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Official Records

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Monday, 17 November 2014, 3 p.m.  
New York

*President:* Mr. Kutesa ..... (Uganda)

*The meeting was called to order at 3.50 p.m.*

## Agenda item 63 (continued)

### Report of the Human Rights Council

#### Report of the Human Rights Council (A/69/53 and A/69/53/Add.1)

**Mr. Kydyrov** (Kyrgyzstan): First of all, I would like to take this opportunity to express our appreciation to Mr. Baudelaire Ndong Ella, President of the Human Rights Council, for introducing the Council's comprehensive report (A/69/53).

The Kyrgyz Republic firmly agrees with the need for universal recognition of, and respect for, human rights as enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and other basic international instruments. The provisions of the Constitution of the Kyrgyz Republic specify that fundamental freedoms and human rights are to determine the meaning and content of the activities of the legislative and executive authorities and local Governments.

In the context of globalization and new challenges, Kyrgyzstan favours the further strengthening of international cooperation and effective action by the United Nations and its agencies in the promotion and protection of human rights. Kyrgyzstan commends the progress achieved by the Human Rights Council, which has demonstrated itself to be a unique platform for the discussion and development of recommendations and standards in the field of human rights and for providing

technical assistance. At the same time, we consider it crucial to strictly enforce the principles of universality, impartiality, objectivity and non-selectivity.

In our opinion, the Human Rights Council should focus more attention on assistance aimed at capacity-building at the country level, particularly in the development and implementation of national programmes. In that regard, it is important to focus on areas such as the right to development and economic, social and cultural rights. We also advocate the promotion of the rule of law at the national and global levels, and ensuring respect for human rights and fair justice through an independent judiciary.

We should always remember that the problems of human rights, the rule of law and democracy are interlinked and mutually reinforcing. It is therefore necessary to develop comprehensive measures and reflect them in development strategies and programmes, including those related to the post-2015 period.

The Assembly will recall that on 21 October it elected 15 new States members of the Human Rights Council for the period 2015-2017 (see A/69/PV.29). I would like to take this opportunity sincerely to congratulate them on their election to the Council and to express confidence that they will make a valuable contribution to its work during this challenging period.

Kyrgyzstan was previously elected as a member of the Human Rights Council for the period 2009-2012, including as Vice-President and Rapporteur of the Bureau of the Council. We express our readiness to continue actively participating in the work of the

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Council. In that connection, Kyrgyzstan has presented its candidature for membership to the Human Rights Council for the period 2016-2018. If elected to the Council, Kyrgyzstan will make every effort to apply its acquired experience in promoting dialogue and constructive cooperation among all interested States, taking into account national and regional developments and the cultural, historic and religious traditions of States and the sustainable development goals for the post-2015 period.

The current global situation demonstrates the increasing role of international agencies in the field of the protection of human rights, including the Office of the United Nations High Commissioner for Human Rights (OHCHR), in the maintenance of peace, security and stability. Kyrgyzstan supports the activities of OHCHR and advocates its improved efficiency and constructive cooperation with the Human Rights Council, especially in the implementation of programmes to strengthen the capacities of countries in promoting the observance of human rights.

*Mr. Boureima (Niger), Vice-President, took the Chair.*

We consider the universal periodic review (UPR) the most effective mechanism for strengthening international cooperation in the protection of human rights. The voluntary implementation of the outcome of the UPR is assisting in promoting the advancement of human rights in all Member States.

In that regard, we should note the positive work of the Council in ensuring the universal nature of the UPR, which is important for effective action in the human rights area. At the same time, further attention is needed to assist countries in the implementation of the recommendations of the universal periodic review through the provision of technical assistance in accordance with national priorities in the field of human rights.

Kyrgyzstan presented its first national report under the universal periodic review process in 2010. Subsequently, 154 out of the 168 UPR recommendations were adopted as voluntary commitments. Today, the preparation of the second national report under the UPR has been completed. In general, over the past four years, Kyrgyzstan has presented six periodic reports to United Nations treaty bodies.

However, the promotion and protection of human rights remains a challenge, especially for the least

developed and developing countries, owing largely to the lack of resources to support appropriate institutions and mechanisms needed for further reforms. It is necessary to take that factor into account within the framework of the Council's activities and the multilateral partnerships among member States.

In conclusion, let me once again reiterate our strong commitment to contribute to the work of the Human Rights Council in ensuring the maintenance of international standards and the strengthening of multilateral cooperation in the field of human rights.

**Mr. Reyes Rodríguez (Cuba)** (*spoke in Spanish*): I would also like to thank and congratulate the Ambassador of Gabon to Geneva and President of the Human Rights Council for his work. I wish to refer in particular to an issue that he highlighted in his statement in this morning's meeting (see A/69/PV.52), namely, the political manipulation that increasingly burdens the work of the Human Rights Council.

The Human Rights Council was established to overcome the double standards, confrontational posture and political manipulations of the Commission on Human Rights. However, that same Council today needs to be rescued from the selectivity and manipulation that has characterized its work in dealing with country situations. That is clear from the various initiatives adopted by the Council during the reporting period now before the Assembly.

That is the reality we confront, when respectful dialogue and cooperation should be guiding the work of that body. Rather than promoting efforts to strengthen the universal periodic review mechanism as the primary tool for the comprehensive analysis of countries' human-rights situations, confrontation, coercion and even the promotion of sanctions against sovereign States are favoured.

There is an attempt to stigmatize developing countries, without even allowing them an opportunity to defend themselves. Punishment is meted out based on unverified allegations about the situation on the ground. It is unacceptable that one of the resolutions adopted by the Council seeks to impose the precedent and, of course, the practice of manipulating the procedures established by the Council to fabricate pretexts for punishment and sanctions through referrals to the Security Council and the International Criminal Court, a body where the powerful are invariably and always guaranteed impunity.

