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Chair: 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*) (A/69/36, A/69/383-S/2014/668)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (A/69/97, A/69/99, A/69/121, A/69/214, A/69/259, A/69/261, A/69/263, A/69/265, A/69/266, A/69/268, A/69/269, A/69/272, A/69/273, A/69/274, A/69/275, A/69/276, A/69/277, A/69/286, A/69/287, A/69/288, A/69/293, A/69/294, A/69/295, A/69/297, A/69/299, A/69/302, A/69/333, A/69/335, A/69/336, A/69/365, A/69/366, A/69/397, A/69/402 and A/69/518)

(c) Human rights situations and reports of special rapporteurs and representatives (A/69/301, A/69/306, A/69/307, A/69/356, A/69/362 and A/69/398; A/C.3/69/2, A/C.3/69/3, A/C.3/69/4 and A/C.3/69/5)

1. **Mr. Al Hussein** (United Nations High Commissioner for Human Rights), introducing the annual report submitted by his predecessor (A/69/36), said that the breadth and depth of the achievements outlined therein were impressive. In the past year, the Office of the High Commissioner for Human Rights (OHCHR) had faced pressure on multiple fronts, notably from the devastating impact on human rights caused by the relentless slaughter in the Syrian Arab Republic and ensuing barbarity in Iraq, the deplorable conflict in Ukraine, the avoidable bloodshed in South Sudan and, more recently, the outbreak of Ebola. Many States faced toxic discrimination and xenophobia, as well as threats to development posed by corruption, failure to prioritize public services, denial of people's right to participate in decisions affecting their lives, and austerity policies disproportionately burdening the poor and marginalized.

2. Migrants continued to endure appalling suffering, with recent events at sea demonstrating a striking disregard for human life and rights, while attacks on women and the failure to uphold their equality were in evidence in many States. Solutions to those challenges could only be developed through more emphatic and comprehensive protection of human rights. While many States continued to repeat mantras of human

rights concern, concrete action was the only way to prevent and combat violations.

3. The multiple personal attacks directed by Member States and their proxies against special procedures mandate holders, members of commissions of inquiry and human rights officials were unbecoming of the dignity of the Governments concerned and generated a clear impression of guilt. He urged Member States to focus instead on the content of their reports and to cooperate with the mandate holders. With respect to the persistence of reprisals against human rights defenders, he underscored that, if Governments feared the undermining of their authority by a tweet, street protest, or report, those Governments were in grave danger, as they had reversed the primary role of the State as the servant of its people.

4. With a view to addressing the link between recent global conflicts and rising inequality and the exclusion of marginalized groups, the sixty-ninth session of the General Assembly had been organized around the theme of the post-2015 development agenda, and the Office had developed an inspirational agenda founded on human rights, including the right to development. The failure to achieve a consensus on the sustainable development goals owing to polarization and misunderstanding regarding the right to development remained an obstacle to the implementation of his mandate. He therefore urged Member States to engage constructively to resolve their differences in that regard.

5. The protection of all human rights must be at the centre of United Nations work. Early and coordinated action across the full human rights spectrum was needed to deal with the complex web of violations at the basis of humanitarian crises, and the rule of law should be understood expansively as encompassing all human rights. Human rights must be integrated into responses to the Ebola epidemic, an outbreak partly fueled by the failure to ensure people's rights to basic goods and services, and to climate change, both a cause and a consequence of neglect for human rights, especially for small island nations in the Pacific and Caribbean.

6. Over the reporting period, OHCHR had shown remarkable dedication, supporting 68 field presences. Its personnel had been the first United Nations staff to arrive in conflict areas in Ukraine, Mali and Kyrgyzstan. The Office had conducted three

monitoring missions in Mali, as well as a comprehensive mission in Ukraine, and had issued reports on human rights developments in Mali, Ukraine and Iraq. A team had been deployed to the Philippines to provide advice on human rights responses in the aftermath of the typhoon and personnel had taken part in the review and reconfiguration of United Nations peace missions, most recently in the Central African Republic.

7. Technical assistance and follow-up assistance had been provided to dozens of countries on issues spanning the Office's six thematic priority areas as well as the cross-cutting theme of migration. OHCHR had assisted the Human Rights Council with a variety of panels and reports and had supported its universal periodic review. New international treaties and conventions had resulted in additional mandates for related committees and working groups, and the Office supported an increasing number of special procedures mandates, commissions of inquiry and fact-finding missions. At the end of July 2014, there had been 52 mandates, 73 mandate holders and 3 commissions of inquiry fully underway, with 3 more soon to be implemented.

8. It was startling that OHCHR had achieved such extensive progress with such limited funding, of which the portion drawn from the United Nations regular budget was inadequate to carry out the Office's mandated activities. Although human rights was one of the three pillars of the United Nations system, it received only a fraction of the resources provided to the other two, rendering it incapable of fulfilling increasing global expectations. OHCHR was drastically under-resourced. Its human and technical resources were over-extended and particularly inadequate to address an issue as vital to human rights as climate change. Notwithstanding the remarkable work of the previous High Commissioner, the current OHCHR budget was unsustainable and disproportionate to the emphasis placed on human rights by Member States. Human rights violations and abuses were so costly that the prevention of even one major crisis through effective groundwork would pay back the Office's modest budget for decades to come.

9. An effective Office must be strong, resilient and relevant, with operational detection mechanisms and capacity for follow-up action and prevention, including education on human rights at all levels. It must have the capacity to promote human rights, centrally and in

the field, and to systematically analyze and disseminate research on effective approaches. A strengthened monitoring network and expanded personnel were also necessary.

10. OHCHR had developed a highly effective management system based on efficient and targeted spending, introducing cost-saving measures such as the simplification of the treaty body strengthening process to allow for re-allocation of regular budget funding. Such measures had enabled, inter alia, the creation of a programme for capacity-building by States parties for the implementation of international human rights treaties. He welcomed suggestions from Member States for strategies to continue the work of the Office considering its very limited resources. Acknowledging the potential for strengthened regional partnerships, he believed that the current global challenges would be best addressed by enhancing the Office's capacity to assist and protect the human rights of all.

