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Chair: Mr. Mac-Donald (Suriname)

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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)

(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,

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(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, and A/67/383; A/C.3/67/4)

1. **Ms. Alraees** (United Arab Emirates) said that her country's Constitution guaranteed that everyone, regardless of belief or social status, was equal before the law, ensured respect for human rights, and prohibited torture. Various measures were in place with a view to the implementation of a range of international human rights treaties. Her Government followed a policy based on justice and balance concerning universal issues, and her country was a successful model of religious freedom. Five million people from more than 200 countries and of all creeds were working in the United Arab Emirates, and their freedoms were protected. Her Government respected freedom of speech, and called for tolerance and respect for all religions and cultures. The United Arab Emirates had many achievements in the field of human rights and had a good standing among Arab countries on the human development index, as well as among Arab and Middle East countries in terms of justice and the transparency of its judicial system.

2. As to gender equality, her Government prioritized education, and social and health services for women, a group which constituted 60 per cent of the country's active workforce and participated in the highest levels of decision-making in the country. Her country also contributed to international efforts to ensure women's equality and welcomed the work of UN-Women.

3. In other areas, her Government had developed laws and regulations on trafficking in persons and ensured protections for victims. In the area of labour, an action plan protected workers' rights and improved working conditions. Respect for human rights was a mainstay of international peace and stability, and in 2011, the United Arab Emirates had allocated 0.22 per cent of its national income in the form of assistance and grants to developing countries.

4. **Ms. Ribeiro Viotti** (Brazil) said that the promotion and protection of human rights were fundamental values of the Brazilian State, as enshrined in its Constitution and reflected in a series of public policies and mechanisms fostering dialogue and political participation. She reaffirmed the Government's determination to participate in the activities of the Human Rights Council and to maintain ongoing dialogues with the different mechanisms of the United Nations human rights system, based on the principles of universality, impartiality, objectivity and non-selectivity. In particular, it would continue to participate actively in all evaluations within the scope of the universal periodic review mechanism.

5. It remained committed to supporting and strengthening international cooperation on human rights; it had acquired significant experience in fields such as the promotion of children's rights, the rights of disabled people, universal access to birth records, human rights education and combating domestic violence. It was also committed to tackling racism and racial discrimination at home and abroad, and supported the follow-up mechanisms of the Durban Declaration and Plan of Action.

6. The Government was ready to maintain a transparent and constructive dialogue with international human rights mechanisms, and had maintained an open invitation to all mandate-holders since 2001. It reaffirmed its commitment to support the Office of the United Nations High Commissioner for Human Rights (UNHCHR) and to provide the resources necessary for its effective performance. It reiterated the importance of the inter-American human rights system, in which it would remain engaged. It also remained committed to strengthening political cooperation and dialogue on human rights with the members and associated States of Mercosur.

7. Another priority for Brazil had been the promotion and protection of the rights of children and

adolescents. Significant progress had been achieved in reducing infant mortality and child labour, securing universal access to primary education and guaranteeing a minimum income for vulnerable families.

8. The consolidation of Brazilian democracy combined respect for civil and political rights with the progressive realization of economic, social and cultural rights, in a process of social inclusion, which consecrated the indivisibility of human rights.

9. **Ms. Astiasarán Arias** (Cuba) said that a future of peace, development and the full realization of all human rights for all required cooperation, solidarity and mutual respect. The striking imbalance in the Committee's discussion on human rights, which focused mainly on civil and political rights to the detriment of economic, social and cultural rights, was thus regrettable. More attention should be given to the right to development, in particular, without which there could be no peace, security or true democracy in the world. Public development policies must focus on human beings, strengthen the role of women in development processes, and ensure good governance and thus sustainable development. Many serious and urgent human rights situations — such as extreme poverty and lack of access to education, health and food, which affected millions of persons — were not being given due priority, notably in the rhetoric of Western countries. Also absent from Northern countries' human rights discussions were the principles of objectivity, impartiality and non-selectivity. Meanwhile, a single model for social organization was being advocated by certain countries, which were using human rights as a manipulating tool against some developing countries. The former engaged in humanitarian rhetoric to undermine the concept of sovereignty and promote interference in the internal matters of States, including through regime changes and military invasion.

10. Defence of and regard for the self-determination of peoples must be the cornerstone of the international community's actions, together with respect for diversity among cultures, religions and political, economic and social systems. Any imposition of models constituted a serious human rights violation. Cuba had always rejected selectivity in policies relating to developing countries. Human rights could only be promoted through respect for the Charter of the United Nations. Hypocrisy and double standards surely could not be tolerated in the work of the Committee,

which must follow a non-selective approach to human rights.

11. **Mr. Pedersen** (Norway) said that in country after country, people were risking their lives to call for free elections, democratic accountability, the rule of law and respect for human rights. In the Syrian Arab Republic, Egypt, Bahrain, Yemen, Tunisia and Libya, inspiring examples had come to the fore which showed that only reform efforts which promoted accountable governance, respect for human rights and the rule of law would bring long-term stability. Nevertheless, there were also cases where peaceful protesters and human rights defenders had been brutally repressed, journalists targeted, and new and restrictive laws justified in the name of security.

