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## Third Committee

### Summary record of the 43rd meeting

Held at Headquarters, New York, on Thursday, 7 November 2013, at 3 p.m.

*Chair:* Mr. Tafrov . . . . . (Bulgaria)

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*The meeting was called to order at 3.10 p.m.*

**Agenda item 62: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions** (*continued*) (A/C.3/68/L.46)

*Draft resolution A/C.3/68/L.46: Office of the United Nations High Commissioner for Refugees*

1. **Mr. Viinanen** (Finland), introducing draft resolution A/C.3/68/L.46, said that Colombia, France, Latvia, Mauritius and the Republic of Korea had joined the sponsors. New elements in the text included recognition of the civilian and humanitarian character of refugee camps and settlements. The current version of the draft resolution contained some unwanted editorial changes that had been included in the text without consultation with the main sponsor. He requested the Secretariat to restore the agreed language originally submitted for preambular paragraph 1 and operative paragraphs 4 and 17, and to include that correction in the final version of the draft resolution.

2. **Ms. Sharma** (Secretary of the Committee) said that Albania, Andorra, Armenia, Burkina Faso, Côte D'Ivoire, Kyrgyzstan, Liechtenstein, Madagascar, Mali, Peru and the United Kingdom of Great Britain and Northern Ireland had joined the sponsors.

**Agenda item 69: Promotion and protection of human rights** (*continued*)

**(a) Implementation of human rights instruments** (*continued*) (A/C.3/68/L.31)

*Draft resolution A/C.3/68/L.31/Rev.1: Human Rights Committee*

3. **Mr. Viinanen** (Finland), introducing the draft resolution on behalf of the Nordic countries, said that after careful consideration and taking into account the ongoing intergovernmental treaty body strengthening process and the budgetary situation of the United Nations, his delegation had decided to address in the draft resolution only the most urgent issue, namely, the significant backlog of individual communications under the Optional Protocol to the International Covenant on Civil and Political Rights. In the revised text, the Nordic countries had proposed the addition of one week of meeting time for the Human Rights Committee in 2014 only.

**(b) Human rights questions, including alternative approaches for improving effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/C.3/68/L.35, A/C.3/68/L.36, A/C.3/68/L.37, A/C.3/68/L.38, A/C.3/68/L.39, A/C.3/68/L.41, A/C.3/68/L.45 and A/C.3/68/L.51)

*Draft resolution A/C.3/68/L.45: The right to privacy in the digital age*

4. **Mr. Patriota** (Brazil), speaking on behalf of the two main sponsors, Brazil and Germany, introduced the draft resolution. He said that the text was based on the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights, as well as on pronouncements made by the United Nations High Commissioner for Human Rights and in reporting by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. It affirmed the importance of the right to privacy for the realization of other fundamental freedoms, in particular the freedom of opinion and expression. Full participation in democracy implied full protection of individual liberties, in particular the right to privacy in the digital age.

5. **Mr. Wittig** (Germany), also speaking on behalf of the two main sponsors, said that the human right to privacy was enshrined in key international instruments dating back decades. However, alarming reports about mass surveillance of private communication and the collection of personal data had led people to wonder whether the right to privacy was still protected in a digital world. The question of balancing legitimate security interests and the individual right to privacy in a manner that protected human rights required a global answer. Brazil and Germany had launched an initiative to strengthen the right to privacy in the digital age at a side event during the recent session of the Human Rights Council; the draft resolution was the result of that process.

6. **Ms. Sharma** (Secretary of the Committee) said that Austria, Bolivia (Plurinational State of), the Democratic People's Republic of Korea, Ecuador, France, Indonesia, Liechtenstein, Peru, Switzerland and Uruguay had joined the sponsors.

*Draft resolution A/C.3/68/L.35: The right to development*

7. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that the draft resolution

continued the follow-up on the activity of the Human Rights Council's open-ended working group on the right to development. Twenty-five years after the declaration of the right to development, the efforts to implement it were still insufficient.