11. **Mr. Mac-Donald** (Suriname), speaking on behalf of the Caribbean Community (CARICOM), said that the High Commissioner had assumed office at a challenging time, when modern information technologies enabled the rapid release of shocking images of human rights violations. Expressing the Community's appreciation for the capacity-building assistance that it had received from OHCHR, as well as the assistance that the Office had provided to regional officials to facilitate their participation in the work of the Human Rights Council, he said that the region would continue to use that support to build national capacity. CARICOM countries' permanent missions had likewise had fruitful interactions with OHCHR in New York and looked forward to receiving further updates on the Office's activities.

12. It was crucial that OHCHR should continue to provide assistance to Member States and to the activities of the human rights treaty bodies and the Human Rights Council and that reliable and adequate funding for the Office should be provided from the United Nations regular budget. He asked the High Commissioner to elaborate on his vision, goals and priorities for his tenure. He would also like to know what the High Commissioner viewed as the greatest barrier to the enjoyment of human rights at the current juncture. In view of the financial challenges faced by OHCHR, he requested the High Commissioner's views on the practicality of establishing new mandate holders without a comprehensive review of existing mandates.

Also bearing in mind those limitations, he asked for the High Commissioner's opinion on the need for Governments to assume greater responsibility in ensuring the implementation of human rights obligations at national and regional levels.

13. **Mr. Rishchynski** (Canada) said that Canada welcomed the inclusion in the High Commissioner's report of priorities that aligned closely with its own, including gender equality and women's rights, countering discrimination on the basis of sexual orientation and gender identity, and combating impunity and strengthening accountability and the rule of law. With the increasing global prevalence of restrictions on individual rights, civil liberties and civil society actors, his delegation welcomed the inclusion by the High Commissioner of a new thematic priority on the need to widen the democratic space. The work of OHCHR was essential to achieving concrete improvements in the lives of the most vulnerable populations. In that regard, the responsibility of mandate holders to undertake impartial investigations and the role of Special Rapporteurs, such as the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, were significant. The Office's work would only be effective if carried out with integrity and professionalism.

14. Canada was contributing substantially to efforts to respond to the complex challenges facing the international community, including the threat of the so-called Islamic State of Iraq and the Levant (ISIL) and the military intervention against that group, the Ebola outbreak and the ongoing conflict in Ukraine. Canada agreed with the High Commissioner's recent characterization of ISIL as the antithesis of human rights and had announced a contribution of \$5 million to the Justice Rapid Response initiative and OHCHR to help respond to and investigate sexual violence and other human rights abuses committed by ISIL against women and children.

15. The coincidence of the High Commissioner's appointment with the twentieth anniversary of the creation of that post presented an opportunity for collective reflection on priorities and commitments in the area of human rights. He would like to know what further steps the High Commissioner planned to take to address the atrocities committed in Iraq and Syria.

16. **Ms. Stener** (Norway) said that, while significant steps had been taken to strengthen the human rights

system in recent decades, large implementation gaps remained. Human rights defenders faced increasing attacks, intimidation and reprisals, and legislation restricting freedom of expression and the work of civil society was on the rise worldwide. It was therefore more essential than ever to strengthen financial support for the pillar of human rights.

17. The regular budget should, at a minimum, cover the activities mandated by the Human Rights Council and other relevant bodies and allow OHCHR to respond positively to Member States' technical assistance requests and ensure a field presence. Norway supported the ambitious mainstreaming of human rights in all United Nations endeavours and endorsed the Human Rights Up Front initiative. She asked how strategies to garner support for the Office from Member States could be effectively undertaken and whether the Office's remaining financial resources for 2015 would be adequate in view of the current unwillingness or inability of Member States to make voluntary contributions.

18. **Mr. Faye** (Senegal) said that his delegation welcomed the efforts that had been undertaken by OHCHR to strengthen international human rights mechanisms, including the tightening of collaboration among the High Commissioner, the Human Rights Council and the African Commission on Human and Peoples' Rights in the area of special procedures, and particularly the establishment of early warning systems and increased protection of human rights in conflict situations. He emphasized that, while the number of special procedures mandates was increasing, it was crucial for OHCHR to receive an adequate share of the United Nations regular budget and assured the High Commissioner of his delegation's full support in that regard.

19. It was deplorable that, despite the significant work of the Working Group on the Right to Development, disagreements regarding the right to development criteria and operational sub-criteria persisted nearly thirty years after the adoption of the Declaration on the Right to Development. He asked what solution the High Commissioner recommended to make the right to development a reality. Emphasizing the growing discrimination faced by migrants, which had been compounded by multifaceted crises, he requested further information on the High Commissioner's plans to address migrants' rights in his future work.

20. **Mr. Laassel** (Morocco) said that a coordinated and integrated approach to human rights was necessary and that the politicization and use of human rights to undermine States' stability must be avoided. In view of ongoing global instability, collective efforts were required to safeguard human rights and promote sustainable human development, especially in the countries of the South, and to fight the root causes of terrorism through a comprehensive approach based on tolerance, moderation and coexistence. In that regard, his delegation commended the recent briefing of the Counter-Terrorism Committee, which had highlighted Morocco's approach to combating intolerance and hate speech.

21. His country had undertaken significant efforts to support OHCHR in protecting human rights over the past six years and was reinforcing that cooperation by promoting joint capacity-building initiatives with other countries of the South. Morocco called upon all stakeholders to implement the Rabat Declaration and to organize regional seminars to strengthen its implementation. His country also supported the organization of regional training seminars in collaboration with OHCHR.

22. Morocco called for reinforcement of the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the work of the Human Rights Council and the furthering of the work of the seminar held in September 2014 on the contribution of African parliaments to the efforts of the Human Rights Council. Morocco supported the call to increase the Office's share of regular budget funding to allow it to implement its mandate. His country's yearly contribution of \$1 million was not earmarked for any particular activity to enable the Office to allocate the funding according to its priorities.

