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Chair: Ms. Mesquita Borges (Chair) (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/69/383-S/2014/668)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/69/277, A/69/121,

A/69/97, A/69/214, A/69/99, A/69/336, A/69/333, A/69/287, A/69/293, A/69/268, A/69/288, A/69/266, A/69/263, A/69/261, A/69/259, A/69/295, A/69/275, A/69/302, A/69/273, A/69/274, A/69/402, A/69/272, A/69/518 (to be issued), A/69/265, A/69/294, A/69/299, A/69/335, A/69/297, A/69/269, A/69/365, A/69/286, A/69/397, A/69/276 and A/69/366)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

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1. **Ms. Almedia Watanabe Patriota** (Brazil) said that during the past thirty years of democratic consolidation in Brazil, her country had made every attempt to protect and promote the human rights of all individuals, regardless of race, age, creed, sexual orientation, gender identity, political affiliation or disability. Although today Brazilians celebrated democracy, only fifty years earlier the country had been under a two decade-long dictatorial regime that had claimed the lives of many and scarred many more. Through the National Truth Commission's report on the human rights violations committed under the authoritarian regime, Brazil had begun to acknowledge the responsibility of the State for human rights violations and to ensure the right to truth, access to justice and memory. It was only by recognizing that victims and their families had a right to the truth and by identifying perpetrators that Brazil would be able to prevent impunity and evolve institutionally.

2. For those living in extreme poverty, however, the right to development was the single most important right to promote and protect. While many believed that their lives were at the mercy of markets or insurmountable political forces, there was much Governments could do to eradicate poverty and combat inequality. In Brazil, conditional cash transfers, decent

minimum wage policies and Government procurement of food and services had lifted approximately 40 million people out of poverty and into the middle class since 2003, with special attention paid to women and children. As a result, the Food and Agriculture Organization of the United Nations (FAO) had announced that Brazil no longer belonged on the World Hunger Map.

3. The right to development was the basis for all other human rights, and was central to the purposes and mission of the United Nations. Brazil recognized and wished to support all vulnerable or marginalized groups and individuals, including women, girls, children, the elderly, lesbian, gay, bisexual and transgender (LGBT) persons, persons with disabilities, migrants, persons of African descent, indigenous peoples, or persons living with HIV/AIDS. Following the successful conclusion of consultations on the programme of activities for the International Decade for People of African Descent, Brazil sought to fully implement the Durban Declaration and Programme of Action and to raise awareness in combating prejudice, intolerance and racism. As a result of the active participation of indigenous representatives, the 2014 World Conference on Indigenous Peoples had been an historic event and its outcome document would serve as a platform for implementing the United Nations Declaration on the Rights of Indigenous Peoples. Brazil had coauthored a resolution of the Human Rights Council on human rights, sexual orientation and gender identity (A/HRC/27/L.27/Rev.1), expressing grave concern at the violence and discrimination committed against individuals because of their sexual orientation and gender identity.

4. While information and communications technologies should be at the service of peace, development and international cooperation, she noted with concern that they had been deployed in mass surveillance programmes, which interfered with the right to privacy, undermined confidence among nations and illustrated how the misuse of modern technologies could lead to gross human rights violations. Although initial steps had been taken to address the issue, including the resolution on the right to privacy in the digital age (A/RES/68/167), challenges still existed regarding the protection and promotion of the right to privacy both offline and online.

5. Although Brazil agreed that terrorism must be condemned and countered in the strongest terms, the

use of such new technologies as armed drones were fraught with moral and human rights implications and ran the risk of resembling terrorist behaviour. Therefore, the United Nations should address the complexities arising from using new, remote-controlled technologies that could be used for killing based on questionable unilateral legal frameworks, in particular the extraterritorial deployment of such technologies by a few countries, usually in violation of airspace sovereignty and in areas not necessarily at war. Drones subjected target countries, communities and individuals to an almost absolute form of asymmetric vulnerability; thus the issues of accountability, transparency, and collateral damage — often of greater significance than the purported targets — must be carefully addressed.