12. The continued violence and atrocities in the Syrian Arab Republic in particular were unacceptable. Strengthened United Nations engagement was needed to find a political solution to the crisis there, and those responsible for grave and systematic human rights abuses must be held accountable. Moreover, of ongoing concern was the situation in the Islamic Republic of Iran, where repression of political dissent, unlawful detentions, torture, discrimination and the use of the death penalty were widespread. The deterioration of human rights in Belarus was also of concern.

13. Positive developments had been seen in Myanmar, where political prisoners had been released, press freedoms increased and a human rights commission established. The international community needed to engage in capacity-building efforts to preserve those gains and further promote human rights in that country. Nevertheless, the tensions in Rakhine State and the reports of human rights violations in conflict-affected areas were of particular concern, and the Government of Myanmar was urged to release any remaining political prisoners.

14. Strengthened rule of law protection was required for religious minorities, non-believers and humanists through dialogue and multilateral mechanisms, such as the universal periodic review. Violence and discrimination based on sexual orientation and gender identity were unacceptable, and his Government supported the Secretary-General's call for the decriminalization of homosexuality, which was not a matter of creating new rights, but of recognizing that human rights applied to all.

15. Norway opposed the death penalty in all circumstances, as that measure was incompatible with the principles of human dignity and humane treatment. He drew attention to the United Nations Guiding Principles on Business and Human Rights. He stressed the importance of ensuring that UNHCHR could fulfill its mandate, and expressed strong support for the High Commissioner's call for sustainable funding for that Office. Coordinated efforts were needed in the Fifth Committee and other relevant United Nations bodies, to substantially strengthen the Office's regular budget over the coming years and secure the timely provision of funding for urgent mandates.

16. Lastly, it was essential to enhance awareness, both at Headquarters and in the field, of relevant human rights norms and standards, so that United Nations personnel could assist States in that regard. The human rights perspective needed to be more effectively integrated into all relevant United Nations funds and programmes. Leaders at the highest level of the United Nations system must make a concerted effort to achieve that goal.

17. **Mr. Nina** (Albania) said that overall improvements had been made over the past year in the exercise of democracy, human rights and the participation of women in public and social life. For centuries, Albanians had shared the Mediterranean with the peoples of North Africa, trading and sharing expertise with countries that were now part of the Arab Spring movement. In addition, in the context of Albania's chairmanship of the Council of Europe, particular focus was being placed on strengthening cooperation and coordination with those countries in order to consolidate democratic institutions, the rule of law, protection for human rights and fundamental freedoms. Their successful transition was vital to the stability and prosperity of the whole Mediterranean region.

18. Human rights situations linked to several ongoing conflicts in the world were deplorable, and he thus urged the United Nations to take immediate action to ensure that the rule of law was upheld, and human rights protected.

19. **Mr. Mitsialis** (Greece) commended the work of the mandate-holders, which was essential for the promotion of human rights around the world, and reaffirmed Greece's support for the work of the High Commissioner for Human Rights and the

independence, impartiality and expertise of the human rights treaty body system. Greece had always aimed to effectively implement the Universal Declaration of Human Rights and applicable rules and provisions of human rights and humanitarian law nationally and internationally. There was a need for sustained efforts by States and international and regional organizations, as well as interaction with civil society in that respect. Regional and international cooperation was also indispensable in addressing widespread human rights abuses, and the United Nations played a vital role in dealing with such violations and in effectively promoting human rights.

20. Greece had presented its candidature to the Human Rights Council for the term 2013–2015, and had supported reinforcement of the Council as the key intergovernmental body for advancing human rights within the United Nations system and strengthening Member States' ability to fulfill their human rights obligations effectively, through technical assistance, interregional dialogue and exchange of know-how and best practices. The promotion of democratic institution-building and respect for the rule of law were prerequisites *inter alia* for sustainable development, the promotion of freedom of religion or belief and religious tolerance, and for the protection of minorities during armed conflict or social unrest.

21. Legitimate aspirations for freedom and democracy had brought down authoritarian regimes, replacing them with democratically elected governments in the context of the Arab Spring. He strongly encouraged the countries involved to continue their efforts to engage in democratic nation-building, in full respect of the human rights of all.

22. Despite those advances, full enjoyment of human rights could be gravely affected by the ongoing economic crisis. Greece had sought to eradicate increasing inequalities and social exclusion while at the same time following a sustainable path towards economic recovery. It made every effort to protect the most vulnerable segments of society such as migrants, refugees and minorities. Lastly, he noted that Greece's former Minister for Foreign Affairs had been appointed the first-ever European Union Special Representative for Human Rights.

