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Chair: Mr. Tafrov (Bulgaria)
later: Mr. Thorsson (Iceland) (Vice-Chair)
later: Mr. Tafrov (Bulgaria) (Chair)

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The meeting was called to order at 3.05 p.m.

Agenda item 69: Promotion and protection of human rights (*continued*) (A/68/487)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/67/931, A/68/56, A/68/176 A/68/177, A/68/185, A/68/207, A/68/208, A/68/209 A/68/210, A/68/210/Add.1, A/68/211, A/68/224, A/68/225, A/68/256, A/68/261, A/68/262, A/68/268, A/68/277, A/68/279, A/68/283, A/68/284, A/68/285, A/68/287 A/68/288, A/68/289, A/68/290, A/68/292, A/68/293, A/68/294, A/68/296, A/68/297, A/68/298, A/68/299, A/68/301, A/68/304, A/68/323, A/68/345,, A/68/362, A/68/382, A/68/382/Corr.1, A/68/389, A/68/390, and A/68/496)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/68/276, A/68/319, A/68/331, A/68/376, A/68/377, A/68/392, A/68/397, A/68/503, A/C.3/68/3 and A/C.3/68/4)

1. **Ms. Dandan** (Independent Expert on human rights and international solidarity), introducing her first report to the General Assembly (A/68/176), said that one of her central tasks was the elaboration, by 2014, of a draft declaration on the rights of peoples and individuals to international solidarity. Her efforts had moved through three methodological stages: laying the conceptual and normative groundwork for identifying the content of international solidarity; giving meaningful content to international solidarity as a human right; and preparing the draft declaration in consultation with relevant stakeholders. The preliminary text of the draft declaration had been completed and circulated among all Permanent Missions in Geneva and New York, as well as among United Nations agencies, civil society organizations, national human rights institutions and other stakeholders. Their inputs would soon be consolidated and synthesized to inform the final text of the draft declaration.

2. The right to international solidarity and the concept of international cooperation both complemented and enhanced one another, and were essential tools for Member States in addressing some

of the most pressing global issues. They were distinct principles, however, and the right to international solidarity went beyond the concept and practice of international cooperation and assistance.

3. The significance of the contribution of the right to international solidarity to the body of international human rights law could not be understated. The recognition of that right would certainly emerge as a powerful tool in addressing global challenges to human rights and in the context of the post-2015 development agenda, especially as Governments and peoples sought ways to address the structural causes and consequences of global poverty and inequalities.

4. The preliminary text had been designed not as an abstract set of normative principles, but as a practical and operational framework for the implementation of the right to international solidarity. The direct input and wisdom of the diverse communities who were already engaging in international solidarity in order to generate sustainable social change and foster human rights would be essential to creating a meaningful, actionable and practical document that was conducive to innovation by States and communities.

5. **Ms. Pérez Álvarez** (Cuba) requested an update on the most recent consultations with States and other stakeholders with a view to drafting the declaration. She also asked the Independent Expert to explain how the Office of the United Nations High Commissioner for Human Rights (OHCHR) supported her mandate, as well as how the work of the previous mandate holder had been incorporated into the draft declaration.

6. **Ms. Gae Luna** (Indonesia) said that her delegation welcomed the report of the Independent Expert and urged her to base the draft declaration on the work achieved by the previous mandate holder, while focusing on issues that fostered mutual understanding and trust.

7. **Ms. Dandan** (Independent Expert on Human Rights and International Solidarity) said that consultations had been ongoing for the past two years in Geneva, with States and other stakeholders such as regional groups and non-governmental organizations. Those consultations had shown that there was widespread support for the right to international solidarity. A preliminary text had been completed and circulated to States and other stakeholders. Inputs were being received from them, and she would soon start consolidating their comments with the help of

OHCHR. Subsequently, consultations on the final text would be held with regional entities.

8. Despite the limited resources assigned to it, OHCHR had been providing substantial support for her mandate. Creative solutions would need to be found during regional consultations. Her predecessor's work, which was substantive, had been incorporated into the draft declaration. Although she felt that her mandate had been somewhat marginalized, she hoped that her consultations with States and other stakeholders would bring it into the mainstream. During negotiations on the post-2015 development agenda, international solidarity must not be forgotten.