6. Negotiations on country-specific resolutions defeated the purpose of engaging in a constructive, fair and balanced process. While selective action and finger-pointing might serve politically charged agendas, the role of Member States was to strengthen the international regime of human rights, irrespective of geopolitical interests, culture or ideology.

7. **Mr. Taula** (New Zealand) said that his Government saw respect for human rights, both domestically and internationally, as critical. During the previous year, dreadful atrocities and violence had been committed around the world, leading to the failure to realize the human rights of millions. At the same time, even in regions that were more peaceful, day-to-day violations of rights could be seen.

8. The World Conference on Indigenous Peoples and its outcome document were a significant milestone for indigenous peoples. New Zealand called for Member States and the United Nations system to implement its outcome document, which contributed to the full realization of the rights of indigenous peoples as set out in the Declaration on the Rights of Indigenous Peoples.

9. Although very encouraging progress in awareness and articulation of the rights of persons with disabilities had been seen, including a number of new ratifications, accessions and signatories to the Convention on the Rights of Persons with Disabilities, a gap remained between normative frameworks and actual practice. In order to ensure that the rights of persons with disabilities were entrenched within

United Nations mandated programmes, all Member States should collect and disaggregate disability data.

10. New Zealand was concerned at the number of outstanding requests to Governments for visits by the Special Rapporteur on violence against women, its causes and consequences. Policies must be developed to address the root causes of violence against women, including by raising awareness of access to multisectoral services and avenues of safe redress, investigating the normative gaps that might exist at the level of international human rights law, and by strengthening efforts to eradicate violence against women. The gender perspective should be meaningfully integrated into international bodies dealing with a range of security and economic issues. As multiple and intersecting forms of discrimination based on sex and gender prevented women and girls from enjoying the highest possible standard of physical and mental health, States were urged to examine and address the structural and systemic nature of discrimination against women.

11. Amidst the increased conflict and violence around the world, the plight of children in such circumstances was of special concern; efforts by Member States to facilitate access to non-State armed groups, with a view to identifying and protecting children from recruitment into armed conflict, were encouraged.

12. New Zealand welcomed ongoing progress towards the universal abolition of the death penalty, through both abolition and the introduction of moratoriums, and in other cases by further restricting, through legislative reform, the circumstances in which the death penalty could be applied. However, his delegation was concerned at the secrecy and uncertainty that surrounded the use of the death penalty in some States, at shortcomings in respect of the right to a fair trial, and at the possible reintroduction of the death penalty in some States.

13. Human rights frameworks must be strengthened in order to safeguard against the erosion of progress made, including through the increased engagement by States in the universal periodic review process.

14. **Mr. Khan** (Pakistan) said that despite many commendable achievements in mainstreaming human rights at the international level, the dream of protecting the inherent dignity of every man and woman and freeing mankind from basic want was yet to be fully

realized. Millions still lived in abject poverty, endured the horror of armed conflict, or suffered under foreign occupation. As blatant violations of human rights continued to take place, often with a sense of impunity, it was necessary to enforce human rights norms uniformly, holding the weak and the strong equally accountable for any violations.

15. Pakistan believed that all human rights were universal, interrelated and interdependent. Civil and political rights were the foundation of human freedom and dignity and right of peoples to self-determination was a *jus cogens* of international law. The promotion of economic and social rights, including the right to development, facilitated the realization of civil and political rights.

16. National and international safeguards against contemporary forms of racial and faith-based discrimination had to be strengthened. The issue of the death penalty must be examined in a balanced and holistic manner, taking into account the rights of the victims of heinous crimes and the imperative of maintaining social order.

17. Country-specific resolutions and mandates politicized human rights, weakening global consensus, while the universal periodic review offered the best platform to engage Member States on human rights concerns through genuine dialogue and constructive cooperation. Counter-terrorism measures, particularly the use of armed drones and mass surveillance, must strictly comply with the provisions international human rights and humanitarian law.

