributions of migrants to host countries were not sufficiently appreciated, and that the economic and financial crises had led to a deterioration in migrants' labour conditions. There had been a reversal of migration flows, with many Latin American and Caribbean migrants returning to their countries of origin and migrants arriving from developed countries.

¹ To be issued.

29. CELAC regretted the adoption of laws that criminalized migration. Member States should end excessive detention periods for people who had committed no crime and unconditionally respect the inherent dignity and human rights of migrants, regardless of migration status. States should eliminate politically motivated laws that led to unsafe migration or loss of life and should provide legal protection for women migrants against violence and exploitation.

30. In order to intensify measures to prevent and combat trafficking in persons, States should strengthen coordination between countries of origin, transit and destination. All possible measures should be taken to protect migrants from the consequences of the activities of criminal groups

31. **Mr. de Séllos** (Brazil), speaking on behalf of the Southern Common Market (MERCOSUR), said that since 2005 there had been meetings of MERCOSUR senior human rights officials to foster regional cooperation on childhood, gender, discrimination, the elderly, persons with disabilities, education and the right to the truth. The Institute for Public Policy on Human Rights of MERCOSUR, established to strengthen the rule of law in member States through human rights public policy design, had been in existence since 2010.

32. The member States of MERCOSUR were concerned about the impact of the economic crisis on all human rights. Under no circumstances should the crisis be used as an excuse to disregard or diminish access to human rights or for failure to promote and protect human rights. Developed countries should meet their commitment to allocate 0.7 per cent of their gross national product for official development assistance.

33. A decision had been taken in 2012 to establish a MERCOSUR gender equality policy. The member and associated States had taken measures to mainstream a gender perspective in the agendas of various MERCOSUR bodies. Under the Millennium Development Goals, member and associated States had made progress in eradicating poverty and malnutrition, achieving universal access to primary and secondary education, promoting gender equality, reducing child mortality and improving maternal health. Because poverty was a major factor in human rights violations, it was important to implement policies to eradicate it.

34. The member and associated States of MERCOSUR reiterated their support for the International Convention

for the Protection of All Persons from Forced Disappearance. Its implementation would contribute significantly to ending impunity and to the promotion and protection of all human rights for all.

35. **Mr. Mayr-Harting** (Observer for the European Union), speaking also on behalf of the acceding country Croatia; the candidate countries Iceland, Montenegro and the former Yugoslav Republic of Macedonia and Turkey; and the stabilization and association process countries Albania and Bosnia and Herzegovina, said that in 2012, the European Union had, for the first time, adopted a framework that set out principles, objectives and priorities to further improve the effectiveness and consistency of European Union human rights policy. Nearly 100 detailed actions had been designed to put those principles into practice. In July, a European Union Special Representative for Human Rights had been appointed for the first time.

36. Although in countries undergoing transition, there might be the temptation to refuse to grant full human rights to all, democracy could only flourish when all people had an equal say and equal rights, guaranteed in law and practice. In Tunisia, Egypt and Libya, successfully organized democratic elections had allowed many citizens to vote freely for the first time in their lives. The positive role of women in the process had been noteworthy. The European Union was pleased to lend expertise to national and local authorities. The increased cooperation of some North African countries with United Nations special procedures was welcome. Those countries were encouraged to move towards extending a standing invitation.

37. While the positive developments in Burma/Myanmar were welcome, recent unrest in the state of Rakhine had drawn attention to unresolved issues. The European Union would once again submit a resolution on the human rights situation in that country, reflecting both the many steps the Government had taken and the remaining concerns.

38. More measures were needed to end the cycle of violence in Bahrain. The European Union was ready to support implementation of recommendations by the Bassiouni Commission of Inquiry.

39. Sri Lanka was encouraged to implement fully the recommendations of the Lessons Learnt and Reconciliation Commission and to address serious allegations of violations of international law.

40. The intensification of violence in the Syrian Arab Republic continued to shock the world, demanding determined and united action by the United Nations. The European Union fully supported the efforts of the Joint Special Representative of the United Nations and the League of Arab States for Syria to find a political solution to the crisis and condemned the ever-increasing use of force by the regime.

41. In northern Mali, the occupation by rebel Islamists had led to an increase in public, extrajudicial executions, including stoning to death, punitive amputations, recruitment of child soldiers and an extremely serious situation for girls and women. In the south, the disappearance of members of the Presidential Guard, attacks on the President and mass arrests following the coup were all matters of concern.