*Draft resolution A/C.3/68/L.36: Human rights and cultural diversity*

8. **Ms. Astiasarán Arias** (Cuba) introduced the draft resolution on behalf of the Movement of Non-Aligned Countries.

*Draft resolution A/C.3/68/L.37: Enhancement of international cooperation in the field of human rights*

9. **Ms. Astiasarán Arias** (Cuba) introduced draft resolution [A/C.3/68/L.37](#) on behalf of the Movement of Non-Aligned Countries.

*Draft resolution A/C.3/68/L.38: Promotion of equitable geographical distribution in the membership of the human rights treaty bodies*

10. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that application of the principle of equitable geographical distribution to the membership of the human rights treaty bodies would contribute to better representation of different political and legal systems and reduce the imbalance in the current composition of some human rights treaty bodies.

*Draft resolution A/C.3/68/L.39: Human rights and unilateral coercive measures*

11. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, reiterated its opposition to unilateral coercive measures, including those used as a tool of economic and political repression, especially against developing countries. Under no circumstances should a people be deprived of its means of subsistence and development, and States should refrain from adopting unilateral measures that violated international law and the Charter of the United Nations.

*Draft resolution A/C.3/68/L.41: Strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization*

12. **Ms. Cousens** (United States of America), introducing the draft resolution, said that Andorra, Argentina, Chile, Colombia, Ireland, Japan, Jordan, Timor-Leste, Uruguay and Vanuatu had joined the sponsors. As in previous years, the draft resolution reaffirmed that democracy was a universal value based on the freely expressed will of the people to determine freely their political and economic systems and their full participation in all aspects of their lives. The text included a new element on persons with disabilities, reflecting their unique challenges in participating in electoral processes and the need for States to ensure that persons with disabilities could participate in electoral processes. Moreover, the draft called on States to enhance the political participation of women and reiterated the role of civil society in the process of democratization.

13. **Ms. Sharma** (Secretary of the Committee) said that Albania, Bosnia and Herzegovina, Guatemala, Guinea, Liberia, Mali, Monaco, Panama, Paraguay, San Marino and Serbia had joined the sponsors.

*Draft resolution A/C.3/68/L.51: Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities*

14. **Ms. Kalb** (Austria), introducing the draft resolution, said that the text contained a special focus on the twentieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which constituted a key reference for United Nations activities on that issue. The resolution also reflected recent developments within the Organization, in particular the establishment of a United Nations network on racial discrimination and the protection of minorities.

15. **Ms. Sharma** (Secretary of the Committee) said that Colombia, Côte d'Ivoire, El Salvador and Paraguay had joined the sponsors.

**(c) Human rights situations and reports of special rapporteurs and representatives** (*continued*)  
(A/C.3/68/L.55, A/C.3/68/L.56 and A/C.3/68/L.57)

*Draft resolution A/C.3/68/L.55: Situation of human rights in Myanmar*

16. **Ms. Kazragienė** (Lithuania), introducing the draft resolution, said that Albania, Palau and the Republic of Korea had joined the sponsors. The text had been drafted and negotiated against the backdrop of further developments in Myanmar and thus reflected the positive steps taken by the Government towards political reform and international engagement. It also highlighted some serious human-rights challenges that had yet to be addressed and called for further efforts.

*Draft resolution A/C.3/68/L.56: Situation of human rights in the Democratic People's Republic of Korea*

17. **Ms. Kazragienė** (Lithuania), introducing the draft resolution, said that Kiribati and Tuvalu had joined the sponsors. In past years, the General Assembly had adopted resolutions on the situation of human rights in the Democratic People's Republic of Korea because of concern about the continued grave and systematic human rights violations documented in the reports of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, the reports of the Secretary-General and the oral updates of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea.

18. The text took into account the positive steps registered during the past year, including improved cooperation with humanitarian aid operators and the recent signature of the Convention on the Rights of Persons with Disabilities. Nevertheless, those developments did not go nearly far enough and were clearly outweighed by the general deterioration of the overall human-rights situation. There had been no substantive improvements on the ground, and reports of the existence of an extensive system of political prison camps and the deplorable conditions and human-rights violations committed in them were particularly distressing.