18. As a founding member of the Human Rights Council, Pakistan had undertaken many initiatives to protect the rights of vulnerable groups, including enacting laws to protect women against honour killings, acid crimes, harassment and discrimination, as well as taking affirmative steps towards the political and economic empowerment of women through reserved seats in legislative bodies, job quotas, and equal access to credit and microfinance. Child education and health being a top priority, his Government had raised its allocation for education to 2 per cent of gross domestic product (GDP), with a goal of reaching 4 per cent by 2018. As a result of the programme on polio eradication, 90 per cent of the country was now polio-free and the type 3 poliovirus had been completely eradicated.

19. An autonomous National Commission for Human Rights in accordance with the Paris Principles would be established, which would systematically monitor human rights situation in the country, investigate violations, assist victims, and make recommendations to the Government. The Commission would be an independent body, with members appointed by a cross-party parliamentary committee, and would have the authority to summon witnesses, obtain documents, visit detention centres and review human rights laws.

20. Drone strikes caused civilian casualties, restricted movements and freedoms and created an environment of fear in the targeted areas. All drone operations, including signature strikes, must follow international human rights and humanitarian law, particularly the established principles of distinction, precaution and proportionality in the use of force. Transparency and accountability were essential to ensure justice for the victims of drone strikes. Above all, the extraterritorial use of drone strikes was inconsistent with the Charter of the United Nations as it violated the sovereignty of Member States. Debate on the issue should lead to the formulation of clear guidelines on the use of armed drones in strict compliance with relevant international law.

21. **Mr. Elbahi** (Sudan) said that Sudan had acceded to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Convention Against Torture, the Convention on the Rights of Persons with Disabilities, the Convention on the Prevention and Punishment of the Crime of Genocide and International Labour Organization (ILO) agreements Nos. 138 and 182. Sudan continued to cooperate with all international human rights mechanisms, in particular the Human Rights Council, as evidenced by the presence of the Independent Expert on human rights in Sudan at the recent session of the Council in Geneva.

22. His Government had established institutional and legislative frameworks and put in place strategies, plans and programmes to promote human rights in Sudan. It had also formed an independent commission on human rights in line with the Paris Principles and a special tribunal on crimes in Darfur. Sudanese law clearly forbade the recruitment of children under age 18 as soldiers, and child protection units had been

established within the armed forces, and child and family protection units had been established within the police force to combat violence against women and girls.

23. Sudan had enacted a law on persons with disabilities and established a framework exemplified by the National Council on Persons with Disabilities, as well as a law prohibiting trafficking in persons, especially women and children. Sudan's deserts were a crossing point and a corridor for trafficking and it had thus hosted a regional conference to combat human trafficking in the Horn of Africa, which had seen broad and high-level participation.

24. All social groups had recently become actively involved in a national dialogue initiative launched by the President of the Republic to discuss issues concerning the nation and the preservation of its stability; its outcomes were expected to have positive repercussions on all citizens, paving the way for their full enjoyment of all rights. Sudan affirmed the universality and indivisibility of human rights. Human rights situations should be addressed based on constructive cooperation that was in line with the protection of human rights, and which refrained from politicizing those situations and violating the sovereignty of States. His delegation considered the family as the building block of society, and therefore stood firm against the imposition of new sexual concepts, the definition of which were not internationally agreed, and which completely neglected the religious and cultural specificities, traditions and heritage of many of the world's peoples.

25. No country, large or small, was without challenges in the area of human rights, hence the need for cooperation among States, all of which could benefit from the experiences of others. No country should ascribe to itself superior wisdom regarding the human rights situation of another. In closing, his delegation called for the adoption of a comprehensive approach to addressing human rights issues around the world that took into account the realization of development, debt forgiveness, the effects of climate change, and the lifting of the trade restrictions and unilateral economic sanctions imposed on some developing countries, so that all countries could meet their obligations in the area of human rights.

