



General Assembly

Sixty-ninth session

Official Records

Distr.: General
15 January 2015

Original: English

Third Committee

Summary record of the 51st meeting

Held at Headquarters, New York, on Monday, 24 November 2014, at 10 a.m.

Chair: Ms. Mesquita Borges (Timor-Leste)
Later: Ms. Nilsson (Vice-Chair) (Sweden)
Later: Ms. Mesquita Borges (Timor-Leste)

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The meeting was called to order at 10.10 a.m.

Agenda item 68: Promotion and protection of human rights *(continued)*

(c) Human rights situations and reports of special rapporteurs and representatives *(continued)*
(A/C.3/69/L.32)

Draft resolution A/C.3/69/L.32: Situation of human rights in Myanmar

1. **The Chair** recalled that draft resolution A/C.3/69/L.32 had been adopted at the Committee's 50th meeting.

2. **Mr. Alyas** (Saudi Arabia), speaking on behalf of the States members of the Organization of Islamic Cooperation (OIC), said that OIC had joined the consensus on the draft resolution and he hoped that the constructive cooperation between OIC and the European Union would be expanded to address issues of common interest in other regions. OIC had appointed a special envoy for Myanmar; it welcomed Myanmar's constructive approach to the draft resolution and encouraged the Government to continue its cooperation with OIC.

3. While the text reflected a number of OIC concerns, the Organization remained extremely concerned about the state of human rights in Rakhine State, particularly with regard to the lack of progress on improving the situation of the Rohingya Muslim minority, including the failure to restore citizenship rights, meet humanitarian and medical needs and address discriminatory legislation, especially the 1982 law on citizenship. OIC was prepared to provide all necessary support for humanitarian initiatives, bring about reconciliation and promote dialogue between religious and political groups through constructive partnership with Myanmar in order to meet the challenges that existed in Rakhine State.

4. OIC had joined the consensus on the draft resolution in the hope that the Government would meet its commitments and obligations at the national level and would, along with the international community, continue to monitor the situation in Myanmar. The Organization regretted that the Myanmar delegation had expressed reservations about the text at the Committee's 50th meeting, as the three paragraphs in question reflected the prevailing concerns of the international community and the reality of the situation

in that country. The Government should redouble its efforts to address the problems faced by Muslims and other minorities in the country, which would require measures to increase accountability and combat impunity. Furthermore, Myanmar's 1982 citizenship law must be harmonized with international human rights law so that the Rohingya could enjoy the same rights as others in the country. The trial citizenship programme had not succeeded and had been discontinued because the Rohingya Muslim minority did not have confidence in it. Moreover, citizenship should not come at the expense of individual identity, a right protected under international human rights law. OIC was therefore extremely concerned about reports indicating that members of the Rohingya minority had been registered as Bengali citizens.

5. OIC shared the Government's concerns about the situation in Rakhine State, which could have an adverse effect on the entire country. The Organization had taken a constructive approach to the draft resolution because of its belief in the importance of non-discrimination on the basis of race, sex or religion in the provision of humanitarian assistance and its support for humanitarian aid. OIC called for the implementation of the memorandum of understanding on the provision of humanitarian assistance signed by Myanmar and OIC in 2012.

6. **Mr. Bishnoi** (India) said that his Government welcomed the progress towards greater democratization that Myanmar had made in recent years and supported the reform and reconciliation efforts of the Government of Myanmar, the release of political prisoners, the peace talks with ethnic groups, including the Kachins, and the proposed national ceasefire. Those steps were especially welcome in view of the elections that would take place in 2015. Myanmar had also made an effort to restore the rule of law in Rakhine State. His Government had provided humanitarian assistance for relief, rehabilitation and community-building measures in Rakhine State and had contributed \$1.5 billion in the form of grants and concessional loans for human resources development, infrastructure, agriculture, information technology, health and industrial trading since 2003. He encouraged Member States to support the reform and development efforts of the Government of Myanmar.

7. **Mr. Do Hung Viet** (Viet Nam) said that his delegation had joined the consensus in a spirit of cooperation but would have preferred to see positive

dialogue and engagement, particularly through the universal periodic review mechanism, which was the only appropriate and effective way to address human rights concerns. It therefore welcomed the sincere approach taken by Myanmar to its second universal periodic review report. Myanmar's bilateral and multilateral human rights dialogues with international partners and its efforts in the areas of social economic development, democratization, national reconciliation and the promotion and protection of human rights should be encouraged and supported through constructive engagement with the country.

8. **Ms. Yassine** (Brazil) said that her delegation had joined the consensus. The draft resolution reflected a constructive approach to overcoming the challenges faced by Myanmar and the international community's support for the democratic transition process. While her country acknowledged the positive developments that had taken place, it also noted the numerous remaining challenges mentioned in the most recent report of the Special Rapporteur on the situation of human rights on Myanmar ([A/69/398](#)) and agreed with the report's recommendation that the international community should remain constructively engaged. Brazil encouraged Myanmar to release its political prisoners and hoped that the elections in 2015 would reinforce the democratic transition through an inclusive and fair process.

9. **Mr. Sengsourinha** (Lao People's Democratic Republic) said that the adoption of the draft resolution by consensus should not be interpreted to mean that his country supported country-specific resolutions. No further resolutions of that kind should be adopted, since they did not facilitate objective consideration of human rights situations. The universal periodic review mechanism was more appropriate, as it was based on the principles of non-discrimination, non-selectivity, non-politicization and respect for national independence and sovereignty. Member States should continue to acknowledge Myanmar's encouraging efforts and continued cooperation with the international community to promote and protect human rights.

