



# General Assembly

Sixty-ninth session

Official Records

Distr.: General  
16 January 2015

Original: English

---

## Third Committee

### Summary record of the 53rd meeting

Held at Headquarters, New York, on Tuesday, 25 November 2014, at 10 a.m.

*Chair:* Ms. Mesquita Borges . . . . . (Timor-Leste)

## Contents

Agenda item 26: Social development (*continued*)

(c) Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (*continued*)

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

(a) Advancement of women (*continued*)

(b) Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly (*continued*)

Agenda item 63: Report of the Human Rights Council (*continued*)

Agenda item 65: Rights of indigenous peoples

(a) Rights of indigenous peoples

Agenda item 67: Right of peoples to self-determination (*continued*)

---

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Control Unit (srcorrections@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org/>).

14-65597 (E)



Please recycle



*The meeting was called to order at 10.15 a.m.*

**Agenda item 26: Social development** (*continued*)

**(c) Follow-up to the International Year of Older Persons: Second World Assembly on Ageing**  
(*continued*) (A/C.3/69/L.14/Rev.2)

*Draft resolution A/C.3/69/L.14/Rev.2: Follow-up to the Second World Assembly on Ageing*

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

2. **Ms. Sabja** (Plurinational State of Bolivia), introducing the draft resolution on behalf of the Group of 77 and China, as well as Turkey, said that Liechtenstein, Mexico, New Zealand, Republic of Korea and Slovenia had joined the sponsors. She made a number of oral revisions to the text. In paragraph 47, the phrase “proposals and practical measures” should be replaced by the phrase “proposals, practical measures, best practices and lessons learned”. In paragraph 48, the word “present” should be replaced by the word “submit” and the words “report containing a” should be deleted. The draft resolution called on States to address discrimination against older persons and to continue to contribute to the work of the Open-ended Working Group on Ageing. It also requested the Secretary-General to provide all necessary support for the sixth working session of the Open-ended Working Group.

3. **Mr. Khane** (Secretary of the Committee) said that Albania, Austria, Bulgaria, Burkina Faso, Croatia, Ireland, Malaysia, Malta, Monaco, Montenegro, Republic of Moldova, San Marino and Slovakia had joined the sponsors.

4. **Mr. Sfregola** (Italy), speaking on behalf of the European Union, said that the European Union placed the situation of older persons very high on its agenda and was fully committed to promoting their human rights. In that spirit, the European Union and its member States had actively participated in all five sessions of the Open-ended Working Group on Ageing. It saw merit in ensuring a coherent discussion within the United Nations on ageing issues and making proper use of existing instruments. It also welcomed the reference made in the draft resolution to the need to ensure that the situation of older women was incorporated across the work of relevant United

Nations entities, including the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

5. The European Union regretted that its proposal to retain the originally agreed language of paragraph 25 had not been heeded.

6. As orally revised, paragraph 47 of the draft resolution called upon Member States to contribute to the work of the Open-ended Working Group by presenting concrete proposals, practical measures, best practices and lessons learned, while in paragraph 48, the Open-ended Working Group was requested to submit to the General Assembly a compilation of the proposals and measures. The European Union noted the selective approach which seemingly omitted best practices and lessons learned from the requested compilation. In that respect, it should be noted that diverging views persisted on the most appropriate way forward with regard to the greater enjoyment of human rights of older persons. Some Member States advocated for a solution by means of a process to establish new norms, while others questioned that solution, asserting that existing human rights standards should be properly implemented in order to address the situation of older persons in any region of the world. There was not yet agreement on whether there were normative gaps in addressing the issue. The European Union therefore expected that the compilation would be approached in a transparent and consensual manner and would objectively reflect the full range of views expressed during the next session of the Working Group.

7. *Draft resolution A/C.3/69/L.14/Rev.2, as orally revised, was adopted.*

8. **Mr. Dempsey** (Canada) said that Canada welcomed the opportunity to reaffirm the importance of the human rights of older persons. It actively participated in the Open-ended Working Group on Ageing and sought to implement the Madrid International Plan of Action on Ageing. It had also been working to mainstream and promote the rights of older persons within the United Nations system. Overall, it was pleased with the comprehensiveness of the draft resolution, which reflected the global nature of the ageing population and the concerted action needed to address the issue.

9. However, Canada urged the Open-ended Working Group and its bureau to be mindful of the diversity of views among participating members when drafting the report proposed in paragraph 48 of the draft resolution. It was hoped that the report would move past the polarized debate around the necessity of a convention and consider concrete and readily available options for strengthening the rights of older persons. Such a report could help clarify the manner in which Member States, United Nations entities, special procedures mandate holders, treaty bodies and civil society could work together to address the human rights abuses brought to the attention of the Third Committee and the broader international community by the Open-ended Working Group.