19. The sponsors of the resolution had informed the delegation of the Democratic People's Republic of Korea about the draft, but as in previous years, the delegation had refused to engage in discussions. The sponsors welcomed the availability of the Secretary-

General's good offices to promote dialogue with its Government on ways to strengthen the protection and promotion of human rights in that country.

20. **Mr. Kim Song** (Democratic People's Republic of Korea) said that his delegation categorically rejected the draft resolution, which was the product of politicization, double standards and selectivity vis-à-vis human rights, and aimed to isolate and stifle the Democratic People's Republic of Korea. The human rights violations mentioned by the draft resolution had no relevance to the reality in his country. His country's human rights situation had been reviewed in the context of the universal periodic review mechanism. The main purpose of the draft resolution was to overthrow the socialist system of the Democratic People's Republic of Korea.

21. The main sponsors of the draft resolution had committed human rights violations, and should reflect on the human rights record of their own countries before criticizing others. His Government rejected all country-specific resolutions, as they only incited confrontation and distrust.

*Draft resolution A/C.3/68/L.57: Situation of human rights in the Islamic Republic of Iran*

22. **Mr. Rishchynski** (Canada), introducing the draft resolution, said that the presidential election held in June 2013 had demonstrated the desire of the Iranian people for fundamental positive reform in the human rights situation. The Islamic Republic of Iran had still not addressed the strong concerns raised in past United Nations General Assembly resolutions and in reports submitted by both the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.

23. The text had been carefully drafted to reflect recent positive gestures, including pledges made by the new President to address a number of important human right issues, including the elimination of discrimination against women and ethnic minorities, the promotion of greater freedom of expression, and the proposed implementation of a civil rights charter. The resolution encouraged the Islamic Republic of Iran to take concrete action to ensure that such pledges resulted in demonstrable improvements and to uphold its obligations in law and in practice.

24. The Secretary-General was requested to submit a report on the implementation of the resolution and

progress achieved at the next meeting of the General Assembly and the twenty-fifth session of the Human Rights Council in Geneva. The Committee had an obligation to carefully consider and take action on the report of the Secretary-General. Support for the resolution would help encourage lasting reform in the Islamic Republic of Iran.

25. **Ms. Sharma** (Secretary of the Committee) said that Vanuatu had joined the sponsors.

26. **Ms. Vadiati** (Islamic Republic of Iran) said that Canada had offered biased and unfair information and had deliberately overlooked her Government's new approach to constructive engagement with the international community with regard to the promotion and protection of human rights based on interaction, cooperation and dialogue. That approach was evidenced by the fair and free elections held recently.

27. While her Government rejected the draft resolution, it remained firmly committed to the promotion and protection of human rights and would continue to seek constructive engagement with United Nations human rights mechanisms and members of the international community in the field of human rights. She asked Committee members to vote against the resolution.

#### **Agenda item 27: Social development (continued)**

##### **(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (continued) (A/C.3/68/L.16/Rev.1)**

*Draft resolution A/C.3/68/L.16/Rev.1: Preparations for and observance of the twentieth anniversary of the International Year of the Family*

28. **The Chair** said that the draft resolution had no programme budget implications.

29. **Mr. Tuiloma** (Fiji), speaking on behalf of the Group of 77 and China, introduced the draft resolution. He said that the resolution provided for one plenary meeting during the sixty-ninth session of the General Assembly to be devoted to the observance of the twentieth anniversary of the International Year of the Family and Member States to view 2014 as a target year by which concrete efforts would be made to improve family well-being and to support the strengthening of family-centred policies and programmes in the discussion of the post-2015 agenda.

30. **Ms. Sharma** (Secretary of the Committee) said that the Russian Federation and Uzbekistan had joined the sponsors.