10. **Ms. Robl** (United States of America) said that in sponsoring the draft resolution, her delegation had recognized the progress that Burma had made in building the foundations of a sustainable democracy while also underscoring that Burma must continue its efforts to fulfil its international commitments. The

Government must make further progress with regard to basic issues of freedom and personal security. Journalists must not be jailed for criticizing the Government, arbitrary arrests must stop and constitutional reform should be enacted to enable the people of Burma to freely choose their President and increase civilian control of the military. Durable and effective solutions to the violence, humanitarian suffering and discrimination in Rakhine State must be found. Providing greater security and economic opportunities, protecting all citizens and promoting greater tolerance and understanding were critical to any solution. Her delegation valued the role that the United Nations had played in promoting and protecting human rights in Burma for over 20 years and supported its efforts to continue with those programmes, in partnership with the Government and civil society, by establishing a country office of the Office of the High Commissioner for Human Rights.

11. **Ms. Divakova** (Belarus) said that her country had consistently opposed country-specific resolutions, as they constituted interference in the internal affairs of States, had not been universally accepted and could not be considered legitimate. Country-specific resolutions not only failed to comply with the principles and objectives of the United Nations, but also undermined the essence of the United Nations as a forum for mutually respectful and equal dialogue by turning it into a human-rights monitoring mechanism. Such resolutions were also stark evidence that certain groups of States were using the United Nations to promote their narrow political aims and exert pressure on sovereign States, as in the case of the draft resolution on the situation of human rights in Myanmar.

12. If the Government of Myanmar had no objection to the provisions of the draft resolution, it could fulfil them through the universal periodic review and without a country-specific resolution. It was clear that the sponsors of the draft resolution were attempting to take complete control over the Government's actions, using the country-specific resolution as a means of manipulation. The sponsors had taken advantage of the shortcomings in the rules of procedure of the General Assembly and had presented the Government with a false choice.

13. Her country had been prepared to request a vote on the draft resolution, but had not done so on account of Myanmar's position. The draft resolution should be eliminated, and no other country-specific resolutions

should be introduced, both in view of their content and on account of their financial implications for the United Nations budget. Belarus disassociated itself from the consensus, thereby casting doubt on the legitimacy of the draft resolution.

14. **Mr. Yao Shaojun** (China) said that his delegation had always advocated addressing contentious human rights issues through constructive dialogue based on equality and mutual respect and had opposed the politicization of human rights issues and the use of such issues to put pressure on specific countries. Member States should address the legitimate concerns of Myanmar instead of introducing country-specific resolutions, which were not the way forward.

15. **Mr. Emadi** (Islamic Republic of Iran) said that his delegation had joined the consensus but maintained its principled position that the protection and promotion of human rights was best achieved through technical cooperation, bilateral and multilateral dialogue and the implementation of universal periodic review recommendations. Country-specific resolutions in the Third Committee were characterized by selectivity and double standards and did nothing to further human rights.

16. **Mr. Sumi** (Japan) said that his delegation had joined the consensus because it was important for the international community to recognize the positive developments that had taken place in Myanmar. His delegation welcomed the steps that the Government of that country had taken towards increased engagement with the international community over the past year, including the second dialogue with Japan, the first visit of the Special Rapporteur and the eight visits of the Special Adviser to the Secretary-General on Myanmar. However, his delegation also urged Myanmar to take further action to overcome the significant challenges mentioned in the draft resolution and, in particular, to ensure that the elections in 2015 were credible, inclusive and transparent and upheld the equal rights of all citizens. His country believed that Myanmar would pass the critical test of the reform process and continue to address the remaining challenges. Japan was continuing to provide a wide range of assistance to Myanmar to further the process of reform.

17. **Ms. Khvan** (Russian Federation) said that unilateral country-specific resolutions could not solve human rights issues. States bore primary responsibility for the promotion of human rights. The draft resolution

not only would not achieve its aims, but also, on the contrary, could have negative consequences on Myanmar's policy of opening up to cooperation with other States. Although the draft resolution had been adopted by consensus, the Russian Federation did not see the need for such documents and, in future, they should not be considered by the Committee.

18. **Ms. Larsen** (Norway) said that her delegation welcomed the progress that had been made in Myanmar and supported the Government's reform efforts. However, there were still areas of great concern and some of the progress that had been made was fragile. The fact that the resolution had been adopted by consensus, rather than by vote, supported her delegation's view that there would be no need for future resolutions on the situation of human rights in Myanmar, provided that progress was maintained, the rights of the Rohingya were protected and the situation in Rakhine State improved. Her delegation would welcome Myanmar's continued cooperation with the United Nations system.

19. **Ms. Ali** (Singapore) said that her Government objected on principle to country-specific resolutions, which were selective, divisive, counterproductive and often motivated by politics rather than human rights. Country-specific human rights questions should be addressed through the Human Rights Council and the universal periodic review, which had been established specifically for that purpose. Her delegation had therefore abstained from voting on all country-specific resolutions, a decision which should not be interpreted as taking a position on the human rights situation in the country concerned or as condoning the mistreatment of citizens. It called upon all Member States to promote and protect all human rights and fundamental freedoms and welcomed the reform and reconciliation efforts undertaken by the Myanmar Government, including the fostering of interfaith dialogue. Her delegation had joined the consensus on the draft resolution in recognition of the general agreement among Member States on that issue.