Cuba will actively reject such a serious precedent. What is at play are rights as sacred as the right to self-determination, the right to peace and the right to development for all peoples and countries of the South. Neglecting that would transform us into accomplices of a practice that will in future threaten all developing countries and all those lacking the protections guaranteed to the powerful through impunity — all of the vulnerable and all of those who are oppressed by the power elites.

Cuba will continue to promote constructive dialogue and respect for the principles of universality, objectivity, impartiality and non-selectivity. We will continue to defend the special procedures and mechanisms of the Council established to promote such cooperation, and we will continue to work to prevent them from becoming tools for political manipulation on the basis of certain hegemonic interests.

Cuba will continue to work for the promotion and protection of human rights, the human rights of peoples, the rights of the third generation and the right to food, and to work for the establishment of a democratic and equitable international order. Cuba will also continue to work for the promotion of the right to international solidarity and for the fight against racism, xenophobia and all forms of discrimination. We will continue to work to achieve cultural rights and respect for diversity.

In short, Cuba will continue to be committed to ensuring that a world where human rights for all is no longer a pipe dream.

**Mr. Sinjaree** (Iraq) (*spoke in Arabic*): Our delegation would like to take this opportunity to welcome the President of the Human Rights Council, who was with us this morning and briefed the Assembly about the activities of the Human Rights Council over the past year (see A/69/PV.52). We would also like to thank him for his personal activities and for his success in carrying out his duties as President of the Council. Our delegation has reviewed the report of the Human Rights Council (A/69/53) and appreciates the efforts that went into its preparation.

After the terrorist attacks that Iraq suffered in various areas on 10 June, namely, the control over parts of Iraq by the terrorist gangs of the Islamic State in Iraq and the Levant (ISIL), the violations that took place alongside those attacks carried out by those barbaric gangs, namely, killings, forced expulsions, especially of minorities, massacres of captive soldiers

and other Iraqi prisoners, the detention of women and all forms of violations against those women, Iraqis have sought to expose those crimes before the international community and international human rights forums. Iraq called for a special session of the Human Rights Council, the twenty-second special session, which resulted in the issuing of Council resolution 22/1, agreed upon by consensus. The resolution reflects the support of the international community for Iraq's efforts in confronting those terrorist groups; the international community also urged greater efforts to assist Iraq to protect its civilians and provide assistance for them.

Under that resolution, the Human Rights Council asks the Office of the High Commissioner for Human Rights to send a special team to Iraq to investigate allegations of violations of international human rights law by the ISIL terrorist gangs, as well as to establish a fact-finding mission into those violations in order to avoid any impunity. In that context, Iraq reiterates its complete readiness to cooperate with the team and the mission of the High Commissioner for Human Rights, and hopes that they will achieve their objectives within the limits of their mandate.

In conclusion, we wish to express our gratitude to all countries that have assisted and supported Iraq in its efforts to hold that special session, to the States that have supported the draft resolution that was eventually issued, and all States that have backed military, technical and humanitarian support for Iraq in its fight against terrorism.

**Mr. Hilale** (Morocco) (*spoke in French*): I would first like to pay a special tribute to His Excellency Mr. Baudelaire Ndong Ella, President of the Human Rights Council, and to congratulate him for his leadership and for the outstanding skill with which he led the work of the Council during this year, including the dynamism that he has brought to the activities of the Council during his presidency.

The international community is preparing to celebrate the tenth anniversary of the establishment of the Human Rights Council, which has become the main United Nations body responsible for human rights issues. With dialogue, cooperation and technical assistance as the basis of its work, the Council has been successful in obtaining the commitment and cooperation of several States. Furthermore, its innovative mechanism, the universal periodic review, has shown that universality and cooperation remain the key for promoting and effectively protecting human rights. For their part, the

special procedures continue to play an indispensable role in informing the Council of developments in the field of human rights around the world and in providing it with the necessary expertise on thematic issues.

The international community has therefore the duty to protect the achievements of the Council and to preserve the Council's work from politicization and instrumentalization.

As we are aware of the need to strengthen the United Nations system in the field of human rights, Morocco was committed, from the very beginning, to the process of establishing the Human Rights Council in 2005. Morocco's modest contribution culminated in the establishment of the universal periodic review mechanism, of which it was the architect through the role that my country assumed as a facilitator of that mechanism, both during the process of its creation in 2006 and 2007, and during the process of review of its operation and its methods of work in 2011.

Morocco's interest in strengthening the Council and its mechanisms has also manifested itself in the actions that it has taken within this past year aimed at providing the Council with the necessary means to enable it to fully carry out its mandate. To that end, Morocco, along with a group of countries, launched an initiative that led to the creation of a voluntary fund for the participation of the least-developed countries and the small island developing States in the work of the Human Rights Council. The noble objective of that initiative is to guarantee the principle of universality and the equality of States by assisting countries that do not possess the necessary resources to actively participate in the work of the Council. My delegation is gratified by the launch of the fund by the High Commissioner for Human Rights. My delegation especially welcomes the fact that a number of countries have already benefited from financing from the fund. Within the framework of our commitment to those countries, Morocco will host a training seminar next month, which will be organized in the framework of the fund. Representatives from French-speaking least-developed countries and small island developing States will benefit from it.

In the framework of our commitment to strengthening the Human Rights Council, Morocco, along with a number of countries, is undertaking an initiative at several levels at the United Nations to strengthen the financial resources available to the High Commissioner for Human Rights, especially in implementing activities mandated by the Human Rights

Council. The aim is to have those activities covered by the regular budget of the United Nations in order to guarantee the fulfilment of the mandate of the Council in full independence.