9. **Mr. Rishchynski** (Canada) said that the international community had long been profoundly concerned about the Iranian Government's ruthless oppression of its own people and wanted to believe, in light of recent developments, that Iran was genuinely committed to positive change at the domestic level and in its foreign relations. However, the country would be judged by its deeds rather than its words, and allowing the Special Rapporteur to visit it forthwith would be a welcome first step. Women and ethnic and religious minorities continued to face serious discrimination in law and in practice. For example, over 100 adherents of the Baha'i faith remained imprisoned on charges relating to the practice of their religion. The freedoms of assembly, opinion, association and expression continued to be seriously restricted.

10. His Government strongly condemned the ongoing, widespread violations of human rights in the Syrian Arab Republic, and in particular the chemical weapons attacks orchestrated by the Syrian regime against its own people. The deliberate targeting of civilians and the obstruction of humanitarian activities were unacceptable; Canada called on all parties to the conflict to cease attacking civilians and other protected persons. It further reminded all parties of their obligations under international law to ensure the protection of civilians during armed conflict.

11. His Government was deeply disturbed by the existence in the Democratic People's Republic of Korea of control zones and labour camps, the use of coercive measures targeting persons with disabilities, the practice of arbitrary detention, forced abortion, intergenerational punishment, indefinite holding of political prisoners, mistreatment of workers and overall lack of freedom, including freedom of religion. That

regime must put an immediate end to the abuse of its citizens. His Government called on all countries to fully implement the Security Council sanctions against the rogue regime in Pyongyang.

12. His Government was very concerned by rising restrictions on freedom of religion and belief around the world. In order to promote freedom of religion as a foreign policy priority, Canada had recently opened an Office of Religious Freedom. The role of Governments was central to promoting and protecting freedom of religion or belief; Government actions to actively curtail that human right, or inaction that allowed violations to occur, were therefore of deep concern.

13. Child, early and forced marriage were also of significant concern. Accordingly, his Government had taken the initiative during the current session of the General Assembly of promoting the first resolution to focus specifically on those issues. In addition, it called on all States to decriminalize homosexuality and to confront crimes and violence targeting people on the basis of their sexual orientation.

14. **Mr. Iakovidis** (Greece) said that his Government would be a candidate for membership of the Human Rights Council for the period 2017-2019. It had supported the strengthening of the Council as the key intergovernmental body responsible for advancing human rights within the United Nations system and assisting Member States in fulfilling their human rights obligations.

15. His Government was currently elaborating its first national action plan on human rights. After the recent occurrence of violent forms of racism in Greece, the authorities had stepped up efforts to combat racist and xenophobic acts. His Government was striving to eradicate increasing inequalities and social exclusion, which sometimes served as a pretext for racist actions; it would also spare no efforts in protecting vulnerable segments of society, including refugees and migrants. Greece placed great emphasis on the full enjoyment of freedom of expression by all persons, without discrimination; to that end, it would be sponsoring a draft resolution on the safety of journalists and the issue of impunity.

16. **Ms. Rasheed** (Observer for the State of Palestine) expressed appreciation for the manner in which the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 had carried out his mandate. Referring to

Israel's refusal to allow him entry into occupied Palestine, she expressed disappointment that no real action had been taken by the United Nations to bring Israel into compliance, and stressed that that refusal must not be allowed to stand as a precedent.

17. In the Occupied Palestinian Territory, including East Jerusalem, the Palestinian people were enduring a human rights crisis as Israel continued to pursue policies and practices in gross violation of international law, including humanitarian and human rights law, denying the Palestinian people their inalienable rights and freedoms. The Palestinian population continued to suffer the deadly consequences of military raids, excessive force against civilians, the mistreatment of Palestinians held in Israeli prisons, the expansion of Israeli settlements and construction of bypass roads and checkpoints, the confiscation of land, the demolition of homes, and the violence, terror and destruction perpetrated by Israeli settlers. The humanitarian situation in the Gaza Strip resulting from Israel's illegal blockade and collective punishment of the entire population continued to be a source of grave concern. She called for the lifting of the blockade and opening of the border crossings.