20. **Mr. Nuñez** (Cuba) said that his delegation maintained a position of principle against country-specific draft resolutions that singled out developing countries for political reasons. The harmful and selective practices of politicization and double standards in the examination of human rights had been responsible for the demise of the Commission on Human Rights. The Human Rights Council, with its

universal periodic review mechanism, was able to study the situation of human rights in all countries on an equal footing and as part of a genuine, constructive dialogue. The only way to promote and defend human rights effectively was through genuine international cooperation based on the principles of objectivity, non-conditionality, impartiality and non-selectivity. Unfortunately, that was not the purpose of the present draft resolution, and his delegation had been unable to support it, although it had joined the consensus.

21. **Mr. Kim Song** (Democratic People's Republic of Korea) said that his country maintained its principled position against country-specific resolutions. The text under discussion was yet another example of the use of politics, double standards and selectivity in addressing human rights issues, which only served to increase confrontation, distrust and misunderstanding between potential partners. Country-specific resolutions must be abolished; human rights issues should be addressed impartially and non-selectively through dialogue, negotiation and constructive engagement.

Agenda item 27: Advancement of women (*continued*)

(a) Advancement of women (*continued*)

([A/C.3/69/L.19/Rev.1](#) and [A/C.3/69/L.21/Rev.1](#))

Draft resolution [A/C.3/69/L.19/Rev.1](#): Intensification of efforts to eliminate all forms of violence against women and girls

22. **Mr. van der Vliet** (Netherlands), speaking also on behalf of France, introduced the draft resolution and said that Albania, Algeria, Bahamas, Barbados, Belize, Bolivia (Plurinational State of), Brazil, Canada, Central African Republic, Colombia, Costa Rica, Ecuador, Gabon, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Italy, Japan, Jordan, Kiribati, Liberia, Madagascar, Maldives, Mali, Mauritania, Mexico, Monaco, Mongolia, Montenegro, Morocco, Nauru, Republic of Moldova, Saint Vincent and the Grenadines, Senegal, Seychelles, Suriname, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Vanuatu had joined the sponsors. He made two oral revisions to the text. First, in the seventh preambular paragraph, the words "taking note with appreciation of" should be replaced with the word "recalling". Second, in the twentieth preambular

paragraph, the words "with appreciation" should be deleted.

23. For the past eight years, France and the Netherlands had submitted biennial draft resolutions on that issue to call for action to end the violence that affected one third of women at some point in their lives and also contributed to other forms of violence. Adopting the resolution on the eve of the International Day for the Elimination of Violence Against Women would send a strong message that violence against women and girls was unacceptable.

24. **Mr. Khane** (Secretary of the Committee) said that Burundi, Cabo Verde, Jamaica, Kenya, Lesotho, Namibia, Nigeria, Samoa, Sierra Leone and Uganda had joined the sponsors.

25. *Draft resolution [A/C.3/69/L.19/Rev.1](#), as orally revised, was adopted.*

26. **Monsignor Grech** (Observer for the Holy See) said that his delegation welcomed the adoption of the draft resolution. Violence against women and girls was unacceptable, as violence was a violation of human rights and fundamental freedoms. His delegation welcomed the recognition that violence was linked to issues such as poverty, inequality and insecurity as well as the references to the important role of the family in combating violence. However, his delegation had some reservations about the use of expressions such as "sexual and reproductive health" and "reproductive rights". Those reservations had been fully set out in the report of the International Conference on Population and Development ([A/CONF.171/13/Rev.1](#)), held in Cairo in 1994, and the report of the Fourth World Conference on Women ([A/CONF.177/20/Rev.1](#)), held in Beijing in 1995. Under the Programme of Action adopted at the Cairo Conference, the use of that terminology did not create any new rights, nor did it imply that abortion was permissible as a method of family planning.

27. His delegation did not recognize the concept of "safe abortion", as the life of the unborn child was always lost, and did not consider the terms "modern contraception" or "emergency contraception" to include abortion. It understood the term "gender" to mean male and female only, according to the customary and general usage of the term.

28. **Mr. Cordina** (Malta) said that Malta had taken measures to prevent violence against women, respond

to the needs of victims and ensure that perpetrators were prosecuted. It had also been one of the first States to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence. However, while it supported the draft resolution and its objectives, it had decided not to join the sponsors because of the reference to “emergency contraception”, which it understood to mean a procedure that could prevent the implantation of a fertilized ovum. His country’s position was that the right to life was applicable from the moment of conception; therefore, any procedure that led to the termination of a pregnancy after conception was a violation of the right to life. Any recommendation or commitment in connection with the draft resolution should not in any way create an obligation on any party to consider abortion as a legitimate practice in the context of reproductive health.

29. **Ms. Abdulbaqi** (Saudi Arabia) said that her delegation had participated in the consultations because of the need to increase efforts to eliminate violence against women. She regretted that the efforts to reach a consensus on the language in the text had been fruitless, as the sponsors had repeatedly rejected proposals aimed at achieving a consensus. Her delegation reiterated its rejection of the imposition of any controversial language that reflected a particular position and did not take into account the cultural and religious context of different countries, including paragraph 20(d) of the draft resolution. Her delegation’s position on all draft resolutions would continue to reflect its sovereign rights as a State, in line with its domestic legislation and its obligations under international humanitarian law.