A joint declaration to that end was read before the Human Rights Council in 2012. It was followed by a letter addressed by the Ambassadors of our countries to the Secretary-General. It is my pleasure to announce that Morocco will this week read out in the Fifth Committee a joint statement on behalf of our group of States. We encourage all delegations to lend their support to the joint statement.

The Human Rights Council continues to face barriers to the implementation of its mandate. That is why a balanced, vigilant and victim-centred approach to tackling the emerging human rights problems facing the world is ever more necessary.

The growing importance of human rights in international relations calls for the Human Rights Council to be very active and show greater visibility. However, the Human Rights Council is rarely mentioned by the media and, if it is mentioned, it is represented inaccurately. That body should do more to ensure the visibility of its work. It is therefore time, in our view, for the Council to adopt a communication strategy that adequately reflects its work in advocating for, promoting and protecting human rights. With greater visibility, the Council will have greater impact on the ground and will contribute further to the promotion and protection of human rights.

Furthermore, it is inconceivable that the Council is seized annually with more than 100 draft resolutions in addition to the growing number of special procedures and panels, which are a burden on the Council's working capacity and prevent delegations from following and contributing effectively and constructively to all of its work. Considerable efforts should therefore be made to lighten the workload of the Human Rights Council, specifically through a genuine effort to streamline its working methods and mechanisms.

Finally, the members of the Human Rights Council must resist attempts to deflect it from the mandate entrusted to it by the General Assembly, so as to safeguard its achievements and ensure the effectiveness of its action.

My delegation underscores the important role of civil society in the promotion and protection of human rights. It provides valuable support to the efforts of



States and helps to strengthen respect for human rights on the ground. In recognition of the role of civil-society bodies, Morocco incorporated that role in the promotion and protection of human rights into its Constitution of 2011. Morocco's openness to those important actors in human rights earned us significant recognition, including our designation as host of the second World Forum on Human Rights, which will take place from 27 to 30 November in Marrakesh, with the participation of more than 5,000 governmental and non-governmental actors.

The Forum represents international recognition of the Kingdom's achievements in that field and the vitality of national institutions and civil society organizations working in the field of human rights. My country is honoured by the trust placed in us by the non-governmental organizations of the world and will make every effort to ensure the full success of their global forum.

I would like to conclude by recalling the commitment of Morocco to promoting and protecting human rights and fundamental freedoms at the national and international levels alike, including through the Human Rights Council. As a founding member of the Council that also serves on it, Morocco will spare no effort to uphold its principles and objectives and enhance its efficiency and effectiveness.

**Mr. Šćepanović** (Montenegro): At the outset, let me thank the President of the Human Rights Council, Ambassador Baudelaire Ndong Ella, for presenting the Council's ninth annual report to the General Assembly (A/69/53). We appreciate the opportunity to interact with the President of the Council and the dialogue between the Council and the General Assembly.

Montenegro aligns itself with the statement delivered on behalf of the European Union (see A/69/PV.52).

The Human Rights Council has undoubtedly become an important venue for addressing international crises and finding global solutions to tough challenges as they unfold. While all Human Rights Council member States make strengthening the credibility and effectiveness of the multilateral human rights system a priority, I would like to emphasize once again that Montenegro will maximize its efforts towards that end. As human rights are one of the fundamental pillars of the United Nations system, the Government of

Montenegro recognizes the necessity of supporting the Council in fulfilling its mandate.

We applaud the Human Rights Council's proactive and leading role in dealing with crisis situations and gross violations of human rights in all corners of the world. The Human Rights Council has achieved significant progress in dealing with human rights issues across the globe since its establishment eight years ago. The contribution of the Human Rights Council is even more important and relevant in situations where the Security Council is unable to provide a timely response to a pressing emergency. In that regard, we commend and strongly support the establishment and the work of the various commissions of inquiry that collect, despite all of the difficulties encountered, detailed accounts of violations. We appreciate their continuing efforts to illuminate deteriorating situations.

Montenegro will persist in advocating for full accountability for all violations of human rights and international humanitarian law. Montenegro also reaffirms its support for comprehensive political solutions as the best way to stop atrocities and ensure respect for all human rights. We therefore encourage all parties to reject violence and participate constructively in an inclusive peace process.

Given that the universal periodic review is meant to be an efficient instrument for a transparent and objective assessment of the human-rights situation in each Member State, we feel compelled to contribute to that positive result. The activities involved are activities that we cannot and do not implement individually. Therefore, the involvement and cooperation of all stakeholders — the Human Rights Council, special procedures, non-governmental organizations and other State and non-State actors — will be of the utmost importance. Allow me to stress that the Office of the United Nations High Commissioner for Human Rights (OHCHR) also plays a vital role in encouraging States and providing them with assistance to meet their protection responsibilities.

At this point, I would like to emphasize that Montenegro has extended a standing invitation to all special procedures, as we are firmly convinced of their crucial role in advancing the human-rights agenda. By doing so, we have demonstrated our commitment to cooperate and respect the highest standard of protection. In that regard, we expect all Member States to follow the same path.

I would like in particular to voice my concern about the shortfalls in the funding of the Office of the High Commissioner for Human Rights. Allow me to recall that Montenegro was one of more than 50 countries that called on the Secretary-General to recommend that a larger proportion of the United Nations regular budget be devoted to the OHCHR, given the significant and continuing growth in the volume of the Office's activities. Bearing in mind the surge of interest in human rights — reflected, *inter alia*, in the proliferation of new mechanisms and mandates, human rights treaty bodies and treaty body experts and resolutions adopted by the Council — we strongly believe that the funding deficit should be addressed as a matter of priority in order not to compromise the capacity of OHCHR to carry out its complex mandate.

As a member of the Human Rights Council, let me reiterate our genuine commitment to further advancing the human-rights agenda and ensuring the implementation of international human rights norms and standards.