18. It was high time to end 46 years of Palestinian suffering and ensure that Israel, the occupying Power, was held to account for its human rights violations and other crimes. Otherwise, it would only be further emboldened to continue acting with impunity in its gross violations of the law. Peace must ultimately result in a complete end to the occupation and the fulfilment of Palestinian national aspirations to live as a free, secure, dignified and self-reliant people in their own independent State, with East Jerusalem as its capital.

19. **Mr. Sparber** (Liechtenstein), said that the war in the Syrian Arab Republic was currently the most urgent human rights crisis. He welcomed the fact that the Security Council had reached an agreement concerning the destruction of all chemical weapons in the country; however it was incomprehensible that the Council had not acted to curtail the supply of conventional weapons. Meanwhile a pervasive climate of impunity was contributing to the escalation of violence and to disregard for even the most basic human rights and rules of war. The political response of the international community was painfully slow and clearly insufficient. In that regard, he welcomed the Syrian National

Coalition's support for a referral of the situation in Syria to the International Criminal Court.

20. Twenty years after the adoption of the Vienna Declaration and Programme of Action, the protection of human rights was still seen as a luxury in times of crisis, and accountability for violations was perceived as secondary to achieving political and security objectives. The United Nations still needed to mainstream human rights, as a priority objective, and give serious consideration to past and current failures to react clearly and strongly to gross violations of human rights. His Government urged the five veto Powers to refrain from blocking Security Council action in respect of mass atrocities and to make a public commitment to that effect; it welcomed France's proposal to develop a code of conduct on veto use.

21. The preventive dimension of the promotion and protection of human rights continued to be undervalued within the United Nations. The work of human rights treaty bodies was being seriously impeded by inadequate resourcing, despite significant increases in treaty ratifications. The intergovernmental process on strengthening the treaty body system should aim to achieve a balance between increased efficiency and sustainable funding of the system, while enabling the Secretariat to provide the assistance that States needed in order to improve their compliance with their obligations

22. **Mr. Mahmoud** (Egypt), said that his Government was firmly committed to a political road map that would bring to an end the current transitional period and lead to the installation of a democratically elected civilian Government by May 2014. An inclusive constitutional committee was working to amend the 2012 Constitution to ensure that human rights and fundamental freedoms, democracy, equality and justice were guaranteed without discrimination on any basis; the amended Constitution would be the subject of a referendum in December 2013. His Government had declared its intention to end the state of emergency by mid-November. Meanwhile, an independent fact-finding and inquiry commission was investigating all acts of violence that had occurred over the past four months, with a view to bringing the perpetrators to justice.

23. **Mr. Nikiforov** (Russian Federation) said that it was indisputable that, over the past few years, awareness of the importance of the observance of

human rights had greatly increased. That was, first and foremost, an achievement of the United Nations. At the same time, the universal standards set forth in the Universal Declaration of Human Rights and the International Covenants had not yet been fully realized; that process was being hindered by the imposition of unilateral human rights standards and a selective approach to human rights and democratic principles.

24. Recently there had been increasing politicization and confrontation in international human rights bodies. It was regrettable that in a number of countries, human rights issues were regarded as an instrument of foreign policy. Claiming infallibility, certain States believed that only other countries could have human rights problems, even though their own situation was far from ideal. Those tendencies could be seen both in the General Assembly and in the Human Rights Council.

25. The growing number of country mandates established by the Human Rights Council gave particular cause for concern. The discussions held in the Committee with mandate holders had demonstrated their bias and lack of objectivity. The policy of praising some countries and penalizing others was producing divisions in the Council and would inevitably result in a return to the confrontational atmosphere of the Commission on Human Rights.

26. His Government believed that universal human rights standards, which were the same for all States, should be put into effect taking into account the cultural characteristics and traditional values of societies. The imposition of unilateral approaches and the politicized interpretation of human rights and democratic principles were inadmissible and undermined faith in human rights. Discussions in human rights forums of the United Nations should take place in a spirit of cooperation and constructive dialogue.

27. The need for that approach was particularly clear in the case of the humanitarian disaster in the Syrian Arab Republic and the complex course of events in the Middle East and in North Africa as a whole. Experience had shown that interference in the affairs of sovereign States and incitement of confrontation between opposing sides were counterproductive. A solution to those conflicts could be found only through national dialogue and reconciliation.