23. **Ms. Wyss** (Switzerland) said that the worldwide abolition of the death penalty, which violated the right to life and was an affront to human dignity and the

right not to be subjected to torture or any other cruel, inhumane or degrading treatment, was a major priority in her country's foreign policy on human rights. Capital punishment was sometimes practiced on a discriminatory basis, was irreversible, leading, in some cases, to the execution of innocent people, and neither prevented crimes from being committed nor brought justice or reparation for families of victims. Switzerland was thus actively involved in the task force for drafting a new resolution calling for a universal moratorium on the death penalty.

24. Also, as discrimination against women continued to be a major concern, the international community must focus on female empowerment by promoting the education of girls and ensuring that women and girls had full access to sexual and reproductive health services. Women's health was a priority for her Government, which would give it due attention in terms of policy and cooperation.

25. It was of concern that numerous States failed to guarantee the right to express an opinion and to protect the human rights of peaceful protesters. Appropriate legal frameworks and adequate training of law enforcement personnel were necessary to ensure that peaceful protests could be held without unnecessary obstruction. In that regard, there was a need for mechanisms for dialogue between protesters and government authorities, monitoring institutions, and ways of filing complaints about abuse or violations. Indeed, dialogue on peaceful protests must be pursued, with a primary focus on State obligations.

26. **Mr. Errázuriz** (Chile) said that his country attached importance to consolidating the universality and interdependence of all human rights, placing civil and political rights on an equal footing with economic, social and cultural rights. UNHCHR had acquired political relevance and a strong operational presence in the field. The Human Rights Council had contributed to the development of international human rights law, and its universal periodic review mechanism had become indispensable for promoting the improvement of the human rights situation. He encouraged countries to submit voluntary midterm progress reports in the context of the universal periodic review, as Chile had done in March, in order to improve second-cycle reporting.

27. As UNHCHR contributed greatly to the work of the Council, it was of concern that only 3 per cent of

the United Nations budget was devoted to human rights, an amount that had to cover not only the Office, but also the Council, treaty bodies and 48 special procedures. While his Government appreciated the Office's cost-saving efforts, additional measures were needed, including: coordinated efforts by the Fifth Committee to increase the regular budget for human rights; continued use of voluntary contributions, channeled into a common fund where possible; and careful evaluation when the preparation of new reports, organization of new panels and creation of new mandates were contemplated.

28. His Government promoted the guiding principles on extreme poverty and human rights and had made the elimination of extreme poverty a key priority among its social policies. Also, Chile would soon submit its initial report under the International Convention for the Protection of All Persons from Enforced Disappearance. The right to freedom of expression was being abused and used to disseminate hatred and intolerance, and his Government was deeply concerned about recent events in which persons were targeted because of their beliefs. It emphasized that the International Covenant on Civil and Political Rights provided the appropriate international framework for dealing with such situations and believed that local, regional and international forums for dialogue should play their part by promoting understanding and respect among all human beings in all circumstances. Chile had recently enacted a law promulgating measures to combat discrimination, with provisions for protection against any act of arbitrary discrimination which undermined human rights protected under the treaties it had ratified.

29. **Mr. Lazarev** (Belarus) said that his country was cooperating with the Human Rights Council, and had invited eight mandate-holders to visit Belarus, whose visits would help his Government to improve its legislation for the protection of human rights.

30. His Government was concerned by the policies of some Western countries, including the United States and members of the European Union, where the use of tear gas or other harsh measures had been adopted to suppress peaceful demonstrators. The special procedures should respond immediately to those actions and violations of the rights to freedom of opinion and expression, which, in some cases, involved torture and inhumane treatment. Across Europe, there had been limitations to the freedom of the press,

systematic racial discrimination and the violation of migrant rights. He welcomed the Special Rapporteur's recommendations on human rights, but hoped that more attention could be paid in the future to the actions of the European Union, in the light of the gross human rights violations there, particularly through the use of unilateral and forcible measures.

31. In cooperation with the Special Rapporteur, his Government was successfully implementing measures to combat human trafficking and provide assistance to victims. It looked forward to the issuance of the global report on human trafficking, in which it expected to find an objective view of the situation and of Member States' efforts. It was regrettable that that topic was currently being monopolized by the Department of State of the United States of America. While the efforts made by the United States to draw attention to the topic of human trafficking were of value, its report lacked objectivity.

32. **Ms. Hernando** (Philippines) said that her Government's national human rights action plan for 2012-2017 served as a blueprint for the national implementation of the international human rights treaties to which the Philippines was a party. Also, through its development plan for 2011-2016, it was able to operationalize key strategies focused on inclusive growth, poverty reduction and job creation.

33. Her Government was committed to investing in a people-centred human rights-based approach, and enhancing their participation and integration in society and towards the protection and promotion of their rights. Full human rights advancement required domestic, bilateral, regional and international cooperation on such issues as financial regulatory reform, migration, food security, climate change and trade.

34. The report of the Special Rapporteur on migrants, was particularly relevant to her country, which was prone to volcanic eruptions and earthquakes, and in that context, her delegation agreed on the need for more rigorous scientific, empirical, sociological and legal research to inform States about environmental migration.