31. *Draft resolution A/C.3/68/L.16/Rev.1 was adopted.*

32. **Ms. Hampe** (Lithuania), speaking on behalf of the European Union, said that in recognition of the valuable contribution made by families to society, policies should be developed to support their role. The success of such policies depended on their inclusiveness. The family was a dynamic entity, its forms were changing across the world and the terms of the resolution reflected that diversity.

33. The events planned in celebration of the twentieth anniversary of the International Year of the Family were opportunities to re-focus the family debate on the most important issues at stake. Stakeholders should seize those opportunities to discuss such issues as intergenerational solidarity, poverty eradication, domestic violence, gender equality, work-life balance, protection of persons with disabilities and other issues of importance to the functioning and well-being of all families around the world.

34. **Ms. Robl** (United States of America) said that while the nature and role of families had adapted over time, the family itself retained its fundamental value. An atmosphere of happiness, love and understanding was central to her delegation's understanding of the term family and she looked forward to discussions that would consider all types of loving families, whether they were headed by a mother and father, single parent, same-sex couple, grandparents or any of the myriad other family structures that provided essential support for raising children. The United Nations should recognize those forms as it continued to address the issue of human rights and the family in its various forums.

35. **Ms. Al-Mulla** (Qatar) said that, having had the responsibility of coordinating the position of the Group of 77 and China with regard to family-related issues over the past 10 years, her delegation attached great importance to the resolution and took great pride in the advancement of the text. The current version further developed and strengthened policies to enhance the family unit. As a fundamental group of society, families were tasked with the primary responsibility of the upbringing and development of the child, and this was a responsibility that should be acknowledged as



well as safeguarded. For that reason, Qatar welcomed the addition of language that encouraged paternal involvement in the household, promoted the delivery of family-centred benefits such as quality health care and education for children, and addressed the need for special care for family members with disabilities.

36. It was important to consistently revisit those efforts in order to provide appropriate support for the role of the family. Measures to prevent and address dysfunction of the family, in particular domestic violence and the abuse of older persons, should also be considered. The adoption of the resolution on preparations for the International Year of the Family would be of great benefit to the observance of that occasion.

37. **Ms. Furman** (Israel) said that her Government interpreted the term family broadly, and included all types of families within its definition.

#### **Agenda item 28: Advancement of women** (*continued*)

##### **(a) Advancement of women** (*continued*)

##### *Draft resolution A/C.3/68/L.25/Rev.1: Improvement of the situation of women in rural areas*

38. **The Chair** said that the draft resolution contained no programme budget implications.

39. **Mr. Gansukh** (Mongolia) said that Belgium, China, Denmark, Ecuador, Finland, France, Greece, India, Italy, Japan, Lichtenstein, Mexico, Montenegro, New Zealand, Norway, Philippines, Portugal, Republic of Korea, Slovenia, Switzerland, Thailand, the United Kingdom of Britain and Northern Ireland and Uruguay had joined the sponsors. El Salvador had requested that its name be withdrawn from the list of sponsors.

40. **Ms. Sharma** (Secretary of the Committee) said that Angola, Austria, Belize, Brazil, Burkina Faso, Costa Rica, Iceland, Kenya, Kyrgyzstan, Lebanon, Madagascar, Nicaragua, Paraguay, Serbia, United States of America, and Zimbabwe had joined the list of sponsors.

41. *Draft resolution A/C.3/68/L.25/Rev.1 was adopted.*

42. **Ms. Cid** (Chile) said that the improvement of the situation of women in rural areas constituted one of her Government's priorities. However, Chile's Constitution protected life from conception and her delegation did not understand or interpret the resolution as including

acceptance of abortion or of anything that contradicted her country's legislation in that area.

43. **Ms. Robl** (United States of America) said that her Government's commitment to the empowerment and inclusion of rural women in decisions related to agricultural and rural development extended to both domestic efforts and foreign assistance programmes. The United States welcomed the resolution's acknowledgement of the significant social and economic challenges faced by rural women, and the inclusion of specific measures that States could take to address those needs. It also welcomed the provisions of the resolution related to women and girls with disabilities and to indigenous women in rural areas.