28. As to monitoring of the observance of human rights, the most effective mechanism was the universal

periodic review, in which there was a constructive, positive working atmosphere. All participants should make great efforts to ensure that the procedure was objective and impartial. It was regrettable that certain States were trying to politicize the review procedure and act as mentors. The success of that work depended on the goodwill of all States, both those being reviewed, and those making recommendations.

29. With regard to the issues under consideration in the Human Rights Council, priority should be accorded to fundamental and so far unresolved problems such as poverty eradication, protection from violence of the most vulnerable groups of the population, especially children and women, improvement of the quality of life of the disabled and ensuring universal access to education.

30. Recent trends of turning racial, ethnic and religious intolerance into instruments of political and ideological struggle were posing a threat to democratic principles and human rights. In that regard, his Government was concerned about the growth of neo-Nazi ideologies and attempts to whitewash fascism. Attempts to rewrite history and revisit the decisions of the Nuremberg tribunal under the pretext of ensuring pluralism of opinions in the interpretation of historical events were unacceptable. It was vitally important to educate society in tolerance, compassion and respect for all people without discrimination on grounds of ethnic origin, race, gender, age, religious affiliation or abilities.

31. The achievement of the goals of the Vienna Declaration and Programme of Action depended on the goodwill and hard work of all parties concerned — States, international organizations and civil society institutions. Respect for human rights should lead to the building of a more equitable world order, taking into account the multifaceted nature of the modern world and the traditional values of humanity.

32. **Ms. Loew** (Switzerland) expressed concern about the constraints faced by civil society actors in many regions of the world, particularly in view of violations of fundamental rights such as the freedoms of expression, peaceful assembly and association, as well as the frequently precarious situation of women human rights defenders. The arbitrary detention of human rights defenders and violation of their rights while in detention were further causes for concern; in some cases their physical integrity, or even their lives, were

threatened. Her country was actively involved in the ongoing process of revising the Standard Minimum Rules for the Treatment of Prisoners.

33. More and more journalists were becoming victims of serious human rights violations; violence against them infringed the most fundamental democratic values. States must ensure a safe and favourable environment for journalists, and for all individuals, to exercise their rights to freedom of opinion and expression, and to freedom of peaceful assembly. Those rights also applied to persons facing discrimination on the basis of their sexual orientation or gender identity. It was alarming that the rights of lesbian, gay, bisexual, transgender and intersex persons were infringed in many countries, and it was unacceptable that violence against them went unpunished.

34. She expressed concern that a number of States had recently reinstated the death penalty, broadened its application or resumed executions after long moratoriums; and that certain States were failing to provide any information in that regard. The death penalty was incompatible with respect for human rights, as it violated not only the right to life but also other rights of the condemned and their families. She called on all States to abolish it.

35. **Ms. Morgan** (Mexico), highlighting the importance of the universal periodic review mechanism of the Human Rights Council, said that her country had recently submitted its second report. Turning to the work of the Committee, she voiced disappointment over its interactive dialogues, which had turned into monologues, and expressed the hope that a better way to add value to them would be found. She emphasized the need to protect the rights of vulnerable groups such as undocumented migrants, persons with disabilities, indigenous peoples, women and children, and stressed the need to incorporate a human rights perspective in the post-2015 development agenda.

36. **Ms. Hewanpola** (Australia), said that in Australia, freedom of religion or belief was protected by the Constitution and under the law. Her Government deplored acts of violence based on discrimination against a person's religion or beliefs, or driven by intolerance for the right to freedom of expression. Governments had a responsibility to support the right of all people to hold an opinion and to express it freely; those freedoms were basic and could be restricted only

in the most exceptional circumstances, and with appropriate safeguards. Governments must also encourage healthy, peaceful and respectful community dialogue on cultural, ethnic, linguistic and religious diversity.

37. In the Syrian Arab Republic, there had been gross violations of human rights and humanitarian law by all sides; the violations perpetrated by the Syrian authorities had been systematic and widespread and, in some cases, amounted to crimes against humanity. All the parties to the conflict, and particularly the Syrian Government, must respect their legal obligations to protect the rights of the vulnerable, hold violators to account and allow humanitarian organizations safe and unhindered access throughout the country.