23. **Ms. Čolaković** (Bosnia and Herzegovina) said that her delegation recognized the collective responsibility of Member States and OHCHR for all aspects of the Office's work, including its funding, and agreed with the High Commissioner's appraisal of the costliness of human rights violations. Her country had signed a joint letter to the Secretary-General expressing concern for the inadequacy of the regular budget funding allocated to OHCHR. Although respect for human rights was a pre-requisite for peace and all Member States were legally obligated to protect the lives and dignity of humans, widespread suffering,

poverty, violence and impunity persisted, while the rule of law and accountability were weak.

24. The dedication of entities such as OHCHR and United Nations peacekeeping missions to the protection of human rights had contributed to the more active approach taken by the Security Council to the strengthening of peace, security and the enjoyment of human rights. The Security Council's ongoing discussions on women, peace and security further contributed to the effectiveness of that approach. Her country was greatly concerned by the widespread humanitarian and refugee crises caused by wars and natural disasters and by the Ebola outbreak in Western Africa.

25. **Mr. Ustinov** (Russian Federation) said that his country supported the OHCHR focus on a broad range of human rights priorities. Its new thematic priority of widening the democratic space must be carried out without interference in the affairs of sovereign States and without instigating political and social crises. Special attention must be given to the history and traditions of geographical areas within particular countries. His country commended the Office's focus on strengthening cooperation and emphasized that its future work should concentrate on promoting fundamental human principles by, inter alia, striving to combat xenophobia and racism, protect journalists and promote the role of the family.

26. Efforts to improve the work of OHCHR, particularly by correcting geographical imbalances in staffing, improving the provision of technical assistance to States and affording greater consideration to States' interests in the context of field operations, must be undertaken. His delegation was pleased at the trend of bilateral cooperation between OHCHR and the Russian Federation but noted that the expansion of special protection mandates had not been accompanied by the necessary resources. All Member States must bear responsibility for implementing their financial commitments, including to OHCHR, to which his country made the significant contribution of \$2 million each year.

27. **Ms. Hamilton** (United States of America) commended the important work of OHCHR in supporting commissions of inquiry, reporting on human rights abuses and proposing remedies for victims of human trafficking. Her delegation welcomed commitments to address restrictions and reprisals

against civil society and human rights defenders. The United States particularly supported the Office's commitment to advancing rights for all, regardless of sexual orientation and gender identity, and applauded the recommendations contained in the "Born Free and Equal" booklet. She would like to know what further steps could be taken by OHCHR and the broader United Nations system to help civil society and human rights defenders carry out their work without interference or risk of persecution. Underscoring the barbaric acts committed by ISIL against religious minorities, she asked what further efforts could be undertaken to ensure that the rights of religious minority groups were upheld around the world.

28. **Mr. Seger** (Switzerland) said that his delegation supported the strengthening of institutional mechanisms and the Human Rights Up Front initiative and asked if the High Commissioner envisaged any concrete mechanisms to implement the initiative. In view of the funding situation, he would like to know if any plans had been made for restructuring and reorganizing the Office and its activities.

29. **Ms. Philips** (United Kingdom) urged the High Commissioner to continue to draw attention to serious human rights violations in view of recent global instability. She expressed her delegation's support for the continued work of country offices, regional centres, special missions and human rights advisers, and called upon Member States to fulfill their promises to open OHCHR offices. Her country was profoundly concerned over the expulsion of the director of the Joint Human Rights Office by the Democratic Republic of Congo and urged that country's Government to investigate the violations reported by the United Nations and work constructively with human rights defenders.

30. Noting the priority given by her country to the right to freedom of religion or belief, she expressed alarm at the horrendous abuses carried out by ISIL in Iraq and Syria and asked how the international community could help to combat its toxic ideology. She would also like to know what more could be done by States to protect human rights defenders, particularly those working in countries with increasing restrictions. Her delegation welcomed the adoption of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system and said that her country

would explore avenues to help the Office meet its funding challenges.

31. **Mr. Mahmoud** (Egypt) said that his delegation shared the High Commissioner's concern about the human-rights violations being perpetrated around the world, particularly in the Middle East. The spread of extremism and terrorism and the continued suffering of the Palestinian people were particularly alarming. Addressing those phenomena would require increased international dialogue and solidarity, in cooperation with the relevant United Nations agencies and civil society, including religious and educational institutions to oppose extremist thought and ideological distortions.

32. In that context, dialogue and cooperation must not come involve preconceived agendas aimed at imposing ideas and concepts on others, without considering their cultural context. Dialogue must be characterized by openness and a sincere desire to strengthen common bonds and set aside controversial issues. Human rights were interdependent and must be applied without double standards in order to avoid causing frustration or suspicion.

33. **Mr. Ó Conaill** (Ireland), stressing Ireland's commitment to providing continued financial and political support to OHCHR, said that there was a need for a more sustainable and balanced resource strategy for the Office. In addition, more effective mainstreaming and prioritization of human rights across the work of the Organization could help to ensure more inclusive and sustainable development and peacebuilding. In that connection, his delegation looked forward to the effective implementation of the technical guidance on a rights-based approach to preventable mortality and morbidity of children under five. Commending the Office's efforts to highlight the need to protect religious and ethnic minorities, and women and children in Iraq and the Syrian Arab Republic, he enquired about the High Commissioner's views on actions that the international community should undertake to protect civilians under attack on the grounds of ethnic background and religious belief.

34. **Mr. Al Hussein** (United Nations High Commissioner for Human Rights) said that it had been difficult for his Office to focus on a broader vision and chart a clear course of action at the beginning of his mandate at a time when the space occupied by human rights in the public consciousness was filled with the daily horrors of killings, abductions, atrocities and

discrimination, a situation compounded by the Office's considerable financial burden. In terms of dealing with its dire financial situation, efforts were being made within the Office to prioritize its different mandates in a manner that ensured that the most urgent issues were covered by existing funding arrangements.