10. **Mr. Nina** (Albania) said that Albania was committed to safeguarding the dignity and well-being of older persons and had participated in all sessions of the Open-ended Working Group on Ageing. While his delegation appreciated the efforts of the facilitator to include various proposals in the draft resolution, it was disappointed that important proposals from several delegations had not been incorporated. The compilation requested from the Open-ended Working Group in paragraph 48 of the draft resolution should be a transparent, objective and consensual document and should include the views of all delegations. Albania would participate in the next session of the Open-ended Working Group and promote constructive discussion of policies and actions towards strengthening the protection of the human rights of older persons.

11. **Mr. Hisajima** (Japan) said that his delegation had joined the consensus on the draft resolution and agreed with its goals. With regard to paragraphs 47 and 48, it should be noted that there were still different positions among Member States as to how to proceed with the Open-ended Working Group on Ageing. The gaps between the existing human rights framework and the actual challenges older persons were facing should be resolved, and best use should be made of the existing framework. The compilation referred to in paragraph 48 should accurately include the views of all Member States and be produced on the basis of consensus.

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

### **(a) Advancement of women** (*continued*) (A/C.3/69/L.22)

*Draft resolution A/C.3/69/L.22: Intensifying global efforts for the elimination of female genital mutilations*

12. **Mr. Khane** (Secretary of the Committee) said that Georgia, Kazakhstan and Lebanon had joined the sponsors.

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

14. **Mr. Konate** (Burkina Faso), speaking on behalf of the Group of African States, read out oral revisions to the draft resolution. At the end of the first preambular paragraph, the phrase “and all relevant agreed conclusions of the Commission on the Status of Women” should be added. In the third preambular paragraph, the word “and” should be deleted before “15-year”, and the phrase “and 20-year” should be added before “reviews”. Minor revisions were made to the seventh and eighth preambular paragraphs. The first part of the fifteenth preambular paragraph should be edited to read “Noting with disappointment, in this regard, the continuing need for the information requested by the General Assembly in its resolution 67/146, that was not provided concerning the root causes”. At the end of the sixteenth preambular paragraph, the phrase “and is often on the rise for migrant women and girls,” should be added.

15. After the seventeenth preambular paragraph, a new preambular paragraph should be inserted, reading: “Recalling its resolution 68/309 of 10 September 2014, on the report of the Open Working Group on Sustainable Development Goals, by which it decided that the proposal of the Open Working Group contained in the report shall be the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered, in the intergovernmental negotiations process at the sixty-ninth session of the General Assembly, noting that the report integrates the importance of the elimination of all harmful practices to women and girls, including female genital mutilation”.

16. Continuing with the oral revisions, he said that in paragraph 2, the word “enhance” should be replaced by the phrase “place a stronger focus on the development of comprehensive prevention strategies including the

enhancement of educational campaigns”, and “women and” should be added after “negatively affect”. In paragraph 3, “local” should be added before “community and religious leaders”, and “norms and” should be added after “to end discriminatory social”. In paragraph 4, “especially through education campaigns,” should be added after “to take all necessary measures”, and “end impunity” should be replaced by “hold perpetrators to account”. In paragraph 5, “explore other remedies as appropriate and” should be inserted before “to take measures to improve their health”. A minor revision was made to paragraph 6.

17. After the word “practice”, the second part of paragraph 7 should read “and to provide women and girls with a coordinated, specialized, accessible quality multisectoral prevention and response which includes education as well as legal, psychological, health care and social services provided by qualified personnel, consistent with guidelines of medical ethics”. In paragraph 8, after the phrase “multidisciplinary in scope”, a comma should be added, followed by “include projected timelines for goals, and incorporate clear targets and indicators for the effective monitoring, impact assessment and coordination of programmes among all relevant stakeholders, and to promote their participation, including affected groups, practising communities, non-governmental organizations, in development, implementation and evaluation of such policies and strategies”. At the end of paragraph 14, after “practice”, a comma and the phrase “and reinforce the sharing of good practices relating to the prevention and abandonment of the practice at the sub-regional and regional levels” should be added. In paragraph 23, “and analysis” should be added after “improve the collection”, and the phrase “and where appropriate, to collaborate with existing data collection systems,” should be added after “qualitative data”.