**Ms. Diaz Gras** (Mexico) (*spoke in Spanish*): Mexico welcomes the report (A/69/53) introduced this morning by the President of the Human Rights Council, Ambassador Ndong Ella (see A/69/PV.52), and appreciates the effort and dedication he has shown in the conduct of his duties. Since Mexico assumed its membership in the Human Rights Council in January 2014, its participation has been governed by the principles of universality, non-selectivity, balance and the promotion of cooperation. My delegation recognizes the need to promote greater cooperation and dialogue among regions in order to facilitate the introduction of new issues of common interest on the basis of consensus. We believe that the President's role in the work of the Council is critical to building alliances and understanding among regional groups, a task to which my country reiterates its support.

We believe that it is important to strengthen the Council's effectiveness and improve its coordination with other bodies of the United Nations system, particularly in preventing human rights crises. In that respect, it is crucial to take advantage of the analyses and reports produced by the various special procedures of the Human Rights Council to identify critical human rights situations and act in a timely fashion. Furthermore, we believe that the Council should capitalize on innovative tools such as the universal periodic review (UPR) mechanism. It is important to

promote a greater exchange of experiences, common challenges and cooperation among countries within the context of the UPR working group meetings, so that that important exercise can have sufficient impact on improving the human rights situation on the ground. Another important tool, which has been expanded and improved within the framework of the Human Rights Council, is the cooperation and technical assistance offered by the Office of the United Nations High Commissioner for Human Rights. In that respect, we consider it necessary to find a more efficient use of existing mechanisms in the Council, particularly the special procedures, in order to respond to the need to monitor, investigate and provide technical advice in urgent human rights situations.

Mexico reiterates the commitment of States to provide the Human Rights Council with the necessary tools to fulfil its mandate, and we must recognize the legitimacy of its decisions at all times. Likewise, we reiterate once again the need to provide the Office of the High Commissioner for Human Rights with the necessary resources so that it can adequately fulfil its mandate, based on the responsibilities that member States have conferred on it. My delegation reiterates its commitment to the work done by the Council as the most important body of the Organization devoted to carrying out the delicate tasks of promoting and protecting human rights around the world. Mexico will continue to participate constructively in support of the implementation of its mandate.

**Mr. Elbahi** (Sudan) (*spoke in Arabic*): Our delegation has listened to the briefing by the President of the Human Rights Council (see A/69/PV.52) and has reviewed the Council's report (A/69/53), which covers its activities and meetings for the first half of this year. We highly appreciate the presence this morning of the President of the Council, as well as his briefing to the General Assembly.

At the outset, our delegation aligns itself with the statement delivered by the representative of Mauritania on behalf of the Group of African States (see A/69/PV.52).

We should also like to state that the Sudan has ratified the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment; the

Convention on the Rights of the Child and its two Protocols; the International Convention on the Rights of Persons with Disabilities; the Convention on the Prevention and Punishment of the Crime of Genocide; and the Maternity Protection Convention, 2000 (No. 183) of the International Labour Organization. We are also proud to support all international human rights mechanisms, including those of the Human Rights Council, as presented by the President of the Human Rights Council last September in Geneva. We call upon the United Nations and other donors to fulfil their obligations as indicated in the recent Human Rights Council resolutions related to technical assistance and capacity-building. We welcome the appointment of the new independent expert and we reiterate our willingness to cooperate with him in accordance with his important mandate.

My country has adopted policies, programmes and strategies aimed at promoting and supporting human rights in the Sudan. In that context, we would like to remind the Assembly of the following national achievements.

First, we have established an independent commission on human rights in accord with the Paris Principles, and it has been in operation for more than three years now.

Secondly, we have created an entire justice system for juvenile rights, including a special law for children, while providing training for judges and specialists. In implementation of that law, we have created the National Council for the Support of Children.

Thirdly, over three years ago, we created a special tribunal for Darfur and appointed a General Prosecutor. Since its establishment, the tribunal has begun its work and has been receiving complaints and cases from victims.

Fourthly, our armed and security forces and police law very clearly specifies the illegality of recruiting children under 18. We have established child-protection units and family-protection units within the armed forces and police, as well as units to combat violence against women and young girls.

Fifthly, the Sudan has adopted a law on disabilities and a law against human trafficking, especially of women and children. In October, we hosted a regional conference to combat trafficking in persons in the Horn of Africa with broad, high-level regional and international participation.

Various social groups and entities have participated recently in the national dialogue initiatives started by the President of the Sudan in order to address all issues and concerns of national interest and of concern to the stability of the country. We hope that the outcome of that initiative will be positive and good for the future of the people of the Sudan and strengthen its enjoyment of all its rights.

We reaffirm that the universality and indivisibility of human rights means that all human rights should be addressed equally with the same level of attention without differentiation. We call upon members to pay attention to economic, social and cultural rights and the right to development on the same level as civic and political rights. We also emphasize that addressing human rights should be done on the basis of constructive cooperation in line with the promotion of, and support for, human rights, while avoiding the politicization of those rights in a way that does not violate the sovereignty of the State as the primary party responsible for the protection of those rights.

Our delegation insistently calls for the international community to confront and end the attempts by some to export novel sexual concepts in a way that completely disregards the particular specificities and religious norms and cultural traditions of various countries and societies, given the importance of the norm that the family is the most important element.

There are many new issues that require the tripartite cooperation of the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights and other stakeholders and mechanisms, on one side, as well as horizontal cooperation between States, on the other, rather than having some States appoint themselves judges and evaluators of the human rights situations in other States.

In conclusion, my delegation calls for the adoption of a comprehensive approach to human rights issues around the world that takes into consideration development and support for developing States, while eliminating unilateral sanctions imposed on them, lifting restrictions on their exports and addressing the effects of climate change, in order to enable them to meet all their obligations in protecting and defending human rights. We also urge for support for and protection of the Palestinian people in the face of the continuing violations of their human rights by the Israeli occupying authorities.