26. **Mr. Kohona** (Sri Lanka) said that Sri Lanka had performed strongly on human development indicators

both during and after a period of protracted internal conflict. His country had registered steady economic growth during the transition from humanitarian assistance to development and reconciliation and had achieved middle-income status. Sri Lanka's post-conflict reconstruction and rehabilitation efforts had resulted in the completion of 96 per cent of its demining projects by June 2014 and the resettlement of hundreds of thousands of internally displaced persons (IDPs.) A law on the restoration of property rights was currently under negotiation. Thousands of damaged houses had been restored or renovated and the education system in former conflict-affected areas had been rehabilitated to ensure equal access for all students. Significant resources had been allocated for investment in the North and East of the country, which had contributed to particularly significant growth in the North, and special measures had been taken to address the needs of female-headed households and persons with disabilities in the northern and eastern provinces. In the area of reconciliation, Sri Lanka had established a national plan of action and special bureau aimed at implementing the recommendations of the Lessons Learnt and Reconciliation Commission and it had appointed a commission of inquiry on missing persons that was investigating thousands of complaints with the assistance of an international advisory panel.

27. In August 2013, the High Commissioner for Human Rights visited Sri Lanka and was given unrestricted access to all parts of the country. Visits by the Special Rapporteur on the human rights of internally displaced persons and the Special Rapporteur on the human rights of migrants had been undertaken in December 2013 and May 2014, respectively, and an invitation had been extended to the Special Rapporteur on the right to education. Sri Lanka was a party to key international human rights treaties and had regularly engaged with the Working Group on Enforced and Involuntary Disappearances. His country had undergone its second cycle of universal periodic review in November 2012 and its fifth report under the International Covenant on Civil and Political Rights had recently been considered. Sri Lanka had also been commended by United Nations agencies for its achievements in advancing the rights of women and children.

28. His delegation regretted allegations of threats levelled against human rights advocacy groups in Sri Lanka and attempts made by parties with vested

interests to portray that country as intolerant of religious minorities. Sri Lanka would not tolerate extremism of any kind and would only respond to credible allegations. The selective and politically-motivated targeting of specific countries by the Human Rights Council and General Assembly was of great concern. The undertaking of commissions of inquiry and mandated investigations without the consent of the countries concerned was unacceptable and, in addition to having an adverse impact on those countries, undermined the principles of impartiality and objectivity enshrined in the Charter of the United Nations. Sri Lanka's Government would continue its engagement with international human rights mechanisms and called for constructive, fair and objective engagement on the part of United Nations entities.

29. **Ms. Vadiati** (Islamic Republic of Iran) said that democracy, development and respect for all human rights and fundamental freedoms were interdependent and mutually reinforcing and should be enhanced without distinction between developed and developing countries, in compliance with the purposes and principles of the Charter of the United Nations.

30. The Islamic Republic of Iran deeply regretted that the counterproductive, ill-intended and politically motivated policy of naming and shaming through singling out individual countries still prevailed in the United Nations human rights machinery, applied by a few self-proclaimed human rights champions who ironically had the worst records of flagrant violations of human rights inside and outside of their territories.

31. Iran was deeply concerned about the continuing serious human rights violations in Canada, which included persistent and systematic violations of the rights of aboriginal and indigenous peoples, including prevalent racism, torture and abusive treatment in custody, excessive use of force, physical and sexual assault by police officers, as well as poor health, education and employment conditions. For decades, murder and disappearances of indigenous women and girls and epidemic violence against them had been a national problem in Canada, which demanded urgent attention and investigation by all the relevant United Nations human rights mechanisms, in particular the Human Rights Council.

32. At the international level, contrary to the clear position taken by the international community in

condemnation of the latest military aggression against the Gaza Strip, the unjust, unqualified and biased position of the Canadian Government in extending unconditional support for the atrocities committed by the Israeli regime, including mass killings of innocent women and children, was a vivid example of the double standard and selective policy of one self-proclaimed champion of human rights who justified systematic breaches of international humanitarian law and international human rights law and grave violations of human rights in the most egregious way and sponsored politically motivated initiatives and resolutions against certain targeted countries.

33. The noncompliance of Canada in its law and practice with its international commitments in areas such as rights of migrants, refugees, persons with disabilities and women as well as racial discrimination, harassment, targeting and profiling of Asian and African-Canadian and Muslim communities was also of concern.