18. Lastly, paragraph 24 should be replaced with the following text: “Acknowledges that intensifying efforts for the elimination of female genital mutilations is needed, and in this regard, the importance of giving the issue due consideration in the elaboration of the post-2015 development agenda”.

19. He announced that Argentina, Australia, Canada, Chile, Colombia, Cuba, Cyprus, El Salvador, Hungary, Italy, Japan, Jordan, Maldives, Malta, Monaco, New Zealand, Paraguay, Peru, Philippines, Poland, Republic

of Korea, Sweden, Switzerland, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela (Bolivarian Republic of) had joined the sponsors.

20. *The meeting was suspended at 10.55 a.m. and resumed at 11 a.m.*

21. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Chad, China, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Montenegro, Netherlands, Norway, Panama, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Timor-Leste and Ukraine had joined the sponsors.

22. *Draft resolution A/C.3/69/L.22, as orally revised, was adopted.*

23. **Mr. Konate** (Burkina Faso), speaking on behalf of the Group of African States, said that Member States could take collective measures to end the abhorrent practice of female genital mutilation, which negatively affected the lives and health of girls across the world.

24. **Mr. Sfregola** (Italy), speaking on behalf of the European Union, said that the draft resolution confirmed the full commitment of the international community to eliminate female genital mutilation. The European Union had always been a strong advocate of that objective and would ensure that there was real progress on the ground. The draft resolution was not an end in itself, but was a critical instrument in achieving the common goal of ensuring that girls were not subjected to female genital mutilation. Thanks to United Nations agencies, in particular the United Nations Children’s Fund (UNICEF), the United Nations Population Fund (UNFPA) and UN-Women, progress had been made in understanding the social dynamics underpinning the practice. In that regard, the States members of the European Union would have preferred more balanced language to be used in the fifteenth preambular paragraph. They encouraged Member States to respond to the Secretary-General’s request for information to examine further the root causes of the practice. The European Union confirmed its strong commitment to supporting programmes aimed at eliminating female genital mutilation and strongly welcomed the reference in the draft resolution

to specific timelines for goals and national plans. It remained fully committed to furthering those efforts, including through global advocacy and support for awareness-raising and educational campaigns.

25. **Ms. Larsen** (Norway), speaking also on behalf of Denmark, Estonia, Finland, Iceland, Liechtenstein, New Zealand, Sweden and Switzerland, said that ending female genital mutilation was an important priority of those States, and they strongly supported the aim of the draft resolution. Female genital mutilation violated the principles of equality and non-discrimination on the basis of sex; the right to freedom from torture or cruel, inhuman or degrading treatment or punishment; the right to the highest attainable standard of health; the rights of the child; the right to physical and mental integrity; and the right to life. The practice was often motivated by beliefs about what was considered proper sexual behaviour. One of the fundamental principles in the fight against female genital mutilation was the right of women and girls to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination and violence.

26. While supporting the main objective of the draft resolution, those States expressed regret at the wording of the fifteenth preambular paragraph. Criticizing the Secretariat was not the best way to ensure that information was provided in a timely manner. In that regard, they called on all Member States to submit reports to the Secretary-General when requested.

**(b) Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly** (continued) (A/C.3/69/L.67)

*Draft resolution A/C.3/69/L.67: Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly*

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

28. **Ms. Nilsson** (Sweden) said that the updated text of the draft resolution highlighted the importance of gender equality and the empowerment of women and reflected recent developments and ongoing processes in the United Nations context, especially in respect of

the preparations for the twentieth anniversary of the Fourth World Conference on Women.

29. *Draft resolution A/C.3/69/L.67 was adopted.*

30. **The Chair** suggested that, in accordance with General Assembly decision 55/488, the Committee should take note of the note by the Secretary-General transmitting the summary report of the Office of the United Nations High Commissioner for Human Rights on the panel discussions on gender stereotyping and on women's human rights in the context of the sustainable development agenda (A/69/369).

31. *It was so decided.*

**Agenda item 63: Report of the Human Rights Council** (continued) (A/C.3/69/L.65)

*Draft resolution A/C.3/69/L.65: Report of the Human Rights Council*

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

33. **Ms. Kadra Ahmed Hassan** (Djibouti), speaking on behalf of the Group of African States, read out oral amendments. The phrase "having considered the recommendations contained in the report of the Human Rights Council" should be added to the end of the third preambular paragraph and paragraph 2 should be deleted.