35. A multifaceted and multi-stakeholder approach was needed to tackle trafficking in persons, and she urged Member States and businesses to honour their commitment to mitigate trafficking risks in the supply chain. Member States should also ratify and enforce

relevant human rights instruments, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and must implement the Global Plan of Action to Combat Trafficking in Persons.

36. Lastly, her delegation continued to advocate for and support discussions on the right to development, particularly in the context of the Human Rights Council.

37. **Mr. de Alba** (Mexico) said that his Government had made changes to its national legislative framework in order to ensure a culture of human rights in the country. It had a new migration law which decriminalized all aspects of migration and recognized the right of access to justice, education and health, and civil registration for migrants and their families, independently of their migratory status. Also, a law for the protection of human rights defenders and journalists had entered into force, and Mexico's Supreme Court had set out criteria to ensure that members of the armed forces who committed human rights violations were tried in civil jurisdictions. Intermediate education had been made compulsory, and constitutional reforms had been undertaken in order to recognize the right to food, a healthy environment, and access to water.

38. His Government had continued to contribute to the establishment of international standards for the promotion and protection of human rights, as well as to the strengthening of mandates and resources for human rights mechanisms. As a vice-president of the Economic and Social Council, Mexico had submitted a draft resolution that would give the Committee on Economic, Social and Cultural Rights additional time to address the backlog in the consideration of States' reports. Mexico had also joined other countries in sponsoring a draft resolution designed to help the Committee on the Rights of Persons with Disabilities to carry out its mandate in the allotted time. Although it was important to strengthen the technical cooperation and training provided by UNHCHR, enhanced support to treaty bodies and the exchange of best practices was even more urgent.

39. In the context of the Human Rights Council, Mexico and Turkey had presented a novel initiative regarding birth registration and the right of everyone to recognition as a person before the law, which was essential to the full enjoyment of other rights.

40. It was crucial to adopt a comprehensive approach to the migration phenomenon, with a focus on the protection of migrants and their families. His delegation had submitted a draft resolution to address some related issues and welcomed the upcoming High-Level Dialogue on International Migration .

41. Lastly, he asked Member States to support his country's candidacy for membership in the Human Rights Council for the 2014-2016 term.

42. **Mr. Manjeev Puri** (India) said that while States were responsible for promoting the right to development, international cooperation was essential for creating an environment conducive to the genuine realization of that right and its mainstreaming into the work of the United Nations. Development must be inclusive and sustainable, and must take into account the needs, priorities and objectives of developing countries and their people. Moreover, international cooperation and solidarity were indispensable for seizing the opportunities and combating the challenges posed by globalization. Moreover, reform of global governance was vital to ensure that all could benefit more equitably from globalization. The reports on the right to education and to food also provided valuable input.

43. India supported all efforts to build bridges of understanding between nations, peoples, religions and cultures in the world, noting its own experience and attachment to pluralism, secularism, multi-culturalism and the principles of equity, social justice and the rule of law. States must take an unequivocal and resolute position against the scourge of terrorism in all its forms and manifestations, adopting a stance of zero tolerance, without room for moral and legal ambiguities towards terrorists.

44. India's democratic, pluralistic and secular polity, independent and impartial judiciary, vibrant civil society, free media, and independent national human rights institution had enabled it to successfully ensure effective guarantees for the promotion and protection of human rights.

45. **Ms. Rasheed** (Observer for Palestine) said it was deeply regrettable that the occupying Power continued to obstruct the efforts of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. That pattern of non-cooperation should bring about concerted effort within the United Nations system to ensure that the Government of Israel abided by its obligations. The situation in the Occupied Palestinian Territory, including East Jerusalem, remained critical as a result of Israel's continuing aggression and illegal policies against Palestinians and their land, including through its continued illegal blockade on the Gaza Strip. Israel's policies and practices were in breach of its obligations under the Fourth Geneva Convention, General Assembly and Security Council resolutions and international human rights instruments.

46. Israel continued to arrest, imprison and detain thousands of Palestinian civilians, including children. Its activities also included its illegal settlement campaign, the wall, confiscation of Palestinian land, home demolition and revocation of Palestinian residency rights. All of its actions confirmed Israel's attempt to alter the demographic composition, character and status of the Occupied Palestinian Territory, especially in and around East Jerusalem and throughout the Jordan Valley, threatening to destroy the viability of the two-State solution.

47. Moreover, terrorist acts by extremist Israeli settlers were widespread, and the Government bore responsibility for those acts as they continued to transfer settlers to the Occupied Palestinian Territory, to protect them and to allow lawlessness. Most of the police investigations into incidents of settler violence over the past six years had been closed without an indictment.

48. The occupying Power must be held accountable for its human rights violations and crimes against the Palestinian people, or it would be further emboldened to continue acting with impunity, and the world community would be even further from helping the Palestinians to realize their human rights. The international community must meet its responsibilities in that regard.