44. In addition to the importance of food and nutrition security, the resolution also recognized the value of the efforts, the significance of sexual and reproductive health, and the reproductive rights of rural women. The concept of reproductive rights, which had been defined at the International Conference on Population and Development in 1994, provided a foundation for global efforts to empower women, and rested on the recognition of the right of all couples to decide, freely and responsibly, on the number, spacing and timing of children, and to have the information and means to do so. The respect and promotion of women's rights, including the right to control and make decisions related to sexuality in a free and responsible manner, and without coercion, discrimination or violence, should be at the heart of efforts to empower women, including those in rural areas.

45. **Ms. Ali** (Bahrain), speaking on behalf of the Gulf Cooperation Council countries, said that those countries had joined the sponsors in the belief that rural women should enjoy their rights. With regard to inheritance, the Gulf Cooperation Council States guaranteed the right of women to inherit without discrimination, in line with the relevant provisions of the Islamic sharia and the relevant domestic legislation derived from it. The Gulf Cooperation Council countries had reservations on operative paragraphs 2 (g) and 2 (i) regarding reproductive rights as defined in the Beijing Platform for Action.

46. **The Reverend Justin Wylie** (Observer for the Holy See) said that a holistic approach that addressed poverty and provided comprehensive health care should be taken in the area of maternal health. His delegation reaffirmed its support for maternal health,

emergency obstetric care, skilled attendants at birth and pre- and post-natal care. However, concepts such as “sexual and reproductive health”, and “reproductive rights”, when understood to include recourse to abortion, constituted a menace to human life and did not offer authentic help to rural women.

47. His delegation reaffirmed its reservations to any reference to “sexual and reproductive health” and “reproductive rights”, which were clearly set out in the 1994 International Conference on Population and Development and the 1995 report of Fourth World Conference on Women. He confirmed that the 1994 report affirmed that no new human rights were created by that terminology, and abortion was never to be considered a means for family planning. That issue was to be determined not internationally, but in accordance with national legislation. Furthermore, his delegation understood the term “gender” to mean “male” or “female” in accordance with the general and historic usage of the term.

48. **Ms. Abubakar** (Libya) said that her delegation had joined the consensus on the draft resolution as a firm believer in the protection of the human rights of rural women and a supporter of their equal participation in and contribution to the development of their societies. However, with regard to the reference in the text to granting women the right to inheritance on an equal basis with men, it was her delegation’s understanding that, in line with the specific provisions on inheritance in the Islamic sharia, equality of amount was not the only consideration. Under the Islamic inheritance system, a comprehensive system that took into account the financial obligations of the family, both women and men inherited based on the proximity of their relation to the deceased and on their respective financial responsibilities.

49. Libya registered its reservations to operative paragraphs 2 (g) and 2 (i) on reproductive health and rights as defined in the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action.

50. **Ms. Smaila** (Nigeria) said that her Government supported the right to inheritance. However, in the absence of uniform, global rules on the issue, that right should be exercised within the scope of individual country legislation. Her Government expressed reservations with regard to the references to sexual and

reproductive health and reproductive rights in paragraph 2 (i).

51. **Mr. Elbahi** (Sudan) said that his Government had exerted great efforts to promote the advancement and dignity of women, and had made significant progress. A specific development project targeting rural women guaranteed enjoyment of all their rights, political participation and economic well-being. His delegation had therefore joined the consensus on the draft resolution, while expressing reservations to references to reproductive rights contained in operative paragraphs 2 (g) and 2 (i), in connection with the Beijing Platform for Action and the International Conference on Population and Development. Lastly, his delegation also recorded its opposition to the word “equal” in operative paragraph 2 (y), as it contradicted the provisions of the Islamic sharia, an important source of legislation in his country that comprehensively addressed the right to inheritance for both men and women. In their capacities as mothers, sisters and daughters, women had the right to inherit, and in certain cases they inherited more than men.