34. The Group attached importance to General Assembly resolution 60/251 and the resulting institution-building package that had served as the foundation of the Human Rights Council and its mandate. It was imperative for the Human Rights Council, as a subsidiary body of the General Assembly, to report on an annual basis to the Assembly. In that regard, the Group remained committed to ensuring that the provisions of paragraphs 5 (c), 5 (i) and 5 (j) of resolution 60/251 were implemented. Developments in the Human Rights Council, including the adoption of a constructive, cooperative approach, had contributed to furnishing a suitable foundation to overcome past obstacles to consolidating universal respect for human rights and fundamental freedoms.

35. The objective of the draft resolution was to take note of the report of the Human Rights Council and its addendum (A/69/53 and A/69/53/Add.1), which contained recommendations of the upmost importance to many Member States. The principles of

non-discrimination and equality were cross-cutting principles in efforts for the full realization of human rights and fundamental freedoms for all. The Group attached great importance to the principles underpinning the Human Rights Council mandate, particularly the principle of cooperation and genuine dialogue aimed at strengthening the capacity of Member States to comply with their human rights obligations. It was incumbent on the Council to ground its work firmly on universality, objectivity and non-selectivity in the consideration of human rights issues. The Group of African States had introduced the draft resolution to express its continuous support for the important work of the Council and looked forward to the adoption of the draft resolution by consensus, which would provide a message of strong support to the Council.

36. **Mr. Khane** (Secretary of the Committee) said that the Russian Federation had joined the sponsors.

37. **Ms. Belskaya** (Belarus) said that the Human Rights Council was increasingly becoming a platform for confrontation among certain countries in the human rights context. It was worrying that more and more decisions on fundamental human rights issues were being adopted by the Council by vote, including decisions to determine the mandates of many of the special procedures. The Council's voting mechanism, whereby a dubious majority was formed because some States preferred not to reveal their position openly, to abstain or not to vote at all, was used to promote so-called standards and piecemeal approaches, which all States were then bound to follow. As a result, there was an atmosphere of politicization, polarization and confrontation within the United Nations on human rights issues. The voting mechanism was used to hinder or block decisions that forced developed countries to take into account the needs, interests and priorities of developing countries, above all in the areas of socioeconomic rights, development and capacity-building in the human rights context.

38. Furthermore, the Human Rights Council issued country-specific resolutions, which certain countries used to further their own political and economic interests. Politicization and pressure on States that did not join the consensus were evident in the working methods of the Council, undermining the principles of equal dialogue, respect for national sovereignty and non-discrimination in the consideration of country situations, as well as trust in the Council.

39. Given that the draft resolution contained a decision that was contrary to the fundamental principles of international cooperation and friendly relations between States, Belarus was compelled to request a recorded vote on the proposal and intended to vote against it.

40. **The Chair** announced that a recorded vote had been requested on draft resolution A/C.3/69/L.65.

41. **Mr. Israeli** (Israel) said that, since its inception in 2006, the Human Rights Council had become another platform for nations to demonize Israel, which was the only democracy in the Middle East. Israel had been the target of more Human Rights Council resolutions than all other Member States combined. By persistently focusing its criticism on Israel rather than on the world's real human rights abusers, the Council had diminished its credibility. During its special session held on 23 July 2014, Cuba, the Islamic Republic of Iran, Saudi Arabia, the Sudan, the Syrian Arab Republic and the Bolivarian Republic of Venezuela had been among the most vocal critics of Israel; those were also the same nations that routinely marginalized women, abused minorities, executed political opponents and tortured human rights defenders. Seven of the Human Rights Council special sessions had irrationally targeted Israel, a nation that had gone to extraordinary lengths to protect and preserve the lives of civilians. At the most recent special session, the Council had gone so far as to pass a resolution establishing a commission of inquiry, the head of which had repeatedly called for the prosecution of Israeli leaders. The resolution condemned Israel for so-called human rights violations in Gaza, but failed to mention the terror organization that was truly responsible for every civilian death and every human rights violation in both Israel and Gaza: Hamas. The Council had ignored the facts that Israel had acted to defend its citizens from thousands of rockets fired by Hamas; that Hamas had built a vast underground maze of terror tunnels to kidnap and murder Israelis; and that Hamas abused its own people by using them as human shields.

42. It was time for the Human Rights Council to set aside its prejudice and abandon its politically motivated and cynical agenda to target Israel. As a democracy, Israel upheld and abided by the rule of law. The Council's accusations served no other purpose than to inflame tensions in the region. For all those reasons, Israel would vote against the draft resolution.