34. In March 2014, the Human Rights Committee had issued a blistering report on the role of the United States Government in perpetuating injustices both within its borders and abroad, mentioning 25 human rights issues on which the country had failed to apply the Covenant, including disappearances, torture, unlawful killings of terrorism suspects, assassination, drone strikes and other covert operations, and the improper use of solitary confinement. Iran was deeply concerned over the serious situation of innocent Iranians who had been arbitrarily arrested, detained and deprived of their liberty in the United States or other countries, as the result of United States pressures, on the basis of unfounded allegations of the violation of extraterritorial sanctions unilaterally imposed by the United States which were inconsistent with international law. Her delegation called on the United States to promptly investigate the situation of those innocent Iranians detainees that were held in United States custody and guarantee them a fair trial and due process.

35. The violation of human rights in European Union countries was also a matter of concern. Xenophobic attitudes and hate speech continued to be major problems, especially targeting vulnerable groups, such as Roma, migrants, Muslims, refugees and asylum seekers. Furthermore, in the face of the political and economic crises that affected the European Union and its member States, protection of human rights had

rarely been a European Union priority in the previous year, especially when those negatively affected, in particular the aforementioned vulnerable groups, were marginalized and institutions largely failed to live up to the promises of the Charter of Fundamental Rights of the European Union.

36. In the United Kingdom, leading conservative leaders and the Prime Minister had continuously and publicly attacked the concept and application of human rights both in general terms and specifically in terms of the European Convention on Human Rights and the Human Rights Act. New emergency legislation as announced in July 2014 would grant British intelligence and law enforcement agencies access to data about millions of people's communications, marking a serious blow to the right to privacy.

37. Norway had long projected itself as a committed, moral force on the global stage and home of the Nobel Peace prize, but in reality its record on human rights was getting worse, especially with regard to asylum-seekers and migrants. Norwegian women remained inadequately protected against domestic violence in law and practice. Statistics on reported rape and sexual assault were not regularly updated. Iran shared the concern of the European Commission against Racism and Intolerance stating that Norwegian authorities had failed to implement the Commission's recommendations to address racial profiling in stop-and-search practices by the police, customs and immigration officials.

38. **Mr. Zamora Rivas** (El Salvador) said that it was important to recognize efforts and progress made in human rights and to create the space for constructive dialogue that guaranteed the commitment to peace and the full, transparent and effective protection of all human rights. As human rights were an indispensable element to achieve full social development and peace, El Salvador strove to go beyond its international human rights obligations, both domestically and abroad.

39. The protection of the human rights of all persons, regardless of their immigration status, was vital for development. Consequently, his delegation promoted a comprehensive migration policy based on the principles of tolerance, solidarity, full respect for human rights, gender equality, justice, inclusion, social equity, coherence and shared responsibility, non-discrimination, and the best interests of children.

Migration, development and human rights must be addressed jointly in the various international, regional and national forums. The international community must integrate in its agencies, funds and programmes cooperative actions to address the multifaceted issue of international migration.

40. Migratory flows and their transnational implications clearly indicated that the problem went far beyond the domestic policies of the countries from which migrants left or through which they transited, instead heaving repercussions on the entire international community. Therefore, it was important for countries committed to human rights to raise awareness regarding instruments to protect unaccompanied migrant children, one of the greatest challenges in international migration.

41. According to the report of the Secretary-General (A/69/277), there were 35 million international migrants under 20 years of age. Migrant children and adolescents, especially those who were undocumented, were likely to suffer violence and serious violations of their human rights throughout their journeys. That issue should be shared and addressed by the countries of origin, transit and destination. The situation of underage migrants, many of them unaccompanied, presented a specific challenge with regard to human and humanitarian rights and should be analysed by the General Assembly. Consequently, with Honduras and Guatemala, El Salvador was proposing a draft resolution on migrant children and adolescents (A/C.3/69/L.52).