30. *Ms. Johanna Nilsson (Sweden), Vice-Chair, took the Chair.*

31. **Ms. Khvan** (Russian Federation) said that her Government attached great importance to combating violence against women and had made the issue a top priority of its domestic policy. Her delegation had therefore joined the consensus on the draft resolution, although it could not agree with some of the views expressed in the document.

32. Girls were first and foremost children and, as such, required special protection measures. Preventive measures for violence against women were either ineffective or insufficient when applied to girls. Unfortunately, her delegation’s views in that regard

had fallen on deaf ears, as had its suggestion not to examine women’s rights exclusively from the point of view of sexual and reproductive health. Real progress could be made in women’s rights and violence could be eliminated only if all human rights were respected, above all the right to development. Her delegation’s understanding was that the Global Summit to End Sexual Violence in Conflict, referred to in the twentieth preambular paragraph, was not related to United Nations activities.

33. **Mr. Elbahi** (Sudan) said that his delegation had been pleased to join the consensus. While agreeing that ending impunity was of paramount importance, his delegation had reservations about the inclusion in the text of references to the International Criminal Court. It also had reservations about references to any notions, ideas or concepts that had not been agreed upon at the international level. References to the sexual and reproductive health of girls were inappropriate.

34. *Draft resolution A/C.3/69/L.21/Rev.1: Trafficking in women and girls.*

35. **Mr. Khane** (Secretary of the Committee) said that, to implement the activities requested in paragraph 6 of the draft resolution, the United Nations Office on Drugs and Crime (UNODC) would need extrabudgetary resources to be able to continue supporting the Inter-Agency Coordination against Trafficking in Persons (ICAT) secretariat. From 2012 to 2014, UNODC had received \$600,000 as an earmarked contribution to support its coordinating role in ICAT and to produce five thematic papers that would inform policy, as well as technical assistance activities from a coordinated inter-agency perspective. To sustain its activities and respond to the new request, UNODC would require additional extrabudgetary resources in the amount of \$229,100 to provide for: one professional post at the P-2 level for 12 months to staff the ICAT secretariat and support ICAT activities towards the implementation of the Global Plan of Action (\$129,100); three two-day missions within Europe to undertake consultations with other ICAT members (\$6,000); two ICAT Working Group meetings (\$24,000); and translation of two ICAT policy papers on trafficking in persons from English to the other five United Nations official languages (\$70,000).

36. With regard to the provisions contained in paragraph 41, if UNODC was tasked with the drafting of the report, it was envisaged that additional extrabudgetary resources in the amount of \$71,800

would be required for the report (16 pages in six languages), including two work months of a professional post at the P-4 level for the preparation of the report (\$32,700). Should the additional extrabudgetary resources not be made available, the activities would not take place. Accordingly, adoption of draft resolution [A/C.3/69/L.21/Rev.1](#) would not give rise to any additional implications under the programme budget for the biennium 2014-2015 and the proposed programme budget for the biennium 2016-2017.

37. **Mr. Cabactulan** (Philippines) said that Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, India, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Maldives, Malta, Mexico, Netherlands, Portugal, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Thailand, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America had joined the sponsors.

38. In the text of the draft resolution, Governments were urged to ensure that the prevention of and responses to trafficking in persons continued to take into account the specific needs of women and girls. Note was taken of the adoption by the International Labour Conference of the Protocol to the Forced Labour Convention, 1930, and the Recommendation on Supplementary Measures for the Effective Suppression of Forced Labour, 2014, which was timely given that the 2014 Global Report on Trafficking in Persons had found that trafficking for forced labour was increasing. Raising awareness about trafficking in women and girls was a focus of the draft resolution. For the first time, there was recognition of the heightened vulnerability of women and girls in humanitarian crises, including in conflict and post-conflict environments. Governments were called on to intensify efforts to eliminate the demand that fostered trafficking. With regard to the post-2015 development agenda, his delegation noted with appreciation the reference to ensuring gender equality and the empowerment of all women and girls.

39. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Argentina, Bosnia and Herzegovina, Brazil, Burundi, Dominican Republic, Ecuador, El Salvador, Lebanon, Liberia, Madagascar, Monaco, Montenegro, Morocco, Nicaragua, Nigeria, Norway, Panama, San Marino, Senegal, Serbia, Sierra

Leone, Tunisia, Turkey, Uganda and Ukraine had joined the sponsors.

40. *Draft resolution [A/C.3/69/L.21/Rev.1](#) was adopted.*

41. **Mr. Elbahi** (Sudan) said that his country was pleased to join the consensus on the draft resolution and appreciated the inclusion of a paragraph on the Regional Ministerial Conference on Human Trafficking and Smuggling in the Horn of Africa that had taken place in the Sudan. However, it maintained its position on the reference to the International Criminal Court in the preambular paragraphs.

Agenda item 61: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) ([A/C.3/69/L.60](#))

Draft resolution [A/C.3/69/L.60: Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees](#)

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

43. **Mr. Khane** (Secretary of the Committee) said that Cameroon and Timor-Leste had joined the sponsors.

44. **Ms. Smolicic** (Uruguay), introducing the draft resolution, reiterated the sponsors' commitment to cooperating fully with the United Nations High Commissioner for Refugees on work related to the situation of refugees and internally displaced persons at all levels in accordance with international standards. In that connection, she recalled Economic and Social Council decision 2014/242 of 16 July 2014.

45. **Mr. Khane** (Secretary of the Committee) said that Egypt and Nigeria had joined the sponsors.