**Mr. Hoem** (Norway): Norway would like to thank the President of the Human Rights Council, Ambassador Baudelaire Ndong Ella, for the way in which he has presided over the Council in 2014 and for presenting this year's annual report (A/69/53) this morning (see A/69/PV.52). The Human Rights Council has continued to be relevant and to show its ability to make important decisions. Cross-regional agreements and alliances increase the Council's relevance and credibility, and that way of conducting its business has become the rule rather than the exception. On several potentially contentious issues, the Council has managed to achieve consensus.

This year, Norway negotiated the extension of two mandates in the Council. We were grateful for the record number of countries, from all regions, that sponsored the March resolution extending the mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. We also thank States for their support in achieving consensus on extending the mandate of the working group on the issue of human rights and transnational corporations and other business enterprises, through a resolution that also addressed important issues such as remedies for victims of human rights abuses inflicted by States and businesses. We were glad to see that several other resolutions adopted this year also include language on protecting human rights defenders, condemning reprisals and widening the space for civil society.

Unfortunately, in several places around the world such gains in the normative sphere of the Council have not translated into an improved situation for civil society and human rights defenders, and in many countries their space is shrinking. We are also shocked to note that threats, attacks and acts of intimidation continue against many who have cooperated or sought to cooperate with the United Nations, including through the Human Rights Council and its mechanisms. Reprisals cause pain and suffering, violate the rights of individuals and undermine the credibility of the United Nations and its ability to carry out its work. As such, they represent an attack on the very institution that we have built here together. Such shameful practices demand a firmer response from the United Nations and its States Members. We acknowledge the role of the President of the Human Rights Council in dealing with such issues, and the need to take a principled and vocal stance. We also have high expectations of the General Assembly in that regard, and we urge that the Council's important resolution 24/24 of last year on reprisals be

speedily implemented. I would like to emphasize in that regard the important point just made today by the representative of Morocco on enhancing the visibility of the Council and its decisions.

We were very pleased that the Council adopted a resolution on sexual orientation and gender identity in September. Only the second such resolution in history, it was adopted with a large majority, gaining support from new countries. We thank Colombia, Uruguay, Brazil and Chile for their leadership.

The universal periodic review (UPR) still maintains a 100 per cent participation rate by States. This year, Norway was one of the countries to undergo the review, and we again found it very helpful in addressing important issues and guiding human rights implementation in our country.

As a complement to the UPR mechanism, the Council proved once again that it does not shy away from tackling serious human rights situations when necessary. In 2014, that included an African-led initiative to establish a commission of inquiry on Eritrea and a cross-regional effort to establish an investigation of Sri Lanka led by the Office of the United Nations High Commissioner for Human Rights (OHCHR), as well as three special sessions. We also saw a steady demand for country-specific resolutions and initiatives from States on their own situations, attesting to the Council's growing positive reputation and its ability to set in motion action in support of countries' own efforts to promote human rights.

Norway is concerned about the Council's limited resources for delivering on its workload as it takes on an increasing number of issues and creates an unprecedented number of new mandates. The ability of the Council's secretariat, OHCHR and States to follow up is not developing at the same pace. The chronic underfunding of human rights, one of the three main pillars of the United Nations, is well known. The 3 per cent of the regular budget of the United Nations that it receives is so unsustainable that OHCHR, instead of expanding, is now having to cut posts. The States Members of the United Nations have a responsibility to ensure that OHCHR, a key institution for promoting and protecting human rights in the United Nations system and supporting the Human Rights Council, can fulfil its mandate in the light of the increasing demands.

Finally, Norway continues to be disappointed by the fact that the annual resolution on the Human Rights



Council's report is still being presented to the Third Committee rather than the plenary of the General Assembly. In accordance with resolution 65/281, on the review of the Council, it is up to the Assembly, not the Third Committee, to take action on the Council's important report.

**Mr. Kohona** (Sri Lanka): I thank the President of the Human Rights Council for presenting its report (A/69/53). Sri Lanka recognizes the important contribution that the Council can make to protecting and promoting human rights around the world.

In 2006 the United Nations human rights protection system underwent major institutional reform, and the Commission on Human Rights was replaced by the Human Rights Council. We should recall that one of the fundamental reasons for the change was the need to address the unproductive politicization that overshadowed the Commission. Sadly, many delegations in the Assembly today have expressed the same concerns, suggesting that the Council is heading in the same direction as the former Commission. That is a worrying development and could rob the Council of its effectiveness and legitimacy. It is a situation that Sri Lanka is particularly concerned about. The way in which the Council has also begun to target specific countries in a selective manner does not bode well for its future. A handful of countries have been selected for adverse attention by the Council, while others in similar circumstances are ignored.

As the President indicated, Sri Lanka was the subject of Council resolution 25/1, entitled "Promoting reconciliation, accountability and human rights in Sri Lanka". It is unfortunate that Sri Lanka became the subject of a resolution despite widespread recognition that we had done more to address the issues arising from the conflict and to promote reconciliation and reconstruction than almost any other country emerging from similar circumstances in the very short period of five years. Moreover, the resolution infringes on a fundamental principle of international law, which requires that national mechanisms need to be exhausted before resorting to international ones. The resolution and its mandate also challenge the sovereignty and independence of a State Member of the United Nations by calling for a comprehensive investigation of Sri Lanka's alleged human rights violations at a time when the country has launched its own inquiries with, inter alia, the assistance of eminent international personalities. It also intrinsically contradicts itself

by requesting both the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Government of Sri Lanka to conduct parallel investigations. What it may have achieved is a further hardening of positions on the part of the supporters of the defeated terrorist group, which may now seek to achieve through international intervention what it could not realize through terrorism — not a helpful precedent for other countries fighting terrorism.