35. The hope was to avoid downsizing staff and cutting back on activities, particularly at such a critical juncture for human rights. The Office would continue to emphasize the need to end impunity for the gravest of crimes. The hairline cracks that contributed to abuses tended to begin with deficits in economic, social and cultural rights, hence the need to invest in the development agenda and to uphold the commitment to both international covenants on human rights equally.

36. He expressed gratitude for Canada's contribution of \$5 million to the fact-finding mission to investigate sexual abuses being committed against women and children by the so-called Islamic State in Iraq and the Levant (ISIL). In terms of forthcoming measures with regard to the region, the Office had urged Iraq to accede to the Rome Statute of the International Criminal Court; given that swathes of the country had fallen under ISIL control, jurisdictional coverage must be ensured. Despite significant security constraints, the human rights component of the United Nations Assistance Mission for Iraq was actively supporting the building of institutions in conformity with international human-rights standards.

37. The Independent International Commission of Inquiry on the Syrian Arab Republic continued its work, but his Office had not yet been granted access to the country by the authorities. Nevertheless, it remained keen to engage with country-level counterparts and would pursue progress with the Syrian authorities on that score. The Office would continue to document and report on the human rights situation there as it developed, including on various thematic issues, and would continue to do so in months to come focus on early warning, more in-depth analysis, accountability and other thematic issues of concern, such as sectarian and gender-based violence and the protection of religious and ethnic groups. OHCHR was also providing the secretariats of the two fact-finding mechanisms set up by the Human Rights Council, the Commission of Inquiry on the Syrian Arab Republic and the Mission to Investigate Human Rights Violations in Iraq. With support from donor countries,

the Office planned to strengthen its engagement over the coming months.

38. With regard to the Office's financial crisis, he stressed the need to close the enormous gap between the needs of Member States and the public for action on human rights and the low level of investment in human rights work. While such work was undertaken by many parts of the United Nations family, the Office had a special character. It would therefore be crucial to work closely with Member States while also generating a broad coalition of public support for OHCHR activities. The operational reserve required under United Nations financial rules was necessary to cover the Office's expenditures during the first quarter, when few voluntary contributions were received. However, since the reserve would no longer be sufficient to cover substantial expenditures above the level of income given the expected receipts after 2015, ways to encourage greater support must be found.

39. The promotion and realization of the right to development remained key to the Office. However, the continued politicization and polarization of the intergovernmental debate on that right hampered the Office's efforts to mainstream it. Under its Human Rights Council mandate to ensure interagency coordination in mainstreaming the right to development, the Office worked in partnership with United Nations agencies and entities on specific projects, including the United Nations Development Group, in addition to providing support to the Working Group on the Right to Development.

40. The Office would maintain its longstanding commitment to the human rights of migrants and had stepped up its work on migration and human rights, integrating it into all six of its thematic priorities. He would continue to engage actively to ensure that the post-2015 development agenda focused on protecting all groups at risk of marginalization, including migrants regardless of their status. Migrants, notably those in irregular situations, were disproportionately vulnerable to discrimination, a fact confirmed by a recent OHCHR study on the economic, social and cultural rights of migrants in irregular situations. With regard to the representation of women in conflict resolution, he noted the exemplary achievements of the Office in the area of gender parity. As of December 2013, 58.4 per cent of all OHCHR staff and 35.6 of all senior staff were women, the latter figure falling just short of the 39 per cent target for 2013.

41. The widening of the democratic space had been identified as a thematic priority based on concerns about growing trends in all regions towards closing that space, affecting civil society. As a result, protecting and supporting civil society was at the centre of the strategy, which had featured in the Office's work since its creation over two decades prior. OHCHR should strengthen its support to civil society actors, given their critical role in promoting and protecting human rights by bringing to the attention of Governments issues that should be addressed. For the Office, that approach implied engaging with both civil society and Governments in order to foster and strengthen dialogue and cooperation on promoting and protecting human rights.

42. The geographic diversity of the Office had been steadily improving since the introduction of measures in 2006, with 64 per cent of geographical appointments coming from unrepresented and underrepresented States. In support of the broadest geographical distribution possible, he would continue advertising vacancies in widely read international publications, academic and national human-rights institutions and elsewhere.

43. Insofar as deliberate attacks against any religious, ethnic or linguistic minority constituted a crime against humanity, the United Nations response to ISIL crimes in the Syrian Arab Republic and Iraq should include the referral of cases to the International Criminal Court. The United Nations system had been working together to enhance the protection of minorities and combat racial discrimination, and, although standards were in place, too little had been done to implement them. To that end, the United Nations network on racial discrimination and protection of minorities had been set up and a new Secretary-General guidance had been developed to ensure that minority rights and racial discrimination received the attention that they deserved throughout the United Nations system.

44. Religious minorities required more robust training, technical assistance and awareness raising in order to ensure that minority rights were treated as a human-rights priority within and outside conflict contexts. An OHCHR fellowship programme for minority rights had been established to equip young religious and ethnic minority representatives with the tools and knowledge necessary to claim their rights. OHCHR had copies of a letter addressed to Abu Bakr

al-Baghdadi by 126 Islamic jurists, which explicitly addressed the treatment by ISIL of religious minorities.

45. Regarding assistance and support for civil society, his Office urged Government authorities to deal with the arguments put forth by civil society representatives instead of taking repressive measures. The common refrain from his interactions with non-governmental organizations was a request for OHCHR to guarantee their protection from the States in which they operated. Repression was unbecoming of the dignity of States, which had every means at their disposal to put forth a counter narrative.

46. The idea behind the Human Rights Up Front initiative was that the system as a whole would operate with greater cohesion when serious abuses were perpetrated, potentially leading to atrocities that would shame the Organization were there to be no reaction. The United Nations had a checkered history in that regard. The aim was to ensure a concentrated effort on messaging and to present the facts to the Member States, which, it was hoped, would respond with a human-rights-centred agenda, receiving the information and acting upon it in a manner that they deemed appropriate. In the two months since assuming his mandate, a great deal of coordination had been evident, and progress had been and was being made on mainstreaming the initiative.