38. Australia looked forward to seeing the Iranian President's stated commitment to improving human rights translated into action; the recent release of political prisoners was a positive step, but serious human rights abuses remained widespread. Her Government urged Iran to engage transparently with the Special Rapporteur and with other human rights mechanisms.

39. Her Government remained deeply concerned about the ongoing instability, violence and human rights violations occurring in the Democratic Republic of the Congo and the Central African Republic. There was a real opportunity to break the cycle of violence in the Democratic Republic of the Congo through the implementation of the Peace, Security and Cooperation Framework. Reports of a total breakdown of law and order in the Central African Republic were very alarming. Both situations required urgent international attention.

40. She expressed deep concern about the serious and systematic human rights abuses in the Democratic People's Republic of Korea, including the use of arbitrary detention, torture and coercion for political purposes. She urged that country to engage constructively with the Special Rapporteur and to cooperate with the Commission of Inquiry on Human Rights. Recent steps taken in Fiji to restore democracy were encouraging, and she hoped that there would be continued progress relating to freedoms of expression, media and association. Her Government welcomed the significant political and economic reforms carried out in Myanmar over the past two years. Efforts to secure preliminary ceasefires with armed ethnic groups were

an important step, along with the commitment to release all political prisoners by the end of the year. More needed to be done, however, particularly to address the underlying causes of ethnic and sectarian unrest in parts of Myanmar, including in Rakhine State.

41. **Ms. Correa** (Senegal) underlined the vital importance of ensuring a balance between economic, social and cultural rights, and civil and political rights, and stressed the urgent need to provide sufficient funding to OHCHR. The right to development was of paramount importance as there was an inextricable link between human rights and human development, both of which sought to guarantee the freedom, well-being and dignity of all persons. In the context of development, the impact of climate change on the right to food and on efforts to combat poverty must be taken into account; the right to a clean, safe and sustainable environment must be guaranteed, particularly in developing countries.

42. The international community must take a more humane approach to the human rights of migrants, which should be incorporated into all development policies. As long as security considerations took precedence over the obligation to respect human rights, migrants would continue to bear the burden of racial profiling, mistreatment by the police and other practices.

43. **Mr. Thorsson** (Iceland), Vice-Chair, took the Chair.

44. **Mr. Shah Anuar** (Malaysia) stressed the importance of close cooperation between the Human Rights Council and OHCHR. His Government had demonstrated its commitment to human rights through its efforts to implement the universal periodic review recommendations. Malaysia had accepted 62 out of 103 recommendations, including those relating to accession to treaties, review of existing laws and judicial systems, and the human rights of vulnerable groups. During the second review, in October 2013, Malaysia had received positive comments on its promotion of economic, social and cultural rights, particularly in the areas of poverty eradication and access to education and healthcare, and on its efforts to repeal preventive detention laws.

45. Malaysia was a party to three of the core United Nations human rights instruments, and its accession to the remaining treaties would be based on a cautious, meticulous approach aimed at acceding without

reservations. It wished to be clear about the rights and obligations that would flow from those treaties, and to reconcile the standards they established with those of existing domestic laws, traditions and circumstances. His Government also sought to take into account its experience as a multi-ethnic, multireligious and multicultural society, and believed that equal emphasis should be placed on the exercise of the rights to freedom of expression and assembly and the responsibilities attached to the exercise of such rights.

46. His Government called on the international community to embrace moderation and refrain from taking any unilateral action to resolve conflicts in parts of the world where the human rights situation was continuing to deteriorate as a consequence of escalating internal conflicts. A key aspect of ensuring the continued exercise of such fundamental rights as the right to life and the right to food, health, water and sanitation was to ensure the provision of urgently needed humanitarian aid.