49. **Mr. Khan** (Pakistan) said that, if human rights were not ensured, there could be no real peace, and without peace there could be no development. Safeguards must be created against new and

contemporary manifestations of discrimination and injustice. Progress had been made in building the normative framework of human rights law, but implementation of human rights instruments remained a difficult task. Millions of people continued to endure conflicts, especially in developing countries where they were often sparked by scarcity, greed and exploitation. The strong link between — and equal status of — civil and political rights and economic, social and cultural rights must be preserved.

50. Poverty alleviation must become the central theme of the human rights machinery. In that respect, the international community must ensure implementation of the right to development, in order to achieve the genuine realization of universal human rights. Coordinated efforts were also needed to reverse the negative trends affecting the basic environmental right of individuals in developed and developing countries alike.

51. Growing trends of racism, racial and religious discrimination threatened the multicultural fabric of many societies. Recent incidents of Islamophobia highlighted the need to collectively combat stereotyping and incitement to hatred and violence based on religion or faith.

52. As a founding member of the Human Rights Council, Pakistan attached importance to the work of UNHCHR and the mandates of all special procedures. It would further its engagement with them, taking a mutually respectful and cooperative approach.

53. At the national level, Pakistan's Constitution guaranteed fundamental rights and freedoms, including social, economic and political justice, and the freedoms of thought, expression, religion and association. It directed the State to take appropriate measures to enable women to participate in all spheres of life, and safeguard the rights and interests of minorities. It was a party to several human rights instruments and had withdrawn a number of its reservations to the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.. Its Ministry of Human Rights monitored and addressed human rights violations and trends, especially relating to women, minorities and other vulnerable segments of society. Its media were free and vibrant, and its civil society was active. Its independent judiciary had taken

wide-ranging steps to guarantee the protection of all citizens' constitutional rights.

54. With reference to a statement made at a previous meeting of the Committee,, he clarified that Christians were part of the political, economic and social fabric of Pakistan, whose rights were protected by its Constitution and laws, like any other minority, and the Government, parliament, judiciary, civil society and media were guarantors and protectors of their rights. Swift action was taken to address instances of discrimination.

55. **Ms. Dali** (Tunisia) said that, following the revolution of January 2011, her Government had undertaken a series of legal and institutional reforms in order to establish a democratic and pluralist State and guarantee civil and political rights for all its citizens. It was endeavouring to ensure respect for human rights, and to put an end to repressive practices

56. Tunisia had taken a number of measures to break with the practices of the past and to build trust. It had committed to building a democratic system, founded mainly on justice and equality, by such measures as general amnesty, the recognition of human rights defenders, and the creation of national bodies to defend human rights, notably a ministry of human rights and transitional justice. It had submitted a number of reports to treaty bodies and issued a standing invitation to all special procedures mandate-holders. It had acceded to the optional protocols to the International Covenant on Civil and Political Rights and to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

57. Political changes following the revolution had made it possible to overcome obstacles and open up the society through national dialogue. The current Government had been working to build democracy, plurality, respect for human rights and freedoms, and an end to repressive practices. It was also focusing on mainstreaming women's rights into its development programmes, ensuring gender equality and guaranteeing women's participation in social and political life. It was engaged in improving education and protecting the rights of the child at all levels. In addition, it had launched public safety reforms..

58. The many challenges in Tunisia's path to peaceful coexistence, including unemployment and social disparities, required national efforts, but also the patience and solidarity of the international community.

Her Government was determined to live up to the hopes of the Tunisian revolution, and to break its ties with the past. Cooperation and joint efforts from partners were vital to economic and social development and its work to build lasting democracy.

59. **Ms. Aitimova** (Kazakhstan) said that her country had been on the path to building a democratic, secular and legal state in strict accordance with international standards and principles since its independence in 1991. Kazakhstan was moving towards a free and open society. Nevertheless, like any other emerging country, it faced occasional social instability, as evidenced by the demonstrations in the city of Zhanaozen in December 2011, and disagreements over working conditions and wages in the western part of the country. In response, her Government had taken precautionary measures in order to maintain the necessary facilities and services, and to guarantee decent employment for displaced workers. Furthermore, transparent investigations had been conducted into the causes of the acts of dissent.

60. Her Government paid particular attention to the review of the Human Rights Council and, in that context, had participated in the first cycle of the universal periodic review in 2010 and had also improved its national legislation and practice and institution-building. She appealed to Member States to support her country's candidature to membership in the Human Rights Council for the term 2013-2015. Her Government also attached importance to the treaty-body strengthening process, which was key for transparent and impartial dialogue with States parties.

61. At the regional level, Kazakhstan had contributed to the establishment of a standing committee on human rights in the context of its chairmanship of the Organization of Islamic Cooperation, and had also promoted tolerance and intercultural dialogue through its chairmanship of the Organization for Security and Cooperation in Europe in 2010.

62. At the national level, her Government had undertaken key comprehensive legal reforms to improve human rights protection. They included a national human rights action plan for 2009-2012, which fully incorporated the recommendations by United Nations special rapporteurs and human rights treaty bodies, and its legal policy for 2010-2020. The aim was to establish a more effective, consistent and coordinated policy for optimal practices involving

State bodies and international and non-governmental organizations.