42. All armed groups in the Democratic Republic of the Congo, including that country's army, were urged to stop engaging in rape, summary killings, forced recruitment of civilians, including children, and looting. The national authorities should work with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to reform the security sector and end impunity.

43. Harassment and intimidation of human rights defenders and representatives of the political opposition, media and civil society continued in Belarus. The authorities should immediately release and rehabilitate all political prisoners and imprisoned human rights defenders. The recent parliamentary elections represented another missed opportunity for Belarus to hold elections in line with international standards.

44. Recent legislation in the Russian Federation on non-governmental organizations receiving foreign funding; demonstrations; the control of the Internet; and the criminalization of libel were worrisome. Venezuela's denunciation of the American Convention on Human Rights was regrettable.

45. The Islamic Republic of Iran was strongly encouraged to cooperate with the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. The recent execution of ten people on drug charges was deplorable. Use of the death penalty was increasing, including the number of public executions and the list of crimes to which the death penalty was applied.

46. Human rights violations related to land reform and recent convictions of human rights defenders in Cambodia called the impartiality of the judiciary into question. In Viet Nam, the recent conviction of human rights bloggers was indicative of a more restrictive approach to freedom of expression.

47. The recent wave of self-immolations in the Tibet region of China was cause for profound concern. China must ensure that the human rights of the Tibetan people and other minorities were respected. The European Union urged China to enter into a meaningful dialogue with representatives of the Dalai Lama and the Tibetan people, to take steps to abolish the system of re-education through labour and to ensure the right to a fair trial, freedom of expression and assembly and the right of minorities to enjoy their own culture, practice their own religion and use their own language. It encouraged China to continue efforts to ratify the International Covenant on Civil and Political Rights, which it had signed in 1998.

48. The persistent, grave, widespread and systematic violations of human rights in the Democratic People's Republic of Korea also caused severe concern.

49. **Mr. Wenaweser** (Liechtenstein) said that every effort must be made to ensure that the prevention of grave and systematic violations of international law was a matter of the highest priority. In that regard, the working methods of the Security Council left much room for improvement. At the same time, there had been substantive improvements in the institutional arrangements of the United Nations for promoting and protecting human rights since the last World Conference on Human Rights.

50. The independence of the High Commissioner for Human Rights must be preserved. The establishment of OHCHR reflected a consensus on a system of accountability in which the High Commissioner was granted independence on substantive matters in order to assume the important advocacy role assigned to her by the States. Current institutional arrangements between the General Assembly, the Human Rights Council and the Secretariat should be preserved, and the various stakeholders in the human rights architecture should strengthen their cooperation. The understandings to that effect reached in Geneva were good examples of a pragmatic approach to improving information-sharing.

51. The universal periodic review was the most comprehensive measurement of progress in the promotion and protection of human rights ever undertaken by the international community. In the second cycle, States must show concrete progress in response to the recommendations received in the first round, and the process must preserve its universality. Universal adherence in the first round was a major success. Should a State cease to cooperate under the review mechanism, the universal and equal applicability of human rights agreements would be called into question.

52. The human rights treaty body system was currently able to survive owing solely to the high rate of non-compliance with reporting obligations. A clear focus on resources was needed in 2013. In the meantime, the most precarious situations in individual treaty bodies must be addressed by responding to ad hoc requests for additional funding.

53. **Mr. Johan** (Malaysia) said that the intergovernmental process must be afforded sufficient time for the comprehensive consideration of various inputs and initiatives.

54. The human rights situation was deteriorating, notably in the Middle East and in parts of Africa and Asia. All parties should ensure unimpeded access to humanitarian aid and halt the flow of armaments. Palestinians had had their rights systematically denied and trampled by the occupying Power. Sustained attention by the international community to the human rights situation in occupied Palestine was needed.

55. Malaysia had recently signed instruments of accession for the two optional protocols to the Convention on the Rights of the Child. In 2011, it had repealed colonial-era legislation allowing detention without trial. Agreement had been reached on new legislation that aimed to address threats to national security and public safety. The new legislation would provide stronger safeguards for fundamental freedoms and civil liberties.

56. The Government pursued policies that included statutory recognition of indigenous people and protection of their rights and freedoms, with a view to sustainable national development.