47. In terms of protecting civil society and freedom of religion or belief, a much more thorough dialogue was needed within States, not just with the relevant human-rights mechanisms. Discussion inside a country could only be healthy if interlocutors were open to hearing views that they did not agree with. In the most repressive places, every hint of criticism was banished from the public space. The need for a healthy range of opinion and freedom of expression without worry for the consequences had to be discussed at length.

48. With regard to mortality and morbidity, OHCHR had issued guidelines on the number of preventable deaths per year, in conjunction with the World Health Organization. While preventable deaths had declined considerably, dropping by half in the past few years, specialists had confirmed that clinical approaches had done all that they could do and that any further progress towards saving lives would require human-rights-centred measures to be taken by professionals dealing with pregnant women and infants. Thus, the

human-rights lens and the development agenda fit neatly together and could be supported by all sides.

49. **Mr. Vrailas** (Observer for the European Union) said that the European Union pledged continued cooperation with the High Commissioner and underlined its support for the independence, impartiality and non-selectivity of his Office, welcoming its progress on such thematic priorities as combating discrimination and advancing equality. Noting the importance of integrating human rights into the post-2015 development agenda, he asked the High Commissioner to elaborate on some key aspects to be borne in mind for future discussions. He commended the High Commissioner's efforts to raise funds without affecting the Office's activities. He would also like to know how the Organization could strengthen its efforts to prevent recurrent acts of reprisal against persons engaging or seeking to engage with United Nations mechanisms. Lastly, what opportunities existed for further action by the Office and Member States to establish closer links between the human-rights work of United Nations entities based in Geneva and New York?

50. **Ms. Rasheed** (Observer for the State of Palestine) said that previous Special Rapporteurs on the situation of human rights in the Palestinian territories occupied since 1967 had faced difficulties in carrying out their mandates owing to the non-cooperation of the Government of Israel and its refusal to allow them to visit the occupied State of Palestine. That record of non-cooperation had extended to other United Nations undertakings, including the United Nations Fact-Finding Mission on the Gaza Conflict; most recently, Israel had announced that it would not cooperate with the Fact-Finding Mission to investigate its recent aggression against Gaza. Time and again, Israel had persistently engaged in a policy of dismissing and defaming the special procedures mandate holders instead of contesting their findings.

51. The United Nations also bore responsibility in failing to respond more strongly to complaints about Israeli non-cooperation, thereby encouraging its impunity for unfulfilled obligations as a Member State. With a new Special Rapporteur assuming the post, she wondered whether Israel had given assurances of future cooperation and, if not, what steps the Office recommended that the Human Rights Council and the Secretary-General should consider to put an end to Israel's repeated violations of its obligations under the

Charter of the United Nations and to obtain its cooperation.

52. **Ms. Velichko** (Belarus) said that the High Commissioner had assumed his post at a difficult time, not because human rights were being violated more than at other times but because they were being used as a pretext for interference in the affairs of sovereign States and a tool for speculation and exerting pressure on those States. At the United Nations, human rights should be considered within reasonable limits. The artificial creation of problems in that field was unacceptable, and, in that regard, the Human Rights Up Front initiative seemed very counterproductive. Dialogue was essential above all. She hoped that the High Commissioner would endeavor to strengthen the principle of cooperation in the activities of human rights mechanisms, which was a prerequisite for promoting human rights in the world. The Office should act within its mandate and focus on providing support to States at their request to enable them to carry out their obligations.

53. The time had come to establish order in the Human Rights Council, which had become a machine for imposing values and ideas that were alien to the majority of States. The Council's growing lack of interest in searching for consensus and considering the positions of partners was cause for concern. Such an approach diminished the value of its decisions and undermined its authority. The Council should ensure the inclusive participation of all Member States, which would help it to take balanced, appropriate decisions.

54. Belarus supported the mandates of the Council's thematic special procedures and stressed that special mandate holders must carry out their duties in accordance with their Code of Conduct. She welcomed the creation of the mandate of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. Her country was open to dialogue regarding thematic special procedures and urged OHCHR not to prevent visits by thematic mandate holders to Belarus under the pretext of a county mandate. It did not recognize the mandate of the Special Rapporteur on the situation of human rights in Belarus and would not cooperate with him. The High Commissioner should ensure access to Belarus for the thematic special procedures so that it could effectively carry out the recommendations made under the universal periodic review.

55. The financial difficulty facing the Office was a result of its unsustainable expenditure of resources. The country mandates, none of which were supported by the countries concerned, needlessly diverted resources. The Office should review its expenditures and direct its resources towards meeting real needs in combating hunger, poverty, deprivation and illness, which prevented many people from enjoying their rights. Lastly, she thanked the Office for its support in her country's preparations for the second cycle of its universal periodic review in April 2015 and hoped that the High Commissioner would work in the spirit of the Charter of the United Nations to promote truly universal human rights devoid of hierarchy or politicization and to ensure respectful dialogue.

56. **Mr. Tesfay** (Eritrea) stressed that the establishment of the Commission of Inquiry on Eritrea had been procedurally and factually wrong, a politically motivated exercise that added no value to the process of improving human rights in his country. Moreover, the Commission was a redundant, resource-sapping measure, the cost of which could have been allocated to building two schools in Eritrea or to the exemplary work of UNICEF in the country. The Office must use its funds more judiciously and put an end to the constant creation of rapporteurs and commissions. No country, big or small, had the right to dictate how a Government should be run. All countries should respect and learn from one another on the universal issue of human rights. The international community could rest assured that Eritrea respected the rights of every one of its inhabitants. Highlighting the funding shortfall alluded to by the High Commissioner, he enquired about the exact cost of appointing rapporteurs and creating commissions of inquiry.

57. **Ms. Hasse-Mohsine** (Germany), noting that human rights violations occurred during crises and were often at the root of those crises, wondered how the link between the human-rights work done in Geneva and the work of the Security Council might be strengthened. She asked the High Commissioner to expand on the action taken by his Office to implement the Secretary-General's Human Rights up Front initiative throughout the United Nations system since its launch the previous year.