46. *Draft resolution [A/C.3/69/L.60](#) was adopted.*

47. **Ms. Mammadova** (Azerbaijan) said that her country attached great importance to the work of the Office of the United Nations High Commissioner for Refugees (UNHCR) and supported the decision to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees. Executive Committee member States should have full respect for and be committed to the protection of the rights of refugees, as well as to the mandate of UNHCR. Her delegation supported the candidatures of Chad, Georgia and Uruguay to the Executive Committee. However, it expressed concern and reservation with the

admission of a State whose policy of aggression and occupation, which had led to the appearance of 1 million refugees and internally displaced persons in Azerbaijan, was well documented by the United Nations. Azerbaijan strongly believed that a country that continued to violate the rights of refugees and deny their right to return was ill-positioned and ill-qualified to advise on norms for the international protection of refugees. It therefore disassociated itself from the consensus on the admission of Armenia to the Executive Committee.

48. **Mr. Sargsyan** (Armenia) said that, as a party to the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees, his country had maintained its commitment to the aims of UNCHR. Azerbaijan had no political, legal, humanitarian or moral right to blame Armenia for its problems with refugees and internally displaced persons. It was Azerbaijan that had unleashed a full-scale war on Armenia more than two decades previously, forcing hundreds of thousands of people to quit their homes and become refugees and internally displaced persons. The military aggression undertaken by Azerbaijan had led to unpredictable consequences for that State. Armenia had not opposed Azerbaijan's application for membership of the Executive Committee.

49. His delegation strongly believed that the primary responsibility for assisting refugees and internally displaced persons rested with national Governments. However, if a Government was unwilling or unable to provide aid, the international humanitarian community must step in. The international community should also condemn all attempts to politicize the issue at national and international level and should denounce Azerbaijan's practice of distorting facts and exaggerating figures on refugees and internally displaced persons.

50. Had the leadership of Azerbaijan been sincere about finding solutions for its refugees and internally displaced persons, it would have done so in the past two decades and would have channelled its budget towards permanently resolving the issue. Azerbaijan had instead decided to use its budget to purchase extremely large quantities of arms and military hardware. Armenia had never politicized the issue, but had concentrated on finding sustainable solutions for its affected population. With the recent influx of refugees from the Syrian Arab Republic, the Government of Armenia had spared no efforts to meet their needs, drafting and adopting a comprehensive

action plan in 2013. Armenia called on the delegation concerned to cease its showcasing of propaganda and to engage positively in discussions in the Third Committee.

Agenda item 64: Promotion and protection of the rights of children (*continued*)

(a) Promotion and protection of the rights of children (*continued*) ([A/C.3/69/L.25/Rev.1](#))

Draft resolution [A/C.3/69/L.25/Rev.1](#): Protecting children from bullying

51. **Mr. Khane** (Secretary of the Committee) said that it was anticipated that the request for documentation contained in paragraph 4 of the draft resolution would constitute an addition to the documentation workload of the Department of General Assembly and Conference Management of one document of 8,500 words to be issued in all six official languages, which would entail an additional requirement in the amount of \$50,900 for documentation services in 2016. Accordingly, should the General Assembly adopt the draft resolution, an additional requirement of \$50,900 under section 2, General Assembly and Economic and Social Council affairs and conference management, would be included in the proposed programme budget for the biennium 2016-2017.

52. **The Chair**, at the request of **Ms. Diaz Gras** (Mexico), suggested that consideration of the item should be postponed until the 52nd meeting.

53. *It was so decided.*

Agenda item 68: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) ([A/C.3/69/L.34](#), [A/C.3/69/L.38](#), [A/C.3/69/L.39/Rev.1](#), [A/C.3/69/L.40/Rev.1](#), [A/C.3/69/L.44](#), [A/C.3/69/L.45](#) and [A/C.3/69/L.46](#))

Draft resolution [A/C.3/69/L.34](#): International Convention for the Protection of All Persons from Enforced Disappearance

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

55. **Mr. Fernandez Valoni** (Argentina), speaking also on behalf of France and Morocco, said that Antigua and Barbuda, Azerbaijan, Belize, Burkina Faso, Cambodia, Cameroon, Comoros, Eritrea, Gabon, Iraq, Jordan, Kazakhstan, Lebanon, Lesotho, Madagascar, Malawi, Mali, Nicaragua, Niger, Nigeria, New Zealand, Palau, Peru, Saint Lucia, Saint Vincent and the Grenadines, the former Yugoslav Republic of Macedonia, Togo, Uganda, Vanuatu and Zambia had joined the sponsors.

56. The sponsors were confident that more States would respond during the current session to the call in the draft resolution to ratify the International Convention for the Protection of All Persons from Enforced Disappearance. The resolution was the first binding international instrument devoted to that issue and would make an important contribution to the realization of human rights by shedding light on the existence of that form of State violence, putting an end to impunity and promoting and protecting the human rights of all persons. Significantly, it recognized that the systematic practice of forced disappearance could be a crime against humanity. The text also reaffirmed victims' rights to truth, justice and reparation. Adopting the draft resolution would fill a gap in international law by establishing an obligation for States to investigate and punish those responsible for such crimes, thereby serving as a guarantee of non-recurrence. He also drew attention to the thirteenth preambular paragraph and paragraphs 4, 6 and 8.

57. **Mr. Khane** (Secretary of the Committee) said that Côte d'Ivoire, Maldives, Montenegro and Trinidad and Tobago had joined the sponsors.