63. **Ms. Alsaleh** (Syrian Arab Republic) said that the terrorist acts perpetrated in her country were the work of extremist groups supported by Arab, regional and other States. A media misinformation campaign had been deployed against her country, along with a neurotic embargo that flagrantly violated human rights principles and the Charter of the United Nations. Despite those tragic events, her country was continuing its transition to broad-based political pluralism. It was promoting the democracy of peaceful change based on comprehensive national dialogue, rather than the democracy of destruction and vandalism, which had imported a discredited discourse of fanaticism and rejection. Her Government had agreed to the six-point proposal put forward by Kofi Annan, the final communiqué of the Action Group for Syria and the mission of Lakhdar Brahimi. It remained open to a peaceful solution to the crisis, excluding any foreign intervention, and would persist with its ambitious reforms to promote human rights. The Syrian people would build their own democracy, focusing on their own needs, as opposed to the bloodthirsty, extremist and sectarian democracy imposed from abroad through violence and the destruction of State and society. In an attempt to reverse those gains, the European Union, United States of America and certain Arab States had imposed a series of illegal unilateral economic measures which had caused thousands of bankruptcies and hundreds of thousands of job losses.

64. The Vienna Declaration and Programme of Action called for effective international measures to guarantee the human rights of people under foreign occupation and for their legal protection, in accordance with international law. The international community should impose respect for human rights and the Charter without selectivity or double standards. In particular, it should counter the many horrors perpetrated by Israel violating human rights in occupied Palestine and the Golan, including settlement activities, torture and collective punishment, attacks on Islamic and Christian holy sites, the imposition of an unjust embargo, the destruction of natural resources, the eviction of occupied populations from their homes and deprivation of access to food and drinking water.

65. The statement made by the representative of the United States of America at the 31st meeting of the Committee, on 6 November 2012, demonstrated his

ignorance of others' rights and history. The United States of America had a disgraceful record of human rights abuses, including extraordinary rendition, illegal terrorist raids on foreign territory, human rights violations in Guantánamo and the use of so-called private security companies in Iraq and Afghanistan. The representative of the United States of America should wake up from his political slumber and refrain from delivering extremist sermons; his own Administration had twice failed to uphold its citizens' rights, once when the peace activist Rachel Corrie was killed by an Israeli bulldozer in 2003, and again in August 2012 when her family's lawsuit was rejected by the Israeli courts. Contrary to his statement, the flight of Syrian citizens was in fact a result of the United States Government's funding, arming and incitement of terrorists. Her delegation hoped that the newly re-elected President of the United States of America would act on his promises by putting an end to his country's offensive wars, refraining from interference in other countries' internal affairs and building bridges of dialogue.

66. **Mr. Ben Youssef** (Kuwait) said that certain groups that were motivated by racism, deviant ideas or financial gain had recently violated the rights and religious convictions of other world peoples. Their actions endangered international peace and security and amounted to an assault on the relevant international conventions, which rejected hatred, racism and discrimination. In response to the recent film that denigrated the Islamic religion and its Prophet, the Council of Ministers of Kuwait had adopted a decision condemning that vicious attack. In order to prevent the recurrence of such divisive events, it was essential to implement article 4 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

67. His Government supported local authorities' projects to foster equality, and was taking action to encourage moderation and dialogue among civilizations in education and the media. Human rights had been included in the Constitution, legislation and the secondary school syllabus. Kuwait had acceded to a number of conventions of the United Nations and International Labour Organization.

68. Israel's policies and actions continued to violate the human rights of Palestinians in the Occupied Palestinian Territory on a daily basis. The Israeli

occupation authorities restricted Palestinians' movement, confiscated their land, destroyed their homes and had imposed a blockade on a city of more than a million inhabitants. Settlement construction continued, in violation of international humanitarian law, the Fourth Geneva Convention and the relevant United Nations resolutions. Kuwait strongly condemned all those actions.

69. **Mr. Rishchynski** (Canada) said that his Government was deeply troubled by the Islamic Republic of Iran's continued failure to fulfill its domestic and international human rights obligations and its deteriorating human rights situation. It urged the Government of Iran to respect its people's rights and dignity and cease violating the rights of members of religious minorities, including the Baha'i, Christian, Zoroastrian and Sufi communities. With regard to the Syrian Arab Republic, his Government strongly condemned the widespread human rights violations and violence committed by the Assad regime against the people, especially the Syrian army's targeting of civilians. All parties to the conflict must respect international law and ensure civilian protection. He called on the Security Council and the global community to impose tough sanctions on the Assad regime, as Canada had done, and for all parties to cooperate in efforts to resolve the crisis. Pressure must be placed on the Syrian regime to end the violence in that country and allow for a Syrian-led political transition.

70. His Government also condemned the human rights violations in the Democratic People's Republic of Korea, and called upon its regime to put an immediate end to its abysmal human rights record and abuse of its citizens, particularly through arbitrary detentions. In Belarus, the measures of the Government to limit political and civil rights were of concern, including restrictions placed on media freedom, the politically motivated prosecution of the opposition and the suppression of peaceful protests. He called on that country to respect human rights, democracy and the rule of law.