43. **Mr. Sfregola** (Italy), speaking on behalf of the European Union, said that the European Union had concerns about the draft resolution which stemmed from considerations of principle as well as procedure. The Third Committee should consider only individual recommendations contained in the report of the Human Rights Council, not the report as a whole. Delegations that wished to express their views on the work and functioning of the Council should do so during the interactive dialogue in the General Assembly plenary. It was disappointing that the draft resolution disregarded the common understanding of the relationship between the Council and the General Assembly which had been institutionalized as a result of the review of the Council's work. It was also regrettable that there had been no opportunity to discuss the implications of the draft resolution at an open meeting in a timely manner, as many Member States had had questions about the text. For those reasons, the States members of the European Union would abstain from voting.

44. **Ms. Alsaleh** (Syrian Arab Republic) said that the Syrian Arab Republic had participated in the establishment of the Human Rights Council and had always voted in favour of its decisions and resolutions. Although human rights were an integral part of her Government's foreign policy, her delegation regretted the references in the Council's report to the situation in the Syrian Arab Republic. Those were based on incorrect and one-sided media information that reflected the political intentions of certain States that were hostile to the Syrian Government and people. In none of those resolutions had the Council called for an end to the acts of the armed terrorist groups in the Syrian Arab Republic, for the disarmament of those groups or for the States providing them with financial, political and media help to stop doing so. Her delegation would therefore abstain from voting on the draft resolution but maintained its steadfast and principled support for those recommendations in which the Council condemned the Israeli settlements in the occupied Syrian Golan and in Palestine, a just cause that deserved the support of all Member States. She reaffirmed her Government's principled position against interference by any State in the affairs of other States on the pretext of defending human rights. It rejected all country-specific decisions of the Council, such as those targeting Belarus, the Democratic People's Republic of Korea and the Islamic Republic of Iran.

45. **Mr. Sarki** (Nigeria) said that reports of the Human Rights Council should be limited to discussing issues that were universally agreed to be related to human rights and avoid matters that were divisive or controversial, or which could impose obligations that conflicted with the values, culture and legislation of Member States. Unlike the delegations that were exerting pressure on Nigeria because of its opposition to the use of the terms "sexual orientation" and "gender identity", his delegation was not seeking to impose its values on any other. However, it maintained its opposition to certain social behaviours, such as same-sex marriage, that were being referred to as an exercise of human rights, but which were illegal and socially unacceptable in many African countries. His delegation had opposed the inclusion of sexual orientation and gender identity in the agenda of the Human Rights Council since 2006 and would continue to oppose such discussion within the Council and the Third Committee.

46. **Mr. Nuñez Padron** (Cuba) said that his delegation would vote in favour of the draft resolution because it supported the Human Rights Council and would continue to promote constructive dialogue with that body based on the principles of universality, objectivity, impartiality and non-selectivity. However, it was concerned that the Council had come to favour confrontation, coercion and sanctions against sovereign States and called for an end to practices that were selective and politically manipulative. He also said that Israel had long been committing crimes and brutal acts of aggression against the Palestinian people and was therefore not in a position to criticize the human rights records of other Member States.

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

*In favour:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, 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, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana,

Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, 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, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

Belarus, Israel, Tuvalu.

*Abstaining:*

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

48. *Draft resolution A/C.3/69/L.65, as orally revised, was adopted by 115 votes to 3, with 56 abstentions.*

49. **Ms. Loew** (Switzerland), speaking also on behalf of Albania, Iceland, Liechtenstein, New Zealand and Norway, said that those States supported the Human Rights Council but had abstained from the voting because of their procedural concerns. In accordance with the outcome of the review of the work and functioning of the Human Rights Council contained in General Assembly resolution 65/281, it was the

responsibility of the General Assembly plenary to take action on the report of the Council as a whole. For its part, the Third Committee should only consider the Council's individual recommendations. It was regrettable that once again a draft resolution that disregarded the established understanding of the institutional relationship between the Council and the General Assembly had been submitted.

50. **Ms. Ruín** (Costa Rica) said that her delegation disagreed with the negative comments that had been made about the Human Rights Council. The work done by the Council on the basis of decisions by its members should be preserved. As in previous years, Costa Rica had abstained from the voting on the draft resolution on the report of Council because, in accordance with paragraph 5 (j) of General Assembly resolution 60/251 and paragraph 6 of General Assembly resolution 65/281, the report as a whole should be considered by the General Assembly plenary. Delegations' confusion regarding the text of the draft resolution that year highlighted the importance of holding informal consultations prior to the introduction of proposals.