58. *Draft resolution A/C.3/69/L.34 was adopted.*

Draft resolution A/C.3/69/L.38: Globalization and its impact on the full enjoyment of all human rights

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

60. *Ms. Mesquita Borges (Timor-Leste) resumed the Chair.*

61. **Mr. Mattar** (Egypt) said that Antigua and Barbuda, Haiti, Kenya, Philippines, Uganda and Uzbekistan had joined the sponsors. The fact that 82 Member States had sponsored the draft resolution proved that there was wide recognition of the fact that the international community was faced with

tremendous challenges and opportunities on account of globalization. Unfortunately, the distribution of those opportunities and the exacerbation of those challenges did not favour developing countries and consequently affected their ability to promote and protect human rights and fundamental freedoms. The draft resolution envisaged, inter alia, the need to address some of the crucial challenges faced by developing countries with a view to minimizing the impact of such challenges on national capacity, thus enabling Member States to strengthen efforts and mobilize resources and capacity towards the promotion and protection of all human rights.

62. **Mr. Khane** (Secretary of the Committee) said that Equatorial Guinea and Honduras had joined the sponsors.

63. **The Chair** said that a recorded vote had been requested on draft resolution [A/C.3/69/L.38](#).

64. **Mr. Sfregola** (Italy), speaking on behalf of the European Union and its member States, said that globalization should be considered in a much more comprehensive manner. Although globalization had implications for the full enjoyment of human rights, there were certain human rights and fundamental freedoms that could not be perceived as being affected by that process. The impact of globalization in the human rights context should therefore be assessed on a case-by-case basis. The European Union could not support the draft resolution's generalization of a complex issue and its assertion that globalization had an impact on all human rights. Furthermore, the draft resolution regrettably concentrated almost exclusively on the negative aspects of globalization and failed to take note of the positive ones. Globalization could offer means to tackle the most acute problems facing the international community. The European Union would therefore welcome a more balanced approach to that very complex issue. The member States would vote against the draft resolution and called on other delegations to do the same.

65. *A recorded vote was taken on draft resolution A/C.3/69/L.38.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde,

Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Papua New Guinea.

66. Draft resolution [A/C.3/69/L.38](#) was adopted by 128 votes to 53, with 1 abstention.

Draft resolution A/C.3/69/L.39/Rev.1: Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

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

68. **Ms. Abdulbaqi** (Saudi Arabia), speaking on behalf of the Organization of Islamic Cooperation, said that Australia, New Zealand and Uruguay had joined the sponsors. New language had been introduced in the seventh and fifteenth preambular paragraphs. The new language would send a clear and positive message of the strong solidarity of the international community in confronting violence and also emphasize the need to address the spread of hate speech against persons on the basis of religion or belief through awareness-raising. Agreement had also been reached on outstanding concerns regarding the twenty-third and twenty-fifth preambular paragraphs.

69. **Mr. Khane** (Secretary of the Committee) announced that Ghana had joined the sponsors.

70. **Ms. Gatto** (Italy), speaking on behalf of the States members of the European Union, said that the European Union viewed the resolution as a call to States to respond to acts of intolerance and discrimination with full respect for international human rights law. The international community must consolidate its collective response to counter those who sought to use religion as an instrument for sowing division, intolerance, extremism and violence. Any restrictions on freedom of expression, which was a key tool for combating religious discrimination, hatred and violence, could undermine efforts to combat intolerance and should be imposed with sensitivity and in accordance with article 19 of the International Covenant on Civil and Political Rights; such restrictions should not be a pretext for arbitrary or discriminatory limitations of fundamental rights.

71. States, regional organizations, non-governmental organizations, religious entities and the media all had key roles to play in facilitating the interreligious or intercultural dialogue that was crucial for combating religious hatred and its manifestations. Cultural diversity or religious traditions must not, however, be invoked as grounds for curtailing human rights guaranteed under international law.

72. Religious hatred was primarily a threat at the local and national levels, and States were primarily responsible for protecting the rights and freedoms of members of religious minorities and communities. All persons should be able to enjoy their human right to practice their religion or belief, irrespective of whether they were members of a minority or a majority, and to worship freely, without fear of intolerance expressed through violent attacks. The European Union condemned attacks on religious sites as violations of international law.

73. The European Union would continue its efforts to combat all intolerance that infringed on the human rights of others. It was in the light of that understanding that the European Union joined the consensus on draft resolution [A/C.3/69/L.39/Rev.1](#).

74. *Draft resolution [A/C.3/69/L.39/Rev.1](#) was adopted.*

75. **Mr. Nina** (Albania) said that his delegation was pleased to join the consensus on the resolution, but was deeply concerned by the increase in violence and intolerance based on religion or belief and saddened by the reports of the systematic mass persecution of religious minorities that was effectively a crime against humanity. Efforts should now focus on converting the provisions of the resolution into reality.

Draft resolution [A/C.3/69/L.40/Rev.1](#): Freedom of religion or belief

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

77. **Mr. Sfregola** (Italy), speaking on behalf of the States members of the European Union and introducing draft resolution [A/C.3/69/L.40/Rev.1](#), said that Brazil, Costa Rica, Guatemala, Thailand, Turkey and Ukraine had joined the sponsors. It was emphasized in the text that all persons were free to choose and change their religion or belief or not to have one. Concerns about discrimination and violence based on religion and belief were highlighted and the need to protect religious minorities from criminal acts was reaffirmed. The Special Rapporteur on freedom of religion or belief was asked to submit an interim report to the General Assembly at its seventieth session. With regard to paragraph 14 (c), the sponsors wished to make an oral revision by adding the wording “and to ensure that no one is subjected to torture, or other cruel, inhuman or degrading treatment or punishment, or arbitrary arrest or detention on that account, and to bring to

justice all perpetrators of violations of these rights” at the end of that paragraph.