57. **Ms. Nigna-Somda** (Burkina Faso) said that after undergoing the universal periodic review, her Government had established a national human rights

commission in accordance with the Paris Principles; established a national board of civil society organizations to provide a cooperation framework for non-governmental human rights actors; and developed a plan of action to implement the recommendations of the universal periodic review with the support of the OHCHR West Africa Regional Office. Awareness-raising was being undertaken with a view to abolishing torture and forced and early marriage, making detention facilities more humane; prohibiting female genital mutilation and training the security and defense forces in human rights.

58. Burkina Faso had adopted laws and regulations aimed at protecting the rights of persons with disabilities; countering terrorism; addressing land tenure issues, especially for women; putting an end to violence in schools; and promulgating a national gender policy.

59. The Government had submitted national human rights reports under the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination against Women; the African Charter on the Rights and Welfare of the Child; the African Charter on Human and Peoples' Rights; the International Covenant on Civil and Political Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Covenant on Economic, Social and Cultural Rights; and the International Convention on the Elimination of All Forms of Racial Discrimination.

60. **Mr. Valero Briceño** (Bolivarian Republic of Venezuela) said that respect for human rights was diminishing worldwide. Social guarantees were disappearing, while poverty and inequality were spreading. Hunger was widespread. Political and civil rights were suffering owing to the obsessive quest for security. The war on terrorism was being used to spread fear and abolish rights. Drones penetrated the airspace of sovereign countries and killed civilians. War crimes and State terrorism were committed in developing countries, and torture was justified.

61. Under those conditions, with neoliberal capitalism posing a threat to rights, especially to those of the peoples of the South, the right to development had become key to the enjoyment and exercise of human rights.

62. In Venezuela, the internationally agreed human rights and freedoms were broadly recognized, as were

indigenous and environmental rights. In the past ten years, poverty and inequality in Venezuela had been reduced with striking rapidity, while democratic participation had increased. There was no death penalty in Venezuela, nor was torture practiced. There were no political prisoners or secret prisons. Participants in public protests were not detained or punished, and the political opposition had full enjoyment of its rights. There were no limits on freedom of expression in Venezuela, and media outlets were not shut down.

63. Venezuela had the moral and political authority to speak of human rights. It firmly rejected selective condemnation of developing countries, done supposedly in the name of protecting human rights. That practice was in fact part of the strategic game of neocolonial world domination. In the name of humanitarian assistance, protection of human rights and the responsibility to protect, imperial Powers sought to overthrow legitimate Governments, thereby sowing chaos and generating human rights violations. It was not clear how certain imperial Powers could claim to defend human rights when they supported violations of those same rights in countries under foreign occupation and committed large-scale violations of those rights in the countries of the South.

64. **Mr. Dintersmith** (United States of America) said that the horrific human rights violations occurring in the Syrian Arab Republic had only worsened in the past year. The regime's brutal, persistent attacks against its own people were unconscionable. Government forces had perpetrated outrageous targeted killings of civilians and attacks against medical facilities. Hundreds of thousands of civilians had fled owing to the regime's actions.

65. The continued repression of its own people by the Government of the Islamic Republic of Iran merited the strongest condemnation. The Government must uphold its international obligations and respect its own laws to protect the rights of all citizens, including the right to religious freedom and free expression. All persons jailed for their religious or political beliefs must be released, including more than 100 Baha'is and hundreds of students, lawyers, activists and journalists. Opposition leaders Mir Hossein Mousavi, Mehdi Karroubi and Zahra Rahnava should be released immediately.

66. The new leadership in the Democratic People's Republic of Korea should immediately dismantle

political prison camps, where between 130,000 and 200,000 individuals, including children, were held. It should end punishments for returned asylum seekers and their families. The Government subjected citizens to forced labour and denied them freedom of expression, assembly, association, religion and movement. The Government should grant access to the United Nations Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea.

67. The Sudan continued to attack and aerielly bombard civilians in Darfur, arm proxy militias, sustain a climate of impunity for abuses and deny political freedoms. The Government denied access for humanitarian and food assistance in some regions and continued to engage in extrajudicial killings, arbitrary detention and other gross human rights violations. The United States and many other countries had supported strengthening the mandate of the Independent Expert on the situation of human rights in the Sudan so as to give him access to all areas of the country.

68. The United States had also strongly supported the establishment of the office of a special rapporteur to establish direct contacts with the Government and the people of Belarus. Since the flawed presidential elections in 2010, the Government had continued its significant curbs on freedom of association, assembly and expression and the right to a fair trial. Allegations of torture and ill-treatment were widespread. The Government had cracked down on human rights activists, independent journalists and media and civil society.