58. **Ms. Alsaleh** (Syrian Arab Republic) said that her delegation wished the High Commissioner success in his recently assumed mandate, a mantle weighed down by past errors, personal rancour and political prejudice

against her country. She trusted that he would carry out his duties in a professional, objective, unbiased, non-selective, non-politicized manner, as called for by the Charter of the United Nations and all relevant international human rights instruments. The humanitarian mandate need not be discharged at the expense of political rights, chief among them respect for the sovereignty, political independence and territorial integrity of other States.

59. Her Government hoped that the High Commissioner would employ his moral authority to demand that the States involved in financing and supporting armed terrorist groups fulfil their obligations under the relevant Security Council resolutions. With regard to his thematic priorities and goals, her delegation hoped that he would pay special attention to the impact on human rights, particularly the right to development, of unilateral economic sanctions devoid of international legitimacy. Lastly, her delegation hoped that the High Commissioner's vision would include tangible measures to curb sectarian incitement by individuals posing as men of religion in order to sow discord and threaten State security.

60. **Mr. Barriga** (Liechtenstein) asked whether the High Commissioner's call to Member States to ensure regular budget funding for OHCHR would also be relayed to the Secretary-General, whose task it would be to submit the budget proposal to Member States. Noting the limited activities regarding persons with disabilities outlined in the annual report, he would like to know whether the High Commissioner intended to increase the Office's activities in that area, given that the issue was non-controversial and required mainly education and capacity building, and that persons with disabilities accounted for nearly a sixth of the world population.

61. **Ms. Hampe** (Lithuania) said that she concurred with the High Commissioner that deteriorating respect for human rights could be a sign of worse things to come. By addressing such situations, conflict could be closed, hence the need for early collective responses to human rights violations. In that regard, Lithuania expressed appreciation for OHCHR efforts in the areas of early warning and protection of human rights in situations of conflict. Member States must be alerted to crises and provided with relevant and credible information for their deliberations. Her delegation commended the work of the United Nations Human Rights Monitoring Mission in Ukraine and the Office's

timely and objective reporting on the situation on the ground and called for continued efforts and support in that regard.

62. **Mr. Yao Shaojun** (China) said that his delegation welcomed the efforts made by OHCHR, which should strengthen its cooperation with all parties and deal effectively with human rights issues and challenges across the world while strictly adhering to its mandate. The Office should attach equal importance to all human rights, in particular the right to development, while also respecting the right of people to choose their social systems, paths of development and modes of human rights protection. It should also facilitate exchanges between countries with different social systems, religious beliefs and cultural traditions with a view to forging consensus based on equality and mutual respect.

63. OHCHR should adhere to the principles of neutrality, objectivity and impartiality in its work. In that connection, he asked the High Commissioner to list measures that could promote international dialogue and cooperation in the field of human rights. He hoped that the Office would attach great importance to the positions and concerns of developing countries. It should increase the number of personnel from developing countries, including the recruitment of local staff in its regional and country offices, and should also enhance transparency with regard to the use of funds and publication of information. China would continue to support and cooperate with the High Commissioner and his Office to make tangible contributions in the field of international human rights.

64. **Mr. Escalante Hasbún** (El Salvador) expressed gratitude for his country's first election to the Human Rights Council. El Salvador supported the mandate of the High Commissioner for Human Rights and thanked his Office for its support, in particular with regard to the identification of weaknesses in the implementation of measures concerning older adults. He asked the High Commissioner whether the implementation of a convention or other relevant measures could remedy that situation. His Government supported the Free & Equal campaign and wished to see it continued in Latin America, in Spanish and other languages.

65. **Mr. Al Hussein** (United Nations High Commissioner for Human Rights), responding to the questions posed by the representative of the European Union, said that, though a number of gaps should be

closed, there were positive elements in the outcome document of the Open Working Group on Sustainable Development Goals. Many of the targets reflected the content of human rights obligations and strongly emphasized equality and non-discrimination, while there were two dedicated goals for gender equality, and equality within and between countries. A number of targets addressed discrimination and inequality, with attention to marginalized groups and disaggregated data, and the right to development.

66. His Office was deeply concerned by reports of retaliation against persons that had cooperated with the United Nations. Member States should refer to the recent report of the Secretary-General on how to address that issue. There was an acute need for more concerted action in that regard. Concerning Israel's non-cooperation with special procedures and the commission of inquiry, his Office urged that State, indeed all States, to cooperate with all human rights mechanisms. Failure to do so would jeopardize the entire system.

67. With regard to the remarks made by the representative of Belarus, the Office welcomed the mandates delegated to it by the Member States; however, funding should be commensurate with the growing demands. It was worth noting that multilateral diplomacy was impossible without allowing room to manoeuvre. Although all decisions lay with the Member States, OHCHR should be allowed to deviate slightly from its mandate so long as it continued to respect its partners and discover solutions beneficial to all involved.

68. In response to the remarks made by the representative of Eritrea, all delegations were again urged to cooperate with special procedures, in particular the commissions of inquiry. The latter, once the Human Rights Council decided on the mandate and an urgent request was made to the Advisory Committee on Administrative and Budgetary Questions, were financed under unforeseen and extraordinary expenses. Although OHCHR had not experienced difficulty receiving funding previously, the disbursement of funds was subject to increasing delays.

69. With respect to the statement by the representative of the Syrian Arab Republic, all Member States should respect international human rights law and the principles of human rights. The international community should fight terrorism and refrain from

targeting minorities. Those issues would be among the priorities of his mandate over the coming years. In response to the question raised by the representative of Liechtenstein, there had been several communications with the Office of the Secretary-General, and he would raise the relevant financial issues with it personally within the next several days.

70. As a result of the Office's continued advocacy, the outcome document of the Open Working Group on Sustainable Development Goals contained numerous references to persons with disabilities, and the proposal to include a quality education goal for persons with disabilities was the result of OHCHR collaboration with the United Nations Children's Fund (UNICEF), the United Nations Educational, Social and Cultural Organization (UNESCO) and civil society.