71. There were several areas in which joint efforts could be made to promote freedom, such as the right to freedom of religion. Canada had made the protection and promotion of that right a foreign policy priority, and would continue to support international efforts to help promote religious freedom, including through its new office of religious freedom. His Government also

placed high priority on advocating for the full participation of women in society, and would continue to work with others to end the practice of early and forced marriage. Lastly, his Government called on all States to decriminalize homosexuality and confront crimes and violence against people based on their sexuality, as too many countries had regressive and punitive legislation in place in that regard.

72. **Mr. Adnan** (Indonesia) said that, as the world's third-largest democracy, his country was an archipelago of peace and continued to consolidate democracy within and beyond its borders. That was evident through the steps it was taking to mainstream human rights values in the context of the Association of Southeast Asian Nations (ASEAN), including through the establishment of an ASEAN commission on the promotion and protection of the rights of women.

73. His Government welcomed the recent developments in Myanmar and continued to support that country's democratization. He noted that Indonesia would contribute to the upcoming session of the Bali Democracy Forum. As a country with a large Muslim population, Indonesia had worked diligently towards the establishment of an independent human rights commission within the Organization of Islamic Cooperation, and had hosted the commission's first session in February.

74. As a nation which celebrated its cultural and religious diversity, Indonesia called for mutual respect and understanding among peoples of different faiths. The increase in manifestations of intolerance on the basis of religion or belief in the world, in spite of efforts by the United Nations and other forums to the contrary, was disheartening. His Government condemned any advocacy of religious hatred that constituted incitement to discrimination, hostility or violence, through any means. Lastly, his Government would continue to contribute to dialogue and negotiations to help strengthen the treaty body system with a view to assisting States parties to implement their obligations under the relevant human rights instruments.

75. **Mr. Habtegiyorgis** (Ethiopia) said that essential human rights and fundamental freedoms provided the bedrock of Ethiopia's Constitution, which accorded equal legal protection to the individual and collective rights of its citizens. The Government had taken

significant steps to reflect those rights in national legislation, policies and law enforcement directives and was devising a national action plan to ensure their implementation of those rights without discrimination, together with access to education and health for all citizens, and protection of the rights of women, youth and persons with disabilities or older persons. That plan would also promote democracy, good governance and human rights, a major component of the country's growth and transformation plan.

76. The full realization of economic, social and cultural rights was a top priority of his Government, and the right to development was key to the effective enjoyment of all other basic rights.

77. Ethiopia had consistently submitted national reports under the key international and regional human rights instruments, and had presented its national human rights report under the Human Rights Council's universal periodic review mechanism. In the context of that review, his Government had accepted and was implementing most of the Council's recommendations in relation to the different human rights treaties to which it was a party. Ethiopia's candidature for election to the Council for the 2013–2016 term also reflected its commitment to human rights.

78. His Government had extended its full cooperation to the Chairs of human rights treaty bodies in the context of their twenty-fourth meeting held in June 2012 in Addis Ababa. During their stay, they had held constructive discussions on Ethiopia's activities under human rights treaties with various ministers and senior Government officials. That dialogue would help to enhance cooperation between the relevant Government bodies dealing with human rights and the treaty body committees and help to implement the recommendations made for the further promotion of human rights and fundamental freedoms nationwide.

79. **Mr. Emiliou** (Cyprus) said that Turkey's human rights violations in Cyprus had continued unabated since the 1974 invasion, and one third of the total population was now internally displaced. OHCHR had confirmed in its annual report on human rights in Cyprus (A/HRC/19/22) that the division of the island breached human rights, and had drawn attention to resolutions of the Commission on Human Rights calling for the restoration of those rights. The European Court of Human Rights had identified massive violations of the European Convention on Human

Rights in its 2001 judgment on the case of *Cyprus v. Turkey*, confirming Turkey's responsibility under the Convention.

80. Enclaved Greek and Maronite Cypriots in the occupied areas were subject to harassment, assault, restrictions on movement, denial of access to medical care and curtailment of freedom of worship. The number of seizures of their property had risen in 2011; the functioning of their schools was impeded; and their right of freedom of worship was violated. With regard to displaced persons, their requests to conduct church services in the occupied area were arbitrarily refused, meaning that their freedom of religion was curtailed, and they were deprived of freedom of movement and the peaceful enjoyment of their homes and properties. While his delegation was grateful for the work of the United Nations Peacekeeping Force in Cyprus (UNFICYP) and the Committee on Missing Persons, Turkey should investigate cases of missing persons and guarantee the right of their families to know their fate.

81. Turkey's plan to change Cyprus's demographic composition also prejudiced the settlement of the problem. The continuous arrival of settlers breached the Geneva Conventions and was a war crime under the Rome Statute of the International Criminal Court. The destruction of Cyprus's religious and cultural heritage was a crime against humanity. Many churches and religious monuments had been desecrated, pillaged, converted into mosques or barracks or demolished.