69. Eritrea's severe curtailment of fundamental freedoms had caused large numbers of people to flee. The Government had recently refused to cooperate with the newly named Special Rapporteur and had not accounted for those who had disappeared after arrest.

70. Cuba's security forces intimidated, beat and imprisoned Cuban citizens for peacefully exercising their right to freedom of expression and assembly. Alan Gross, imprisoned for nearly three years merely for helping improve Internet connectivity and facilitate information flow, should be released immediately.

71. China made efforts to silence dissent through arrests, convictions, forced disappearances and extralegal detentions, persecution of human rights lawyers, harassment of journalists and intimidation of activists' families. The Government must end limits on

religious freedom and policies undermining the linguistic, religious and cultural traditions of minorities.

72. The Government of Burma had taken a number of significant steps that signaled the start of a noteworthy reform process. However, the events of recent weeks and months in the state of Rakhine had been profoundly distressing.

73. **Ms. Hewanpola** (Australia) said that her country was deeply concerned about recent violence stemming from the conflicting exercise of freedom of religion and freedom of expression. A fine balance must be preserved between those two freedoms.

74. While the weight of evidence pointed to gross violations of international human rights and humanitarian law on the part of the Syrian Government, all parties were urged to respect their legal obligations and the rights of all Syrians.

75. In the Islamic Republic of Iran, use of the death penalty and the intimidation and arbitrary arrest of human rights defenders and political activists were to be condemned, as were violations of political and media freedoms and unfair trials, and policies and practices that discriminated against ethnic and religious minorities, including Arab Iranians, Baha'i's and religious converts and also women and girls. The Islamic Republic of Iran was urged to engage transparently with United Nations human rights mechanisms.

76. Australia remained deeply concerned about violence and human rights abuses in the eastern Democratic Republic of the Congo and the use of torture and arbitrary detention in the Democratic People's Republic of Korea. The latter country was urged to strengthen the rights of women and people with disabilities and to engage constructively with the Special Rapporteur.

77. The constitutional and electoral processes begun in Fiji were commendable; however, the interim Government needed to achieve further progress in improving human rights, particularly freedom of speech, assembly and the media.

78. **Mr. Kodama** (Japan) said that his country had been engaging in cooperative human rights dialogues with more than 10 countries, taking into account the history, culture, traditions and specific situations of each one.

79. Japan highly appreciated the recent release of a substantial number of political prisoners and prisoners of conscience in Myanmar and the well-organized and transparent electoral process that had taken place there. Japan had provided assistance for Myanmar's ethnic minorities and had recently announced that it would implement an arrears clearance operation with regard to past loans. New loans would also be offered.

80. In Cambodia, while the human rights situation had progressively improved in the past 20 years, the land issue remained a challenge. In the Democratic People's Republic of Korea, the Government had shown no readiness to respond to the recommendations of the universal periodic review and refused to cooperate with other human rights mechanisms and special procedures.

81. Ten years after the Pyongyang Declaration between Japan and the Democratic People's Republic of Korea, the abduction issue remained outstanding. Twelve Japanese citizens abducted by the Democratic People's Republic of Korea had not yet returned to Japan, and there were other missing persons cases in which the possibility of abduction by the Democratic People's Republic of Korea could not be ruled out. Nationals of other countries were also victims.

82. The Syrian Government was urged to cease oppression and violence against its people and promote a regime transition led by the Syrian people. Japan supported the diplomatic efforts of Joint Special Representative of the United Nations and the League of Arab States for Syria.

83. The implementation of cruel punishments and restrictions on freedom of expression in the Syrian Arab Republic remained a source of concern. Japan continued to urge the Government to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Elimination of All Forms of Discrimination against Women. The Government should allow the Special Rapporteur into the country.

84. Japan welcomed the actions taken by African countries themselves in the Human Rights Council with a view to improving the human rights situation on their continent. Nation-building in Somalia must be supported, as it was the key to prosperity throughout the Horn of Africa.

85. **Mr. Khammoungkhoun** (Lao People's Democratic Republic), referring to a comment contained in the report of the Secretary-General on a moratorium on the use of the death penalty regarding the lack of an explicit prohibition in his country's legislation on the use of the death penalty against people who were under 18 when they committed a crime, said that article 32 of the Penal Code did, in fact, contain an explicit ban on use of the death sentence against offenders who were less than eighteen years old at the time of the crime. While the death penalty had been retained in national legislation, there had been a de facto moratorium on use of the death penalty for several decades.