71. The Office supported State efforts to implement the Convention on the Rights of Persons with Disabilities. In 2013 and 2014, OHCHR had collaborated with the Department of Economic and Social Affairs (DESA) on a toolkit on how to implement the Convention in Africa. His Office was an implementation partner in Republic of Moldova, South Africa, Togo, and Tunisia, and a close collaborator in the State of Palestine. A second round of projects had been approved that year, and OHCHR would be involved directly in the Plurinational State of Bolivia and Ethiopia. The Office would present its thematic study on the right to live independently and community inclusion at the next session of the Human Rights Council.

72. He requested the representative of China to refer to previously made remarks for responses to his queries. As noted by the representative, there should always be mutual respect in undertakings between the United Nations and Member States. Concerning the comments made by the representative of El Salvador, the Office took note of the need for linguistic diversity in terms of publications and would look further into the matter. With regard to older adults, the Human Rights Council had appointed an Independent Expert on the enjoyment of all human rights by older persons, and OHCHR would work with DESA as secretariat to the Open-ended Working Group on Ageing for the purpose of strengthening the protection of the human rights of older persons. It had compiled existing international legal standards, documents and programmes that directly or indirectly addressed the situation of older persons and would continue to report on the issue.

73. **Ms. Karim** (Malawi), speaking on behalf of the African Group, said that the Group supported the mandate of the High Commissioner for Human Rights and anticipated constructive collaboration with his Office, the continued support of which had led to the review of the Addis Ababa Road Map. Equal attention should be paid to the interdependence of development and respect for human rights, and that of economic, social and cultural rights, and political and civil rights. The African Group was strongly committed to advancing the right to development as a fundamental right.

74. Despite commendable efforts made by the Office in the matter, the Group was alarmed at the growing trend of discrimination, marginalization, criminalization and intolerance with respect to migrants and supported the call of the High-level Dialogue on International Migration and Development for a shift in the discourse on migrants, particularly those in an irregular situation.

75. OHCHR should enhance its own capabilities and capacities in order to provide technical assistance and support to Member States. Such assistance would allow Member States to fulfil the obligations set out in the human rights instruments. The Group wished to know how OHCHR intended to implement the capacity-building package to assist States in fulfilling the human rights commitments set forth in General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system.

76. The African Group was also concerned by attempts to undermine the international human rights system through the advancement of concepts pertaining to social issues that fell outside the accepted framework, which resulted in the diversion of resources to the detriment of internationally recognized rights, such as the right to development. The Office should act with restraint until the international community had defined the scope and application of such concepts. The African Group called for more Member State support and genuine partnership with the Office to achieve the effective implementation of human rights obligations.

77. **Mr. Rahman** (Bangladesh) urged the High Commissioner for Human Rights to address the lack of support for promoting to the achievement of economic, cultural and social rights and the right to development. His Government hoped that he would emphasize the

centrality of poverty eradication to overcoming many human rights violations at the upcoming intergovernmental debate on the post-2015 development agenda and also that his Office would establish a link between climate change and the implementation of human rights.

78. **Mr. Ruidiaz** (Chile) said that Chile was firmly committed to the promotion, protection, and guarantee of human rights and welcomed the appointment of the High Commissioner for Human Rights. Respect for human rights was a matter of political consensus on values that amplified the democratic space, and in that connection Chile would continue to combat violence and discrimination. During the previous session of the Human Rights Council, Chile, in cooperation with other States, had promoted the adoption of a draft resolution on sexual orientation and gender identity. That was a question not of creating new categories of human rights but of protecting the same universal rights to life, freedom and personal security based on shared humanity.

79. Together with Ireland, his Government had also sponsored Human Rights Council resolution [A/HRC/RES/27/31](#) on civil society space, which had been adopted by consensus. In that resolution, the High Commissioner was requested to compile practical recommendations for the creation and maintenance of a safe environment for civil society. How did he plan to deal with that issue in particular?

80. **Mr. Lupan** (Republic of Moldova) said that his Government was concerned by the financial difficulties experienced by the OHCHR and asked the High Commissioner whether he was optimistic about the outcome that could be achieved by the Fifth Committee of the General Assembly. Ample evidence in the report of the High Commissioner demonstrated the need to focus attention on the situation of human rights in Eastern Europe. Although the Republic of Moldova welcomed the report's positive remarks, it recognized the need for further work on human rights issues and anticipated further collaboration with the Office. Despite limited financial resources, the High Commissioner was urged to continue his work on human rights-related projects, such as the court monitoring project being implemented by his Government. It was hoped that OHCHR would continue its important work with other United Nations agencies and regional organizations.

81. **Mr. Hisajima** (Japan) asked the High Commissioner how Member States could facilitate the work of his Office in the event that the commissions of inquiry required follow-up.

82. **Mr. Ghaebi** (Islamic Republic of Iran) said that his country was fully ready to cooperate with OHCHR and shared its concern over the deadlock that had hindered the Intergovernmental Working Group on the Right to Development from fulfilling its mandate. He asked the High Commissioner what means should be employed to overcome that challenge, and what contribution OHCHR could make in that regard. His Government strongly condemned the war crimes and crimes against humanity that had been committed in the Syrian Arab Republic and Iraq by the Islamic State in Iraq and the Levant. What role could OHCHR play in upholding the measures provided for by the relevant General Assembly resolution adopted the previous year?

83. One month earlier, Canada had been the sole State to challenge the consensus adoption of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples. Failing to heed the voice of its own indigenous peoples, Canada also continued its violations of their rights. The Islamic Republic of Iran urged the High Commissioner to pay particular attention to that situation. Lastly, his Government looked forward to its second universal periodic review, a process that it held in high esteem. All Member States were invited to participate effectively and constructively in that session.

84. **Mr. Canay** (Turkey) asked the High Commissioner for Human Rights how his Office could mobilize more financial support for its increasing workload.