Soon after ending the conflict, the Government of Sri Lanka launched its domestic reconciliation process by appointing the Lessons Learnt and Reconciliation Commission. After analysing over 1,000 oral and 5,000 written submissions, the Commission presented a 388-page final report in 2011, with 144 comprehensive recommendations and observations. Soon after receiving the report, the Government developed a national plan of action to implement those recommendations and appointed the Inter-Agency Advisory Committee overseen by the Secretary to the President in order to facilitate implementation. In August 2013, the Government appointed a three-member presidential commission of inquiry to investigate the matter of missing persons. The commission has so far received 19,761 complaints for investigation. An international advisory panel has been appointed to assist the commission. Many of the recommendations have been implemented, while others are in the process of being implemented. It is important to recognize that 27 years of terrorist-inspired pain and agony cannot be wished away in five short years. What really matters is that today we are living in peace, with a booming economy that is benefiting all our people.

By calling for an investigation of Sri Lanka, the Human Rights Council has not given adequate credit to our national reconciliation process. It has also ignored the basic principle of working in the first instance with the country concerned. For those reasons, inter alia, the Government of Sri Lanka has rejected Human Rights Council resolution 25/1. Sri Lanka is firmly committed to doing the right thing by its people. I regret the news release issued by OHCHR two weeks ago, which casts aspersions on the intentions of the Government of Sri Lanka. I would like to emphasize that the Government's rejection of the Council's investigation does not amount to concealing information. It underscores the fact that, as a proud and independent country and a people with a strong legal tradition, we are capable of conducting the necessary investigations.

I recall the President of the General Assembly's appeal last Friday to members of the Assembly, which emphasized the need to protect the credibility of the Human Rights Council. Unfortunately, if the Council continues to selectively target individual countries, it will lose its effectiveness and credibility. Such actions not only undermine the principles of impartiality and objectivity enshrined in the Charter of the United Nations, but also negatively affect the cooperation that a given country seeks from the Council. Against that background, an important question arises: will the Council ever be able to move away from its politicized agenda, which is laced with double standards? To be effective, it must do so.

We recognize the important contribution that mechanisms such as the universal periodic review (UPR) can make to improving human rights situations around the world. As we have consistently maintained, Sri Lanka considers the UPR to be the most appropriate forum in which human-rights-related matters pertaining to a country should be discussed, along with voluntary engagements under the human rights treaties and interactions with special procedures mechanisms. Sri Lanka has appeared before the UPR on two occasions and is happy to work with it.

Sri Lanka also notes with concern the financial constraints facing OHCHR and its dependence on voluntary contributions. We recommend that the OHCHR be financed from the regular budget of the United Nations in order to reduce its unhealthy dependence on voluntary contributions. That would strengthen the financial independence of the Office, thereby enhancing transparency and balance and making a positive contribution towards the depoliticization of its work.

I therefore urge the President of the Human Rights Council to give serious consideration to the views expressed by Member States in this debate, as well as in the Human Rights Council, and to make every effort to return the focus of the Council to its fundamentals. The Council was intended to make the world a better place by helping countries that needed assistance, and not to engage in selective politics. Such an approach would win the Human Rights Council the support of all parties to continue its important work and contribute towards the protection and promotion of human rights.

**Mr. Ruiz** (Colombia) (*spoke in Spanish*): At the outset, I would like to express our gratitude to Ambassador Baudelaire Ndong Ella, President of the

Human Rights Council, for his briefing on the work of the Council in 2014.

I would like first of all to emphasize the importance that Colombia attaches to the Human Rights Council, which has proved to be an important forum for the discussion, promotion and monitoring of human rights situations around the world. The Council's institutional action mechanisms, including the special procedures and especially the universal periodic review, have also been important for their catalysing effect and impact on the ground.

For all those reasons, Colombia reiterates its firm support for the work of the Council and urges all States to participate in and collaborate with it. We particularly urge members to support the Office of the United Nations High Commissioner for Human Rights so that it can continue to provide the necessary support to the Council and its mechanisms. It is important to keep in mind that countries are generating more work and more procedures for the Council, in large part owing to its success, but without having strengthened the capacities of the Office in a timely manner so as to enable it to take on the burden of new challenges.

There has recently been some criticism with respect to the partiality and growing politicization within the Human Rights Council. Colombia does not share that interpretation. On the contrary, the Council has found areas of agreement that have enabled it to work in a collective manner despite clear differences on specific issues.

Colombia believes that our shared commitment to the universalization of human rights, the fight to combat all forms of discrimination and the struggle against violence are principles on which all countries agree. They define the common ground for discussion, cooperation and the exchange of experiences among our States and have paved the way for actions that have had a positive impact on the ability of all the world's people to enjoy their rights and liberties.

From the point of view of my country, that capability to build common ground and move forward was proved during the three sessions of the Council in the course of 2014. The Council managed to adopt important resolutions that undoubtedly responded to the calls made by the international community and civil society despite the differences expressed during the adoption process and negotiations.

For that reason, Colombia supports the report of the Human Rights Council for 2014 (A/69/53). We recognize the importance of having a robust, independent and open forum that is sensitive to the concerns and priorities that countries have when it comes to human rights. Similarly, we acknowledge the importance of dialogue among partners to find the appropriate ways to implement resolutions adopted by the Human Rights Council, as was mentioned in the joint letter on the report of the Council of 2013, dated 11 September 2014, on the understanding of the institutional relationship between the Human Rights Council and the General Assembly.

Finally, allow me to reaffirm our strong support for and cooperation with the work of the Council and its mechanisms.