82. The occupation and human rights violations needed to end if reunification was to succeed. His Government was ready to resume negotiations under the Secretary-General's good offices mission on the basis of the relevant Security Council resolutions.

83. **Mr. Ri Tong Il** (Democratic People's Republic of Korea) said that respect for national sovereignty was a prerequisite for the promotion of human rights. The United States and other Western countries, however, used the protection of human rights and the war on terrorism as pretexts for invading independent countries and killing innocent people.

84. Politicization, selectivity and double standards in human rights should be rejected. The United States and Western countries criticized the human rights situations of States whose political and social systems differed from their own, in order to undermine the legitimately elected Governments of those States. The country-specific resolutions of the Human Rights Council and

General Assembly were examples of such pressure, and were anachronistic since the universal periodic review now applied to all countries equally. The evaluation of human rights on the basis of Western values was unacceptable given the many different national traditions and levels of development. Western States should address human rights violations in their own countries before discussing the situation elsewhere.

85. Amends should be made for past human rights violations. Japan had committed serious crimes against humanity during its occupation of Korea in the twentieth century, but had not apologized or provided compensation, and continued to discriminate against Korean residents in Japan. His delegation urged Japan to resolve the problem.

86. His Government supported the promotion of human rights in line with the Juche idea; it regarded the people's interest as its foremost priority and the improvement of the people's livelihood as its most urgent task.

87. **Mr. Rahman** (Islamic Republic of Iran) said that certain States advocated the superiority of their own political and cultural views to the exclusion of other value systems, thus hindering the promotion of human rights, international cooperation and cultural enrichment.

88. That sense of superiority had led to the misinterpretation of human rights and the denigration of religion, in particular through the release of an Internet film which had insulted Islam. The film was a misuse of the right to freedom of expression, which brought with it responsibilities under the International Covenant on Civil and Political Rights. As part of an anti-Muslim campaign, the film could lead to incitements to religious violence and the normalization of intolerance towards and discrimination against Muslims. States should uphold their obligations under international law to prohibit such discrimination.

89. The international community should act collectively through the United Nations human rights machinery to resolve the situation and prevent such acts, which eroded the momentum generated by the dialogue among cultures and civilizations. The international commitment to tolerance and understanding should be renewed.

90. **Archbishop Chullikatt** (Observer for the Holy See) said that freedom of religion, which was one of

the fundamental principles of the United Nations and was enshrined in international instruments, was being grossly violated worldwide, with Christians as the most persecuted victims. A more effective response was needed in terms of public awareness and preventive action.

91. Pope Benedict XVI had recently pointed out that the opposing trends of violent fundamentalism and secularization ran counter to freedom of religion. Extreme secularism reduced religion to a private concern. It falsely asserted that the State alone could promulgate the public forms which religion could take, in contrast to healthy secularity, which maintained the necessary balance, distinction and collaboration between politics and religion.

92. Fundamentalism was based on a defective understanding of religion and thrived on economic and political instability. It was characterized by manipulation, denying co-existence between faith communities and seeking to gain power over individuals and religion itself. It was opposed to the essence of religion, the true task of which was to promote dialogue, reconciliation and peace, which were vital to the mission of the United Nations.

93. At the start of the current session of the General Assembly, the Member States had reaffirmed their determination to establish peace and support human rights. His delegation hoped that that declaration would be translated into action to uphold freedom of religion, which was the responsibility of Governments.

94. **Mr. Caramitsos Tziras** (Greece) said that the human rights violations in Cyprus resulting from the 1974 Turkish invasion and occupation had not yet been addressed, despite many United Nations resolutions.

95. The question of missing persons was of particular significance to his Government, since 64 of its citizens were among the missing. Although it hoped for progress from the Committee on Missing Persons, it felt that Turkey should launch an investigation of the matter, as required by the 2001 judgment of the European Court of Human Rights, and allow access to Turkish military archives and military zones in occupied Cyprus.

96. Turkey was preventing almost 200,000 displaced persons from returning to their homes, many of which had been illegally sold. The influx of Turkish settlers into the occupied area continued, with the aim of

changing Cyprus's demographic composition in breach of the Geneva Conventions.

97. Although Turkey had recently taken steps to improve respect for the educational and religious rights of enclaved Greek Cypriots in the occupied area, their numbers had dwindled to 500 and their human rights were not respected. Their property continued to be confiscated, and Greek Orthodox priests had been prevented from entering the occupied area.

98. The cultural and religious heritage of occupied Cyprus was being destroyed, with many religious buildings pillaged, damaged, demolished or converted to other purposes, and thousands of artifacts smuggled abroad.

99. The negotiations under the Secretary-General's good offices mission were the only way to settle the problem, in accordance with Security Council resolutions and the principles of the European Union, of which Cyprus currently held the Council Presidency. He hoped that Turkey would finally end its illegal occupation and improve its human rights record in Cyprus.

The meeting rose at 1.05 p.m.