47. **Mr. Khan** (Pakistan) said that Pakistan was a party to seven core international human rights instruments and had withdrawn a number of reservations to the International Covenant on Civil and Political Rights and to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It had held free and fair elections earlier in 2013; he expressed appreciation for the technical assistance that the United Nations had provided, which had contributed to that success. His Government was committed to the consolidation of democratic institutions, the protection of human rights, the rule of law and good governance. In accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), Pakistan had recently enacted a law creating an independent National Commission for Human Rights. It had taken a number of legal, institutional and administrative initiatives for the advancement of women; new legislation focused on prevention of sexual harassment, domestic violence and acid crimes.

48. During the debate on the legality and human rights implications of drone operations at the current session it had been confirmed that most Member States, like Pakistan, viewed the use of armed drones as a clear violation of State sovereignty and a serious violation of international human rights and humanitarian law. Accordingly, the Prime Minister of

Pakistan had called for the immediate cessation of the use of armed drones in the federally administered tribal areas of Pakistan. It was to be hoped that the relevant Special Rapporteurs would submit stronger and clearer recommendations in their final reports to the Human Rights Council.

49. **Ms. Patriota** (Brazil), recalled that her country had recently hosted the Third Global Conference on Child Labour. The Brasilia Declaration on Child Labour, adopted by consensus at that Conference, reaffirmed as an overarching goal the sustained eradication of child labour, and in particular the eradication of the worst forms by 2016.

50. Brazil had once been plagued by authoritarianism and was therefore very wary of the mass surveillance of private and official communications. Such activities violated ethical and moral standards of conduct in international relations and constituted flagrant violations of national sovereignty, the right to privacy and the right to life. Information and communication technologies should serve the primary objectives of enhancing cooperation towards sustainable development and peace. Her country had adopted a law on access to information which, in conjunction with the National Truth Commission, had quickly become a key instrument in combating human rights violations. Among its far reaching provisions, that act prohibited the classification of documents referring to any form of State-sponsored human rights violation.

51. The civilian casualties resulting from the use of armed drones were of utmost concern. Like unwarranted surveillance, drones were seen by many Governments as a means of escaping accountability for hostile military actions while reducing their own human and political costs. Yet rather than improving security, drones risked making the world less safe because they were deployed under a mantle of secrecy that could undermine trust among States.

52. The negotiation of country-specific resolutions had been lacking in transparency. The membership at large was often not consulted adequately.

53. *Mr. Tafrov (Bulgaria) resumed the Chair.*

54. **Ms. Tham** (Singapore) said that the continued debate over the application of the Universal Declaration of Human Rights involved both developed and developing countries; there was no monolithic approach to reaching the common goal. Each State had

to take into account the realities of its own circumstances. Individual rights could not exist in a vacuum; there were legitimate constraints on those rights to protect the broader interests of society. Individuals needed to recognize their responsibilities to the community. In an imperfect world, and with limited resources, Governments needed to find a balance between individual rights and those of the community.

55. Economic development was the foundation of the promotion of human rights, and the rule of law, in turn, was a prerequisite for development. Singapore had taken a practical approach to governance that had passed the rigorous test of success rather than justification by abstract theories. The people of Singapore lived in freedom and dignity, in a safe, healthy and clean environment, with adequate housing, proper sanitation and quality education. However, she did not expect other countries to emulate Singapore; the policies that worked in her country were tailored to its specific situation. Her Government did not claim its policies were perfect, and would review them where necessary in response to changing national circumstances.

56. The United Nations should respect and celebrate diversity, and such respect should also apply to human rights. No single country or group had the right to impose its views on the rest of the world. Selectivity and double standards in promoting particular rights, without due regard for other countries' national circumstances or cultural differences, would result in human rights becoming yet another tool wielded in power politics. It was simplistic to assume that norms were universal, as even within the same society, they evolved over time. However, gross human rights violations should not be tolerated under any circumstances.

57. **Ms. Alraees** (United Arab Emirates) said that respect for human rights was enshrined in the Constitution of the United Arab Emirates. With more than 200 different nationalities living in the country, her Government promoted tolerance and rejected any form of extremism. In its efforts to better protect human rights it had accepted all the universal periodic review recommendations and was currently implementing them. A new law was being adopted in order to promote human rights in line with international standards. Her Government was also amending a law on trafficking in persons in order to ensure safeguards for victims, and had amended a draft

law on the media to ensure freedom of expression. In addition, a national human rights body was being established and her Government was considering withdrawing reservations to the Convention on the Elimination of All Forms of Discrimination against Women as well as the Convention on the Rights of the Child and its two Optional Protocols. According to data from the United Nations Development Programme, her country ranked top in gender equality among Arab countries and thirty-eighth globally. Her country had also adopted measures to protect the rights of contractual workers.