86. The Lao People's Democratic Republic was a party to seven of the nine core international human rights instruments. Recently, the Government had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

87. In the protection and promotion of human rights, double standards, selectivity and politicization should be avoided, and the individual environment and historical and cultural background of each State should be taken into account.

Statements made in exercise of the right of reply

88. **Ms. Xiaomei** (China) said that China rejected the accusations made by the European Union and the United States of America. With serious human rights violations of their own, they were not entitled to point the finger at others. Instead, they should resolve their own human rights situations at home.

89. **Mr. Zheglov** (Russian Federation) said that modifications had indeed recently been made to legislation on not-for-profit organizations. The main purpose had been to increase the transparency of organizations engaging in political activity that received foreign funding, of which there were at least one thousand in the Russian Federation. Those changes to the law did not ban foreign funding of such organizations, but merely made such funding more transparent. Furthermore, the only penalty imposed on organizations that violated those laws and failed to report the information in question was that they must cease their activities. The changes had been widely discussed and supported all across the political spectrum.

90. The changes to the law had been based on approaches long applied in Western nations. The so-called developed democracies had had such laws on the books for decades. The Russian law had been modeled on a similar piece of legislation in effect in the United States of America. The Russian version was, if anything, milder. The reaction in the West raised questions as to why self-appointed guardians of the rule of law were so unwilling for the financial histories of organizations that they sponsored to become public. Clearly, it was because it would now be more difficult for those self-appointed guardians of the rule of law to interfere in the internal affairs of the Russian Federation and impose their political tenets. Russian civil society had no need of meddling outside advisers.

91. **Mr. Jang Il Hun** (Democratic People's Republic of Korea) said that his country resolutely rejected the accusations leveled against it. They were nothing more than a political game to stifle and isolate his country in order to pursue hostile policies of the United States of America that went back over half a century. The accusers would be well advised to reflect on human rights violations in their own countries, including discrimination, violence, maltreatment of immigrants and defamation of religion, to name just a few. They should refrain from mass killings of innocent civilians in Afghanistan and Iraq. His delegation would continue to reject the country-specific resolution on the Democratic People's Republic of Korea in the strongest terms, as it had nothing to do with the protection and promotion of human rights.

92. The abduction issue raised by the representative of Japan had been completely resolved. On the other hand, the fate and whereabouts of 8.4 million Koreans abducted by Japan during its military occupation of Korea were still unknown. Japan was trying to divert public attention from its unresolved crimes against humanity committed against Korea, which included the massacre of 1 million people. Japan should apologize and compensate the victims, including those who had been held in sexual slavery for the Japanese military.

93. **Ms. Thomas** (Cuba) said that the Government of the United States of America set itself up as a defender of human rights although it lacked the authority to do so. It supported mercenaries and common criminals in other countries who encouraged terrorism, foreign intervention and regime change.

94. **Ms. Alkhalifa** (Bahrain) said that most of the recommendations of the universal periodic review had been implemented, and the remainder were under way, reaffirming the country's commitment to promote and protect human rights. Her country's actions should dispel any doubts about its commitment to uphold the rule of law.

95. **Mr. Trung** (Viet Nam) said that ensuring freedom of expression was his country's consistent policy and was enshrined in the Constitution and guaranteed by many laws. The rapid growth and diversity of the press in Viet Nam were a demonstration of free speech on the ground. There were 954 newspapers and other media outlets and 17,000 licensed journalists. Viet Nam was ranked sixth in Asia in the percentage of the population who used the Internet. Many European countries had also adopted certain limits on freedom of speech owing to national security considerations.

96. **Mr. Kodama** (Japan) said that the abduction issue had not, in fact, been settled. In 2008, the Democratic People's Republic of Korea had changed its position as to whether or not the abduction issue had been resolved, and in 2008, both sides had agreed on the objectives and modalities of the investigation into the abduction issue. The Democratic People's Republic should respond to the international community's concerns regarding its human rights violations.

97. **Mr. Jang Il Hun** (Democratic People's Republic of Korea) said that all survivors had returned home, and all remains and belongings had been conveyed to Japan. Everything possible had been done, and the abduction issue had been successfully resolved.

98. **Mr. Kodama** (Japan) said it was deeply regrettable that the Democratic People's Republic of Korea had not responded with concrete actions to any of the concerns repeatedly expressed by the international community.

The meeting rose at 6.15 p.m.