51. **Ms. Burgess** (Canada) said that Canada welcomed the resolutions passed by the Human Rights Council on the elimination of violence against women; child, early and forced marriage; human rights, sexual orientation and gender identity; and freedom of religion or belief. Canada had abstained from the voting because the draft resolution disregarded the consensus that had been reached in the General Committee concerning the division of work between the General Assembly plenary and the Third Committee with regard to the report of the Human Rights Council. Her delegation was also concerned by the Council's disproportionate focus on the situation in the Middle East and the way in which it had singled out one party as being at fault in the Gaza conflict.

52. **Ms. Robl** (United States of America) said that her delegation supported the work of the Human Rights Council on country-specific and thematic issues but saw no benefit in or procedural need for the Third Committee draft resolution on the report of the Council. The United States remained concerned about the Council's disproportionate focus on Israel, including its maintenance of a separate agenda item on Israel, while all other situations were addressed through a more widely applicable agenda item. Despite that systemic problem, the United States was proud of



the efforts it had made together with other Council members. Some of the Council's accomplishments in 2014 included creating a mechanism to investigate the lack of accountability in Sri Lanka; continuing its efforts to spotlight the grave human rights situations in the Syrian Arab Republic and the Democratic People's Republic of Korea; highlighting the human rights abuses committed by the Islamic State in Iraq and the Levant (ISIL) in Iraq; renewing mandates to monitor ongoing situations in Belarus and the Islamic Republic of Iran; passing the second-ever resolution in the United Nations system on the human rights of lesbian, gay, bisexual and transgender individuals; and adopting cooperative resolutions to support the provision of assistance to Somalia, Ukraine and Yemen.

53. **Mr. Emadi** (Islamic Republic of Iran) said that his delegation had abstained from the voting. It was regrettable that certain States continued to politicize human rights and submit country-specific resolutions to the Human Rights Council. Such actions undermined the impartiality, credibility and legitimacy of the United Nations human rights bodies. His delegation disassociated itself from the section of the Human Rights Council report relating to the situation of human rights in his country. Furthermore, the Council should respect different value systems and cultures and refrain from advancing concepts on which there was no consensus. In that regard, his delegation rejected Human Rights Council resolution 27/32 on sexual orientation and gender identity. His delegation welcomed the special session on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, held in July 2014, and looked forward to the implementation of the outcome decisions.

54. **Ms. Salim** (Libya) said that Libya was concerned about Human Rights Council resolutions that included concepts on which there was no international consensus and that did not take into account the religious, legislative, social and cultural differences between Member States. Her delegation disassociated itself from Human Rights Council resolution 27/32, as it related to rights that had not been set out in any human rights instrument and were incompatible with sharia as well as Libyan law and social values.

55. **Ms. Anjum** (Bangladesh) said that Bangladesh had voted in favour of the draft resolution but rejected Human Rights Council resolution 27/32 and was disturbed by the attempt to introduce controversial

concepts and values that fell outside the internationally accepted human rights framework and therefore had no legal foundation. Divisive resolutions did not contribute to the promotion and protection of human rights.

56. **Ms. Dávila Dávila** (Colombia) said that, while Colombia had voted in favour of the draft resolution in order to express its support for the work of the Human Rights Council, it was of the view that the report of the Council should be recognized by the General Assembly plenary rather than the Third Committee. Her delegation hoped that in future there would be an opportunity to negotiate the text of the draft resolution so that Member States could express their views on the text.

57. **Mr. Elbahi** (Sudan) said that his delegation disassociated itself from Human Rights Council resolution 27/32 and called on the Council to limit its work to issues on which there was international agreement. It also rejected the allegations made against the Sudan by the delegation of Israel, the occupying Power, which should cooperate with the Human Rights Council to address its own human rights violations instead of attacking other States that were making good progress.

58. **Ms. Kadra Ahmed Hassan** (Djibouti), speaking on behalf of the Group of African States, thanked delegations that had voted in favour of the draft resolution which, offered all delegations the opportunity to express their support for the Human Rights Council and opinions on its work.

#### **Agenda item 65: Rights of indigenous peoples** (*continued*)

##### **(a) Rights of indigenous peoples** (*continued*) (A/C.3/69/L.27)

##### *Draft resolution A/C.3/69/L.27: Rights of indigenous peoples*

59. **Mr. Khane** (Secretary of the Committee) said that Argentina, Armenia, Belize, Costa Rica, Cuba, Dominican Republic, Finland, Greece, Guatemala, Guyana, Honduras, Lithuania, New Zealand, Nicaragua, Palau, Panama, Paraguay, Peru, Spain, Ukraine, Uruguay and Venezuela (Bolivarian Republic of) had joined the sponsors.