78. **Mr. Khane** (Secretary of the Committee) announced that Albania, Ecuador and Monaco had joined the sponsors.

79. *Draft resolution [A/C.3/69/L.40/Rev.1](#), as orally revised, was adopted.*

80. **Ms. Abdulbaqi** (Saudi Arabia), speaking on behalf of the Organization of Islamic Cooperation (OIC), said that OIC was pleased to join the consensus in the conviction that the subject required the firm commitment of all Member States. Thanks to the flexibility shown by the European Union and the constructive engagement of delegations in the discussion of the wording of certain paragraphs, resolution [A/C.3/69/L.40/Rev.1](#), like resolution [A/C.3/69/L.39/Rev.1](#), had been adopted by consensus.

Draft resolution [A/C.3/69/L.44](#): Enhancement of cooperation in the field of human rights

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

82. **Mr. Khane** (Secretary of the Committee) announced that El Salvador had joined the sponsors.

83. **Ms. Moreno Guerra** (Cuba), speaking on behalf of the Working Group on Human Rights of the Movement of Non-Aligned Countries and introducing the draft resolution, proposed an oral revision comprising the addition of the words “cooperation and genuine dialogue” in paragraph 7 so that it would read “Reaffirms that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, cooperation and genuine dialogue, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter” and the addition of a new paragraph thereafter stating “Emphasizes the need for cooperative approach of all stakeholders to resolving human rights issues in international fora.” The sponsors also proposed substituting the word “genuine” for the word “constructive” in paragraph 13.

84. *Draft resolution [A/C.3/69/L.44](#), as orally revised, was adopted.*

85. **Ms. Robl** (United States of America) said that her delegation was pleased to join the consensus on the

resolution in recognition of the importance of cooperation and dialogue in promoting and protecting human rights. Her delegation understood the new wording regarding the need for a cooperative approach as a call for States subject to United Nations resolutions on human rights to cooperate with United Nations human rights mechanisms, including the special procedures of the Human Rights Council, and as recognition of the role played by non-governmental organizations in raising awareness of critical human rights concerns.

Draft resolution A/C.3/69/L.45: Human rights and unilateral coercive measures

86. **Ms. Moreno Guerra** (Cuba), introducing draft resolution [A/C.3/69/L.45](#) on behalf of the Working Group on Human Rights of the Non-Aligned Movement, said that the sponsors had proposed a number of revisions. The text of paragraph 3 should be deleted and replaced with “Condemns the inclusion of Member States in unilateral lists under false pretexts which are contrary to international law and the United Nations Charter, including false allegations of terrorism sponsorship, considering such lists as instruments for political or economic pressure against Member States, particularly developing countries”. In paragraph 16, the word “Welcomes” should be replaced with “Recognizes” and the following text should be added at the end “and supports the realization of this mandate, as established by the Human Rights Council in its resolution 27/21 of 26 September 2014”.

87. A new paragraph 16 bis should read “Request the Secretary General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur,”. The text of paragraph 21 should be deleted and replaced with “Request the Special Rapporteur to submit to the General Assembly at its seventieth session an interim report on the implementation of the present resolution and on the negative impact of unilateral coercive measures on the full enjoyment of human rights”. A new paragraph 21 bis should read “Invites Governments to cooperate fully with the Special Rapporteur in the fulfilment of her or his mandate, inter alia, through the submission of comments and suggestions on the implications and negative effects of unilateral coercive measures on the full enjoyment of human rights”.

88. **The Chair** suggested that action on draft resolution [A/C.3/69/L.45](#), as orally revised, should be postponed until the 52nd meeting of the Committee to allow the Secretariat time to determine whether the oral revision had programme budget implications.

89. *It was so decided.*

Draft resolution A/C.3/69/L.46: The right to development

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

91. **Ms. Moreno Guerra** (Cuba), introducing the draft resolution on behalf of the Working Group on Human Rights of the Non-Aligned Movement, said that the sponsors wished to orally revise the draft resolution. In the tenth preambular paragraph, the word “substantial” should be inserted before “progress”, and the word “undeniably” should be deleted. In the twenty-second preambular paragraph, “inter alia” should be inserted. The twenty-fourth preambular paragraph should be deleted and replaced with two new paragraphs that should read: “Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated” and “Emphasizing that the right to development should be central to the post-2015 development agenda”.

92. In paragraph 22, the word “ongoing” should be removed and a new paragraph 23 bis should be inserted, reading “notes with concern that some developing countries will fail to meet the deadline of 2015 to achieve the Millennium Development Goals and in this regard invites Member States and the international community to proactively take measures aimed at creating a conducive environment to contribute to meeting the targets set in the Millennium Development Goals and to allow for the effective implementation of the post-2015 development agenda.”

93. **Mr. Khane** (Secretary of the Committee) announced that El Salvador had joined the sponsors and that the oral revision had no programme budget implications.