58. She called on Israel to lift the blockade of the Gaza Strip and asserted the right of the Palestinian people to self-determination and the creation of their own independent State within the borders of 4 June 1967, with East Jerusalem as its capital.

59. **Mr. El Mkhantar** (Morocco) said that against the background of socio-political upheavals and multidimensional crises in recent years, there was a growing need to build States' capacities, thus enabling them to meet their commitments and obligations in the area of human rights. He commended the United Nations human rights mechanisms for their independent, professional work, and their avoidance of any attempt at politicization of human rights. Non-governmental organizations and civil society had a vital role to play in the promotion and protection of human rights and should be fully supported. However, their work should be part of the collective effort of the international community and the sharing of good practices, removed from any political propaganda.

60. Morocco's new Constitution, adopted in July 2011, reinforced its commitment to democracy and human rights. Recent measures aimed at strengthening human rights included the establishment throughout the country of local offices of the National Council for Human Rights and of the Ombudsman, measures for inter-ministerial coordination, and constitutional confirmation of the supremacy of international law over domestic law. His Government had committed to submitting a mid-term review in 2014 on the implementation of the recommendations stemming from its second universal periodic review. In recent years, it had received visits from several mandate holders of the Human Rights Council. Harmonization of national legislation with international instruments was ongoing and included the signing, in 2012, of the Optional Protocol to the Convention on the Rights of

the Child, as well as the recent ratification of the International Convention for the Protection of All Persons from Enforced Disappearances.

61. **Mr. Aisi** (Papua New Guinea) said that his country had hosted visits by the Special Rapporteur on torture and other cruel, inhumane or degrading treatment or punishment in 2010 and the Special Rapporteur on violence against women, its causes and consequences in 2012. In December 2013, it would host the Special Rapporteur on extrajudicial, summary or arbitrary executions. The enhancement of human rights remained a priority for his Government in the context of national development. Constructive engagement between States and Special Rapporteurs continued to strengthen the protection and promotion of human rights. However, a key challenge was the requisite follow-up by the United Nations and the Special Rapporteurs so that recommendations requiring technical support could be implemented effectively. Given capacity constraints, developing countries should not be overburdened by reporting and other administrative requirements. He proposed that visits by Special Rapporteurs should be appropriately timed so that recommendations from previous visits were adequately addressed.

62. Papua New Guinea was making administrative arrangements for the possible future application of the death penalty; in that regard, it was taking into account its obligations under various international human rights instruments, including the International Covenant on Civil and Political Rights but not its Optional Protocol. The death penalty would be applicable only to the most heinous of crimes. Over the past few months, his Government had been contacted by its bilateral and multilateral development partners as well as by civil society and non-governmental organizations in an effort to dissuade it from making sovereign decisions concerning its national interests. Those efforts were unwelcome. He noted that Article 2 of the Charter of the United Nations unequivocally recognized the sovereign equality of Member States and the fundamental principle of non-interference in matters which were essentially within the domestic jurisdiction of any State. Ultimately, the decision to establish, apply or abolish the death penalty was the sole prerogative of a sovereign State and no one else.

63. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela), said that her Government's social investments, which had increased from 36 per

cent to 60 per cent between 1998 and 2012, had reduced poverty by 50 per cent and extreme poverty by 70 per cent. Her country had almost met the Millennium Development Goals in their entirety and it enjoyed full freedom of the press and of opinion. There was a plurality of political parties as well as free and transparent elections and a separation of powers.

64. Her delegation rejected the false and politically motivated comments made by the United States representative at the plenary session. She wondered how many deaths had occurred in Iraq and Afghanistan because of the American invasions, and how many political prisoners had been tortured in Guantánamo, and asked whether some countries were exempt from obeying international law. Furthermore, the use of drones by the United States Government posed a grave threat to international peace and security, and was a serious violation of human rights. According to non-governmental organizations, only 10 per cent of those killed in its drone strikes were preselected targets. The other 90 per cent, termed “collateral damage”, consisted of innocent women, children and elderly persons. The United States was claiming to be the tribunal of the world when in reality it was not only destroying human lives, but also undermining international law.