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

61. **Mr. Mamani Paco** (Plurinational State of Bolivia), speaking also on behalf of Ecuador, said that Australia, Brazil, Chile, Denmark, El Salvador, Estonia, Germany, Hungary, Mexico, Norway, Poland, Slovenia, Sweden and United States of America had joined the sponsors. He presented a number of oral revisions to the text. A comma followed by the words “and reaffirming its resolutions 65/198, 66/142, 67/153, 68/149 and 69/2, also recalling the resolution 27/13 of 25 September 2014” should be added at the end of the first preambular paragraph. The second, fifth and eighth preambular paragraphs should be deleted. In the sixth preambular paragraph, the word “also” should be inserted before the words “international cooperation”. In the ninth preambular paragraph, the words “outcome document of the recent” should be inserted before the words “regional review” and the phrases “held in Montevideo from 12 to 15 August 2013” and “as part of the Montevideo Consensus on Population and Development adopted at the Conference” should be deleted. The tenth preambular paragraph should be moved to become the sixth preambular paragraph of the orally revised version. The word “also” should be deleted from the eleventh preambular paragraph. A new tenth preambular paragraph should be inserted, reading: “Welcoming the achievement made during the Second International Decade of the World’s Indigenous People, and recognizing that challenges remain in finding solutions to the problems faced by indigenous peoples in such areas as traditional knowledge, science, culture, education, health, human rights, the environment and social and economic development”. In the fourteenth preambular paragraph, the words “by indigenous peoples, indigenous women, children youth and persons with disabilities” should be deleted, a comma followed by the words “older persons” should be inserted after the word “youth” and the word “their” should be inserted after the word “promoting”.

62. Continuing with the oral revisions, he said that paragraphs 3 and 11 should be deleted. A new paragraph 1 should be inserted, reading: “Takes note of the work of the Expert Mechanism on the Rights of Indigenous Peoples, of the Permanent Forum on Indigenous Issues and of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, takes note of her report, and encourages all Governments to respond favourably to her requests for visits”. In paragraph 1, which would become paragraph 2, the word “and” should be inserted after the words

“World Conference on Indigenous Peoples”; the phrase “and the United Nations system, in consultation and cooperation with indigenous peoples through their representatives and institutions, to implement, when necessary, appropriate measures” should be inserted after the words “urges governments”; the words “at all levels, to implement” should be deleted; the word “or” before the words “other measures” should be replaced with the word “and”; and the words “indigenous peoples, the United Nations system” should be deleted. A new paragraph 3 should be inserted, reading: “Reiterates the commitment of Member States to cooperate with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the Declaration on the Rights of Indigenous Peoples”. In paragraph 2, which, based on the other revisions, would become paragraph 4, the words “a substantial gap” should be replaced by the word “gaps” and the phrase “recognition of indigenous peoples” should be changed to read “recognition of indigenous peoples’ rights”. A new paragraph 5 should be inserted, reading: “Decides to convene a high-level event to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, to be held during the seventy-first General Assembly session in 2017, and that the event will take stock of the achievements of the preceding ten years and assess the remaining challenges for the rights of indigenous peoples, and also discuss the further follow-up of the United Nations Declaration on the Rights of Indigenous Peoples, including the consideration of a Third International Decade”. Paragraph 4, which would become paragraph 6, should be edited to read: “Welcomes the designation by the Secretary-General of the Under-Secretary-General for Economic and Social Affairs as the Senior Official of the United Nations system responsible for coordinating follow-up action for the World Conference on Indigenous Peoples, in order, in consultation and cooperation with indigenous peoples, the Inter-Agency Support Group on Indigenous Peoples’ Issues and Member States, to begin development, within existing resources, of a system-wide action plan to ensure a coherent approach to achieving the ends of the Declaration, raising awareness of the rights of indigenous peoples and increasing the coherence of the activities of the system in this regard”.