85. **Mr. Elbahi** (Sudan) said that no country in the world could claim perfection in the area of human rights, hence the need for OHCHR to cooperate with Member States to promote and protect human rights. His delegation was keen to learn more about the Office's plans to elevate and strengthen human rights, particularly with regard to technical cooperation and capacity building. He hoped that OHCHR would continue its efforts to ensure that economic, social and cultural rights and the right to development were granted their due importance as part of the post-2015 development agenda. In closing, the regional

conference on combating trafficking in persons held the previous week in Khartoum attested to his Government's earnest commitment to promoting and protecting human rights.

86. **Mr. Diyar Khan** (Pakistan) said that, given the significant increase in the work of OHCHR, increased resources from the regular budget should be allocated to it to ensure its independence and impartiality. While the Office's thematic priorities reflected the overall status of human rights challenges, consultations with Member States would produce a more balanced and realistic management plan. Because human rights mechanisms required visibility and accessibility to be effective, Pakistan supported the efforts to modernize treaty bodies and rationalize the work of OHCHR as well as the strengthening of the universal periodic review, though the proliferation of special procedures and commissions of inquiry would further strain the limited resources of the Office.

87. His Government advised caution against a potentially imbalanced focus on discrimination caused by the inclusion of new groups on which there was a sharp divergence of views. There should be an emphasis on democratic governance, the rule of law, and peace and security, and any international actions in those areas should respect Member State sovereignty. Early warning and protection should also be discussed in the intergovernmental process. Pakistan supported OHCHR efforts to invest more in the promotion of economic and social rights and the integration of human rights ethics in business practices.

88. The death penalty was understood to be an extreme punishment, but the debate on the matter should be approached holistically and in a balanced manner, taking into account the need to deter heinous crimes and deliver justice to victims. There should be strengthened cooperation in building capacity in the areas of forensic investigation, prosecution and judicial processes in cases involving the death penalty.

89. **Mr. Al-Obaidi** (Iraq) said that the world was well aware of the heinous crimes against humanity and manifold violations of human rights committed by the terrorist gangs comprising the so-called Islamic State in Iraq and the Levant (ISIL) in parts of Iraq under their control since 10 June 2014. His delegation hoped that the fact-finding mission dispatched by the Office, pursuant to Human Rights Council resolution S-22/1,

to investigate the violations perpetrated by ISIL would carry out its mandate accordingly.

90. **Ms. Ruín** (Costa Rica) said that Costa Rica would continue to cooperate with and support OHCHR, in particular on budgetary matters, in Fifth Committee negotiations. Her delegation requested further information on the realization of economic, social and cultural rights in light of the elaboration of the post-2015 development agenda.

91. **Ms. Morgan** (Mexico) said that her country was interested in strengthening the United Nations capacity to respond to human rights crises comprehensively, in particular through the improvement of early warning systems. Her Government welcomed the promotional activities carried out by OHCHR to combat discrimination and promote equality and supported the remarks made on behalf of the African Group concerning the need to protect the rights of migrants. Fifty-five Member States had expressed concern to the Secretary-General about the financial sustainability of OHCHR. Mexico would help to ensure that the Office had the resources necessary to fulfil its mandate.

92. **Ms. Le Fraper du Hellen** (France) said that France appreciated the commitment of the High Commissioner for Human Rights, and his presence at the recent ministerial meeting co-convened by the French Minister of Foreign Affairs and International Development, entitled *Regulating the veto in the event of mass atrocities*. Her delegation also welcomed his commitment to the issue of abolition of the death penalty and to LGBT rights. It was crucial that the voice of OHCHR should be heard in Geneva as well as New York, particularly in the Security Council, inter-agency discussions and negotiations on sustainable development. In response to the High Commissioner's reference to economic, social and cultural rights, her delegation confirmed that a number of Western States firmly supported the notion of the indivisibility of those rights.

93. **Ms. Dhanutirto** (Indonesia) said that it was of crucial importance that OHCHR received ongoing financial and political support and increased funding from the regular budget. The Office should, in turn, increase its transparency and efficiency. There was more room for better synergy, coordination and dialogue between the Human Rights Council and OHCHR, and her delegation wished to know how that

could be promoted under the High Commissioner's leadership.

94. **Mr. Attiya** (Organization of Islamic Cooperation (OIC)), speaking on behalf of the Independent Permanent Human Rights Commission of OIC said that the Commission anticipated working effectively with the High Commissioner for Human Rights. The Commission was creating mechanisms to connect its work to that of OIC member State human rights institutions. Pervasive misunderstandings and misconceptions were among the issues facing the Commission. Through its work, the Commission anticipated their resolution and would appreciate increased OHCHR and member State support.

95. **Mr. Al Hussein** (High Commissioner for Human Rights) said that his Office firmly believed that there were no grounds for any form of discrimination or violence against any individual or group, a position firmly entrenched in the OHCHR mandate. With regard to the query concerning the deployment of commissions of inquiry, the Office requested follow-up when existing conditions demonstrated that they were needed. Concerning the Office's financial difficulties, Governments should work with the public to generate support for increased funding. A user-friendly site enabling the public to understand the workings of the various instruments in existence could result in increased support for the Office's undertakings.

96. OHCHR firmly supported a moratorium on the death penalty. The ultimate sanction could not be endorsed in an environment where all judiciary systems were subject to the commission of errors. His Office would work to identify early warning signs of crisis with regard to economic, social and cultural rights through the development of advisory services, tools and practical ways to respect, protect and fulfil those rights during crises. In that regard, OHCHR advocated ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

97. Contrary to the frequent suggestions that OHCHR practiced selectivity, all Member States were subject to its processes. The statements on the OHCHR website were published at the Office's discretion, and its interactions with Member States in New York and Geneva or through field offices were initiated when the issues raised were found pressing. While decisions could only be made by the Member States, the Office

existed to work in partnerships with them. Although its comments could be seen as irritating or critical, they were meant to generate discussion and should not be viewed as acts of aggression. OHCHR also received criticism, though it was confident about its sources. All Member State commentary, whether positive or negative, was welcome.

The meeting rose at 1.10 p.m.