**Mr. Sareer** (Maldives): At the outset, my delegation wishes to thank His Excellency Mr. Baudelaire Ndong Ella, Permanent Representative of Gabon to the United Nations Office at Geneva, for his excellent work as the President of the Human Rights Council and for presenting the Council's report to the General Assembly (A/69/53) (see A/69/PV.52). I would also like to congratulate the new High Commissioner for Human Rights, His Excellency Mr. Zeid Ra'ad Al Hussein, on his assumption of office, and to reiterate the Maldives commitment to work with his Office to strengthen the promotion and protection of human rights across the globe. The Maldives would also like once again to express its appreciation to the former High Commissioner, Ms. Navi Pillay, for the important milestones achieved in human rights during her tenure, as well as the close relations she kept with the Government of Maldives.

This year has seen an exponential increase in the work of the Human Rights Council, as illustrated by the number of panels operating and the resolutions adopted at the recent sessions. The special sessions dedicated to human rights situations in the Central African Republic, the occupied Palestinian territories and Iraq are a clear indication of the growing importance of the Council and its mechanisms.

We are grateful to all members of the Council for their commitment to steering through the human rights challenges of the year. As a member of the Council, the Maldives is proud of what the Council has achieved together, in a year marred by violence, acts of aggression, natural disasters and intensifying climate change. While that is not an uplifting picture of

the state of the world today, we are given hope by the reports of progress made by the Human Rights Council and presented to the General Assembly.

Human rights can be regarded as the most important single issue for international cohesion and cooperation today. Human rights are a matter of the highest priority when responding to conflict situations such as the escalating violence in the occupied Palestinian territories. However, human rights also cut across all other items on the global agenda. There is a need to integrate a human-rights-based approach to development as the Assembly begins its work to prepare the post-2015 development agenda. There is also a need to address the human rights dimensions of climate change when concluding an international climate agreement in Paris 2015. Low-lying nations like the Maldives and many small island developing States (SIDS) face the daily reality of the impact of climate change and understand at first hand the fundamental need to address it.

The Maldives is currently undergoing rapid transformation; we are a young democracy and a recent graduate from the category of least developed countries (LDCs), growing steadily in terms of both social and economic progress. Yet, as a small island developing State, our path to development faces grave uncertainties as a result of worsening climate-change scenarios. The core principles of human rights, human dignity and the rule of law guide us through these times. Those principles are embedded in the new Constitution of 2008. The constitutional protections for human rights have ensured that this new stage of development serves all people and leaves no one behind. The Government has given life to those principles with positive law and policies. The poor and the vulnerable have the right to social security and income support under the social protection act; the elderly are entitled to pensions; the disabled receive Government support pursuant to the disabilities act; and all Maldivians enjoy universal health care. Most notably, the Maldives has made great strides in advancing the rights of women, as seen by the recent enactment of the sexual offences and sexual harassment act, which is aimed at addressing violence and discrimination against women.

As seen in the past few years, the Maldives, although a small country, has raised its voice in promoting human rights at the international level. The Maldives is currently serving a second term on the Human Rights Council. The Maldives has remained committed in its

participation and contributions to the Human Rights Council, while highlighting the need to give voice to smaller States in larger forums. In particular, the Maldives has brought the human rights agenda of small island developing States to the fore at the Human Rights Council, as well as at the General Assembly.

The concept of universal human rights, as one of the founding principles of the Charter of the United Nations, should not be in conflict with national sovereignty. States must be open to willingly engage in international human rights mechanisms, such as the universal periodic review process, including those countries in difficult human rights situations. We value the technical and other advisory assistance provided by the United Nations to assist States to implement the UPR recommendations. We are encouraged by the ongoing efforts of the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the special mandate-holders to provide that assistance, and we urge donors to ensure that those vital institutions have the resources needed to fulfil their mandates. Despite the limited and depleted resources available to the Office of the High Commissioner for Human Rights, the Office has continued its engagement with Member States to ensure that human rights situations are addressed. The Maldives has always advocated for the importance of technical assistance to improve human rights. That is especially useful for LDCs and SIDS, which face major challenges in terms of resources and expertise in addressing those issues.

While the legal framework of human rights protections is becoming more complex and robust, the implementation and enforcement of human rights on the ground remains a critical issue. The Maldives recognizes that success in realizing human rights cannot be achieved by laws and instruments alone. We must foster a culture of civic responsibility and respect for human rights to complement the formal and statutory measures already in place. To be meaningful, the value of human rights must be embedded in institutions and be inherent in the way we treat one another. The experience of the Maldives suggests that the enjoyment of human rights and freedoms can be attained only by cultivating values and building resilience in society. We must therefore combine human rights policy-making with programmes and trainings to mainstream a human-rights-based approach in our institutions and education to instil a sense of responsibility and respect for human rights in society. Our aim should not be to

meet the bare minimum standards of human rights prescribed by law or dictated by politics, but to strive boldly towards the higher, moral responsibility to fulfil human rights for all. We urge all nations to join us in that pursuit: aim high and go beyond.

**The Acting President** (*spoke in French*): We have heard the last speaker in the debate on agenda item 63.

Before giving the floor to speakers in the exercise of the right of reply, may I remind delegations that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and 5 minutes for the second intervention and should be made by delegations from their seats.

**Mr. Israeli** (Israel): Earlier today (see A/69/PV.52) we heard the Syrian delegation launch baseless accusations against Israel. The Syrian Government seems to think that it can distract attention from its brutal and horrific crimes committed against its own people. Others in the Arab world also seek to distract from the fundamental issues in the region by making an array of false accusations about Israel. The problem with that tactic is that it does not bring us any closer to resolving the core challenges facing our region; it only drags us further and further away from peace.

Israel is not what is wrong in the Middle East. It has always been and will always be what is right in the Middle East.