63. Continuing to read out oral revisions, he said that a new paragraph 7 should be inserted, reading: “Encourages those States that have not yet ratified or acceded to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for the Declaration”. In paragraph 5, which would become paragraph 8, the words “the United Nations Indigenous Peoples’ Partnership and” should be inserted before the word “invites”. A new paragraph 9 should be inserted, reading: “Decides to continue observing in New York, Geneva and other offices of the United Nations every year on August 9th, the International Day of Indigenous Peoples, to request the Secretary-General to support the observance of the day from within existing resources, and to encourage Governments to observe the Day at the national level”. In paragraph 6, which would become paragraph 10, the word “or” before the word “women” should be replaced by “and”. In paragraph 7, which would become paragraph 11, the words “at national level” should be inserted after the words “appropriate measures”. A new paragraph 12 should be inserted, reading: “Underlines the need to intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities and to support measures that will ensure their empowerment and full and effective participation in decision-making processes at all levels and in all areas and eliminate barriers to their full, equal and effective participation in political, economic, social and cultural life”. In paragraph 8, which would become paragraph 13, the words “in the elaboration” should be deleted and replaced by “in the ongoing discussion”. Paragraph 9, which would become paragraph 14, should be edited to read: “Encourages States and entities of the United Nations system to strengthen international cooperation including to address the disadvantages faced by indigenous peoples and to increase technical cooperation and financial assistance in that regard”. In paragraph 10, which would become paragraph 15, the phrase “its consideration of specific proposals made by the Secretary General” should be deleted and replaced by “the consideration of ways”; the comma after the word “peoples” should be replaced by an apostrophe; and the words “on issues affecting

them, including any specific proposals made by the Secretary General in this regard” should be added at the end of the paragraph. A new paragraph 16 should be inserted, reading: “Welcomes the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Peoples and requests the High Commissioner to present a report at the seventy-first session of the General Assembly”.

64. **The Chair** announced that action on the draft resolution would be deferred to the 54th meeting of the Committee so that the Secretariat could determine whether the oral revisions had any programme budget implications.

**Agenda item 67: Right of peoples to self-determination** (*continued*) (A/C.3/69/L.53)

*Draft resolution A/C.3/69/L.53: Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*

65. **Mr. Khane** (Secretary of the Committee) said that Algeria, Belarus, China, Democratic People’s Republic of Korea, Egypt, El Salvador, India, Islamic Republic of Iran, Lao People’s Democratic Republic, Libya, Myanmar, Niger, Nigeria, Russian Federation, Saint Vincent and the Grenadines, Sri Lanka, Uganda and Zimbabwe had joined the sponsors.

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

67. **Ms. Moreno Guerra** (Cuba), introducing the draft resolution, said that Angola, Benin, Brazil, Comoros, Eritrea, Lesotho, Namibia, Pakistan, Peru, Saint Lucia, Sudan and Uruguay had joined the sponsors. She drew attention to the contributions of the Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination and to the importance of building on the work of the Special Rapporteur on the use of mercenaries in strengthening the international legal framework for the prevention and punishment of the recruitment, use, financing and training of mercenaries. Concrete proposals on potential standards or general guidelines were needed in order to enhance the promotion and protection of human rights, particularly the right to self-determination, and to help tackle the impact of the activities of private military and security companies on the enjoyment of human rights.

68. **Mr. Khane** (Secretary of the Committee) said that Burkina Faso, Central African Republic, Chad, Chile, Côte d'Ivoire, Madagascar, Malaysia, South Africa and United Republic of Tanzania had joined the sponsors.

69. **The Chair** said that a recorded vote had been requested on the draft resolution.

70. **Ms. Moreno Guerra** (Cuba) asked which delegation had requested the recorded vote.

71. **The Chair** said that the vote had been requested by the delegation of the United States of America.

72. **Mr. Sfregola** (Italy), speaking on behalf of the European Union in explanation of vote before the voting, said that mercenaries as defined by international humanitarian law should be considered separately from private military and security companies, as the confusion of the two was undermining the work of both the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination and the Open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies. Adopting the draft resolution would further hinder international progress on those two important but separate matters. For that reason, States members of the European Union would vote against the draft resolution.

73. *A recorded vote was taken on draft resolution A/C.3/69/L.53.*

*In favour:*

Afghanistan, Algeria, Angola, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, 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, 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, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq,

Jamaica, Jordan, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, 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, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, 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, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:*

Colombia, Fiji, Kenya, Mexico, Switzerland.

74. *Draft resolution A/C.3/69/L.53 was adopted by 123 votes to 51, with 5 abstentions.*

75. **Mr. Vallarino** (Argentina) said that his Government fully supported the right to self-determination of peoples subjected to colonial domination and foreign occupation, in accordance with General Assembly resolutions 1514 (XV) and 2625 (XXV). The exercise of the right to self-determination required an active subject, namely a people subjected to alien subjugation, domination and exploitation, without which the right to self-determination did not

exist. The draft resolution just adopted should be interpreted and implemented in keeping with the relevant resolutions of the General Assembly and the Special Committee on decolonization.

*The meeting rose at 12.55 p.m.*