65. Her delegation also strongly rejected the illegal interception of communications and espionage carried out by the United States Government, which had nothing to do with national security or combating terrorism, and which undermined the right to privacy, State sovereignty, and human, civil and political rights. The United States Government had intercepted the communications of the leaders of Venezuela and other Latin American countries. It had neither the moral nor the legal authority to pass judgment in connection with human rights, and it was regrettable that the Committee’s work had been politicized.

Statements made in exercise of the right of reply

66. **Mr. Aldoseri** (Bahrain) expressed appreciation to the delegation of the European Union for having voiced support for the positive steps his country had taken in fulfilling its national and international obligations. He called for an end to the violence that was hampering national dialogue and reconciliation in Bahrain, where the authorities were doing their utmost to ensure the protection and enjoyment of civil

liberties, including the constitutionally guaranteed freedoms of opinion and assembly.

67. **Ms. Pérez Álvarez** (Cuba) said that the United States criticized the human rights situation in other countries while forgetting its own shameful history of systematic violations in various regions of the world. Successive United States administrations had planned coups d’état, imposed dictatorships, launched armed aggression that had caused the disappearance or death of millions of people, engaged in extrajudicial killings of civilians using drones, and was continuing to use the concentration camp on the illegally occupied land in Guantánamo bay to torture foreign prisoners. It also violated the civil and political rights of its own citizens by monitoring their communications and maintained a global system to spy on the citizens of other nations, including those of its closest allies.

68. The United States was one of the few countries that had yet to ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. A high proportion of women suffered from domestic violence and sexual abuse, including in the army. Crimes using firearms were a serious threat to society. Press freedom was restricted and elections were simply contests of money. Racial discrimination was rampant; religious discrimination was rapidly increasing; and the rights of illegal immigrants were not respected. The United States opposed the right to development and United Nations efforts to combat racism and racial discrimination. That country therefore had no moral authority to judge Cuba or any other country in the realm of human rights.

69. As for the United States citizen Alan Gross, she said that he had been punished in Cuba in accordance with the principle of due criminal process and all humanitarian considerations. He was a contractor for the United States Government earning considerable fees to carry out undercover activities using non-commercial technologies against the Cuban constitutional order. Such activities were also punishable in the United States. The United States Government, which was responsible for the situation of Mr. Gross, should enter into serious discussions if it wished to resolve the case.

70. **Ms. Chen Fang** (China) said that her delegation categorically rejected the accusations levelled by the representatives of the United States and of the

European Union concerning the human rights situation in her country. She asked them whether the reckless use of armed drones resulting in heavy civilian casualties, the systematic surveillance of communications in other countries, and discrimination and xenophobia against immigrants, indigenous people and Muslims did or did not amount to violations of human rights. They were bent on condemning others while ignoring their own failures.

71. **Mr. Kim Song** (Democratic People's Republic of Korea) said that the allegations made by the United States, Canada, Australia and the European Union were politically motivated and had nothing to do with the genuine promotion and protection of human rights. He called on the United States to examine its own appalling human rights record, and said that Canada was also guilty of various violations.

72. **Mr. Kariv** (Israel) said that the Palestinian delegation persisted in its failure to take responsibility for the future of its own people. Instead, it resorted to lambasting Israel in international forums while frequently abusing United Nations mechanisms. Had the Palestinians devoted as much time and resources to conducting sincere, direct negotiations with his country, all sides could have been saved much suffering. While Palestinian rights were important, Israeli rights were equally important and his Government faced a constant battle to balance Palestinian human rights with those of its own citizens. That mission had been rendered nearly impossible by Palestinian terrorism. He acknowledged that Israel's policies were not perfect but stressed that its media and civil society were free to criticize, unlike those in the West Bank and Gaza. He sincerely hoped that the Palestinian people and their leaders would seize the opportunity to renew peace talks and work towards a lasting peace based on a two-State solution.

The meeting rose at 5.45 p.m.