52. **Mr. Escalante Hasbún** (El Salvador) said that his delegation wished to preclude any misunderstanding. El Salvador had withdrawn its sponsorship of the resolution on purely procedural grounds, having found the text of the resolution to be premature. His Government did, however, support the contents of the resolution, including references to sexual and reproductive health and reproductive rights, all of which were consistent with domestic policies that had been adopted in August 2013.

53. **Mr. Al-Awadhi** (Yemen) said that his country was committed to improving the situation of women, in particular that of rural women, and continued to exert efforts to that end, hence its decision to join consensus on the draft resolution. However, he regretted the lack of respect for the customs of different cultures, as the text contained references to such controversial issues as reproductive health, and he had hoped that the resolution would be satisfactory to all. His delegation therefore wished to place on record its reservation with regard to operative paragraphs 2 (g) and 2 (i).

54. **Mr. Diyar Khan** (Pakistan) said that his Government fully supported the spirit of the resolution. However, it wished to clarify that it would not associate itself with any interpretation of the terms “sexual and reproductive health” and “reproductive

rights” that asserted abortion as a right. Although recourse to abortion was admissible in certain situations, it could not be considered a right as one person’s right should not come at the expense of another’s life.

55. **Ms. Vadiati** (Islamic Republic of Iran) said that although her Government fully supported the resolution, it had reservations with regard to paragraphs 2 (g) and 2 (y) of the resolution. Those reservations were set out in the reports of the International Conference on Population and Development and the Fourth World Conference on Women.

56. **Mr. El Hacen** (Mauritania) said that his delegation endorsed the consensus on the draft resolution but had reservations on certain issues contained therein, particularly with regard to the right to abortion and the question of inheritance. Any discussion of inheritance must take into account national policies, and the issue must be dealt with in accordance with domestic legislation, especially in those countries in which the Islamic sharia provided the legal basis for such matters.

57. **Mr. von Haff** (Angola) said that his delegation had reservations with regard to operational paragraphs 2 (i) and 2 (w).

58. **Ms. Furman** (Israel) said that her Government was proud to sponsor the resolution, including the references to sexual and reproductive health and reproductive rights.

59. **Ms. Saddy** (Niger) said that her Government had adopted several policies to promote women’s rights, in particular those of rural women, who played a role in economic development and the well-being of the family. It did, however, have reservations with regard to the references to reproductive rights and property rights, which were contrary to religious rights as applied in Niger.

60. **Mr. Faye** (Senegal) wished to clarify that notwithstanding the adoption of the resolution, in Senegal, recourse to abortion was only approved for medical reasons.

## **Agenda item 69: Promotion and protection of human rights** (*continued*)

### **(a) Implementation of human rights instruments** (*continued*) (A/C.3/68/L.32)

#### *Draft resolution A/C.3/68/L.32: International Covenants on Human Rights*

61. **The Chair** said that the draft resolution contained no programme budget implications.

62. **Mr. Pöysäri** (Finland), speaking on behalf of the Nordic countries Denmark, Finland, Iceland, Norway and Sweden, said that since the introduction of the draft resolution, Costa Rica, Georgia, India, Mexico, Republic of Moldova, Suriname, Timor-Leste and Ukraine had joined sponsors. The General Assembly’s adoption of a resolution in support of both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and the optional protocols would demonstrate the membership’s broad support for those two widely ratified treaties.

63. **Ms. Sharma** (Secretary of the Committee) said that Brazil, Dominican Republic, El Salvador, Madagascar, Monaco, Paraguay, Peru and Republic of Korea had joined the sponsors.

64. *Draft resolution A/C.3/68/L.32 was adopted.*

65. **Ms. Robl** (United States of America) said that although her Government did not agree with all the recommendations set out in the reports of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, it welcomed the good work and efforts of those committees.

66. **Ms. Burgess** (Canada) said that although her Government did not agree with all aspects of the reports, it had joined the consensus in order to emphasise its support for the Human Rights Committee and the Committee on Economic, Social and Cultural Rights and their work in promoting human rights around the world.

*The meeting rose at 5 p.m.*