94. **Ms. Vadiati** (Islamic Republic of Iran), speaking on behalf of the States members of the Non-Aligned Movement, said that the full realization of the right to development and the right of peoples under foreign occupation and colonial domination to self-

determination, together with respect for sovereignty and territorial integrity of Member States, non-interference in their internal affairs, prevention of violence and promotion of non-violence, were all fundamental for promoting a culture of peace and developing friendly relations among nations. The objective of the draft resolution was to make the right to development a reality for all, and the Non-Aligned Movement had decided that year to give due consideration to the negative impact of unilateral economic and financial coercive measures on the realization of that right.

95. International financial and economic crises severely affected the economies of the developing countries and hence the right to development in particular. Such crises must be addressed with action to promote sustained economic growth and sustainable development and eradicate poverty. The drafting of the post-2015 development agenda was a crucial moment in the work of the United Nations. As the Secretary-General and the High Commissioner for Human Rights had reiterated on various occasions, the right to development must be at the heart of the new development framework. The Non-Aligned Movement urged the United Nations human rights machinery to ensure the operationalization of that right, including through the elaboration of a convention on the right to development. The right to development must be mainstreamed in the policies and activities of all United Nations bodies and in the strategies of international financial and multilateral trading systems.

96. The draft resolution was a genuine attempt to fulfil the aspirations of all the peoples of the States members of the Movement for development and prosperity, and the Movement appreciated the constructive engagement of the majority of delegations, including the European Union, during the negotiation process. It was regrettable that that some delegations had decided to put the text to a vote.

97. **Mr. Lambertini** (Italy), speaking on behalf of the States members of the European Union, said that since it was important not to prejudge the outcome of the negotiations of the post-2015 development agenda, the European Union would have preferred non-prescriptive language to have been used in the revised paragraphs, so that the international community would have been invited to give due attention to the issue in question in the elaboration of the post-2015

development agenda, as had been done in other resolutions.

98. **The Chair** said that the delegation of the United States of America had requested a recorded vote on draft resolution [A/C.3/69/L.46](#), as orally revised.

99. **Ms. Robl** (United States of America), speaking in explanation of vote before the vote, said that the United States of America took a holistic approach to human rights, democracy and development with a view to making universal respect for human rights a reality. Indeed, the promotion and protection of individual human rights greatly fostered development. Her Government agreed, in line with the spirit of the draft resolution, that economic development goals must be pursued in such a way that the development and environmental needs of present and future generations were taken into account. Nevertheless, the United States had called for a recorded vote and would vote against the draft resolution because of concerns about the so-called right to development. In addition, the text included unrelated material on controversial topics, some of which were being addressed elsewhere.

100. The United States could not accept language that contemplated an international legal standard of a binding nature. Also, the resolution did not address her Government's fundamental concern that discussion of the right to development must focus on aspects of development that related to the universal rights held by individuals, including civil and political, as well as economic, social, and cultural, rights. Her delegation was further disappointed that the resolution did not reflect proposals to incorporate operational elements into the discussion of the Human Rights Council's open-ended working group on the Right to Development, including expert guidance from civil society and the private sector. The working group should consider the criteria and sub-criteria elaborated by the high level task force, which were essential, not for ranking or criticizing countries, but for analysis and evaluation and identifying how to improve the situation of individuals and communities.

101. *At the request of the United States of America, a recorded vote was taken on draft resolution [A/C.3/69/L.46](#), as orally revised.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia

and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovenia, Solomon Islands, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Australia, Belgium, Bulgaria, Central African Republic, Chad, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Iceland, Japan, Latvia, Lithuania, Netherlands, New Zealand, Norway, Poland, Republic of Korea, Republic of Moldova, Romania, Slovakia, Sweden, Ukraine.

Draft resolution A/C.3/69/L.46, as orally revised, was adopted by 148 votes to 4, with 27 abstentions.

102. **Mr. Holtz** (United Kingdom) said that his delegation viewed the right to development as an

integral part of the human rights framework. The United Kingdom remained a major donor of overseas development assistance, and was the only member of the Group of 20 to fulfil its commitment to donate 0.7 per cent of its gross domestic product to such assistance.

103. The United Kingdom welcomed the suggested improvements to the text incorporated by Cuba, but remained concerned by the references to the post-2015 development agenda. The outcome of the discussions of that agenda should not be prejudged and the right to development should not be a central theme in that context.

104. It was the responsibility of States to create the conditions for the realization of the right to development. The lack of development in a particular country should not be used as a pretext for curtailing internationally recognized human rights, including political and civil rights. Under the human rights treaties, individual States were responsible for protecting their citizens and developing their societies. There was no equivalent obligation between States.

105. The United Kingdom would continue to engage constructively with the open-ended working group on the right to development, whose work did not, however, imply the pursuit of an international legal standard of a binding nature. The right to development should evolve on a consensual basis, without politicization, and should be built on the promotion and respect for civil, political, economic and cultural rights. For those reasons, the United Kingdom had voted against the draft resolution.

106. **Ms. Churchill-Smith** (Canada) said that her delegation viewed the right to development as an important bridge between all human rights and supported the concept of the right to development that placed the individual at its core. Her delegation had serious concerns, however, about any consideration of a legally binding instrument on the right to development. It would be better for the international community to focus on strengthening existing initiatives and developing and sharing best practices rather than on creating new legal obligations. Prejudging the outcome of the negotiations on the post-2015 development agenda should also be avoided, and Canada rejected any inference that the implementation of that agenda might entail a right to development assistance.

The meeting rose at 1 p.m.