**Ms. Alsaleh** (Syrian Arab Republic) (*spoke in Arabic*): I take the floor to exercise my right of reply.

It is ironic to hear the representative of Israel give us lessons on human rights in my country and address the issue of peace in our region, when just a few weeks ago they carried out their savage act of aggression against Gaza, which in a few days claimed thousands of lives among women and children. The blood of the victims has not even dried yet.

Everyone is aware of the racism and barbarity shown by the Israeli entity and settlers against the Arab inhabitants. We cannot forget the barbaric behaviour by a group of Israeli security forces against a Palestinian woman on the esplanade of the holy mosques. They beat her, pulled off her veil and dragged her across the site. That horrible scene clearly demonstrates Israel's hatred and resentment of Arabs. Of course, the Western media did not cover the news of the lynching of a Palestinian cab driver by settlers. He had come from Deir Yassin, the village invaded by the Zionist militias



of the Haganah gangs on 9 April 1948, during which they killed 257 inhabitants of the village.

The criticism and condemnation levelled today against Israel within the context of the agenda item under consideration should be enough to remind the representative of the occupying Power that there is an international will that stresses the need to implement the United Nations resolutions on putting an end to the Israeli occupation and the return of the occupied land to its rightful owners.

Those who claim that they are wedded to global human rights must act in an exemplary way. We have recently shed light on the alliance between Qatar and Israel, which has supported and financed the takfirist terrorist groups since the beginning of the crisis in Syria. There is clear cooperation between Israel, Qatar and the terrorist Al-Nusra Front in the area of separation in the occupied Syrian Golan. Those terrorist groups have captured members of the United Nations Disengagement Observer Force, and they subsequently released them inside Syria following the payment of a ransom by Qatar to the terrorist groups. That is a ridiculous masquerade that one can easily see through. Qatar has been financing a terrorist group — the Al-Nusra Front — so that it can continue to sow the seeds of terrorism and chaos throughout the occupied Syrian Golan, threaten members of the international peacekeeping mission and help Israel to continue its occupation of the Syrian Golan.

We want to say: enough with the hypocrisy and lies. Stop using the suffering of the Syrian people, an issue that is completely fabricated in all international forums. Stop supporting armed terrorist groups, for then the Syrian people will be able to live in peace and harmony.

**Mr. Laram** (Qatar) (*spoke in Arabic*): I take the floor in exercise of the right of reply. I would like to address the cheap claims made by the representative who took the floor just before me. Those accusations voiced by the representative of Syria are no different from what we usually hear from that quarter. They represent an attempt to qualify as terrorist any request aimed at obtaining legitimate rights for the Syrian people. They are aimed at preventing us from condemning the crimes against civilians and the grave violations of human rights and international law committed by the regime and by the groups affiliated with it.

In Qatar we are especially aware of the threat of terrorism, terrorist organizations and foreign terrorist fighters, both in our region and throughout the world. Of course, our interests can in no way be aligned with those of any terrorist group, regardless of what it is or where it is. That is why we stand up against the position of the bloodthirsty Syrian regime against its people. We are going to continue to cooperate with the international community to combat terrorism and to eradicate it at its very source in the region. We were part of the group of countries that supported Security Council resolution 2178 (2014), on combating terrorism, and we have undertaken a great many measures to implement that resolution.

The Syrians are a brotherly people known for their religious and cultural pluralism and their rejection of extremism. However, those people attempted, unfortunately for them, to demand their legitimate basic rights and were immediately accused of being terrorists and of acting in an extremist manner by the authorities and were treated as such. Children in schools, the sick in hospitals and people in their homes — all were heavily bombarded by the Government that was supposed to protect them. The Government is trampling the peoples' very honour underfoot.

The Syrian regime is not fighting against terrorism. Indeed, the regime is one of the primary causes of the violence and terrorism in Syria. That is something we have repeatedly warned about. The crimes committed by the regime against civilians are no different from the crimes carried out by terrorist groups in Syria. The victims are the same — civilians and civilian institutions, who are being subjected to attempts, for political purposes, to terrorize them and to force them to flee.

We do not wish to be drawn into a lengthy debate triggered by the representative of a regime that no longer enjoys any legitimacy. For that reason, I will end my statement here.

**Ms. Alsaleh** (Syrian Arab Republic) (*spoke in Arabic*): I would like to start by saying that the Syrian people do not accept and will never accept that a representative from a country like Qatar might take the floor and speak on its behalf, when Qatar has been known to have backed terrorism from the very beginning of the crisis in Syria. If Qatar were truly aware of the threat of terrorism, we would not be witnesses to the hundreds of international reports that have documented

Qatar's support for armed terrorist groups, not only in Syria but in the region as a whole. I refer to the June 2014 CNN report that showed the role played by the Qatari regime in that respect by stating, first of all, that Qatar is a key ally of the United States of America. The report also addressed the support lent to Wahhabi groups, including those affiliated with Al-Qaida, such as Daesh and the Al-Nusra Front. I can say that without even having to refer to the statements made by a great many European politicians on the support lent to those groups by Qatar and individuals with oil interests in the region.

Consequently, if one seeks to give us lessons on human rights, one should act in an exemplary fashion oneself. I would like to remind the representative of Qatar of the brazen, systematic violations of human rights against non-Qataris living in his country, in

particular against migrant labourers, men and women. The existence of such violations is not merely an allegation by the Syrian Government; those practices are also clearly set forth in reports of the International Labour Organization and Amnesty International. Those two organizations have documented cases of slavery involving immigrant workers residing in Qatar, as well as cases of abuse, violence, rape, bodily injury and mental and sexual injury. Those are the conclusions of two international organizations, and what happens in Qatar takes place within a legal regime that encourages such crimes and punishes the victim rather than the perpetrator.

**The Acting President** (*spoke in French*): The General Assembly has thus concluded the present stage of its consideration of agenda item 63.

*The meeting rose at 5.15 p.m.*