42. In the middle of the twenty-first century, it was more than necessary for the international community to work to create and strengthen spaces that promoted cooperation and solidarity across nations, from a perspective that respected development and human rights, regardless of race, language, nationality, religion, age, political opinion, gender, sexual orientation or immigration status. Cooperation and trust between Governments was necessary to achieve concrete results towards a comprehensive vision that united human rights, migration and development.

43. **Mr. Pesarvich** (Belarus) said that Belarus had always opposed the politicization of human rights, believing that a comprehensive approach should underline cooperation and take into account the historical, economic, political, ethnic, cultural and social features of countries. Belarus focused on

economic and social rights to establish conditions to encourage and promote political and civilian rights, participating in the universal periodic review and organizing consultations with State representatives, academia and civil society. Belarus complied with its human rights obligations at the international level and had organized a number of meetings on topics such as human trafficking, racial discrimination, hatred and intolerance on the Internet, the protection of children and national judicial practices to protect persons with disabilities.

44. Belarus was concerned with the growing trend of pressuring States under the pretext of human rights protection, disregarding the historical development of States and their particular social, cultural, ethnic, economic and political features. Unfortunately, there were more and more efforts to rewrite or reinterpret key international instruments. In that regard, unilateral sanctions had been applied. Belarus consequently welcomed the establishment by the Human Rights Council of a Special Rapporteur on the negative impact of unilateral coercive measures.

45. A number of examples of double standards existed, where Belarus had been criticized by many States that had their own human rights problems. In Canada, for instance, the human rights of indigenous peoples to their land and resources had been violated, anti-fracking protests had been broken up, and harsher laws had been imposed to limit the rights of trade unions and potentially fine striking workers. In the United Kingdom, Julian Assange had been kept in the Ecuadorian Embassy for over two and a half years, journalists had been arbitrarily arrested, the media that had published Snowden's research had been attacked, and anti-Muslim groups had emerged. In the United States, the demonstrations against proposals to bomb Syria had been broken up, prisoners were still detained at Guantánamo, journalists had been followed, and drone strikes in Yemen had provoked numerous civilian deaths. In the Czech Republic, the Roma were persecuted and the country displayed the highest risk of enslavement from human trafficking, according to the Walk Free Foundation. Finally, Switzerland had seen a rise in racism. Although 400,000 Muslims lived there, they did not have sufficient guarantees against discrimination, as evidenced by delays in obtaining documents and extraditions conducted to countries that practiced torture.

46. So-called advanced democracies criticized Belarus, but Belarus could not accept the use of human rights for political purposes, selective approaches or double standards.

47. **Mr. Lasso Mendoza** (Ecuador), reiterating his country's concern at measures adopted by certain States that restricted the fundamental rights of migrants, underscored the need for Member States to uphold their international human rights obligations. Ecuador was particularly concerned at the adoption of public policies by certain countries of destination that imposed disproportionate sanctions on administrative offences and infringed the rights of migrants, including their right to equal access to justice and to public and private entities that provided assistance and advisory services. Disturbed that certain developed countries curtailed migrants' sexual and reproductive rights based on their migratory status, Ecuador urged those countries to ensure the access of migrants to such services and to guarantee the full enjoyment of their human rights regardless of migratory status.

48. Ongoing instability and the aftermath of the global financial and economic crisis continued to affect migrants, who faced high rates of unemployment and underemployment, wage reductions and rising discrimination, including xenophobia and related forms of intolerance. Ecuador urged States to adopt stricter measures to protect migrants against illicit acts of violence or discrimination based on nationality, ethnicity or religious belief. In that regard, he underscored the importance of policies and programmes aimed at promoting and enhancing capacity-building for the integration of migrants in destination societies and fostering peaceful inter-community relations. Ecuador called upon all Member States to protect the rights of migrant children, particularly unaccompanied minors, by prioritizing the best interests of the child and family reunification in the context of repatriation policies and programmes.

49. In line with its promotion of human capital over financial capital, a pillar of Ecuador's policymaking for more than seven years, his country had been a pioneer in the advancement of migrants and the principle of universal citizenship. In 2008, Ecuador proclaimed human mobility a constitutional right. Its Constitution outlawed all forms of discrimination, including discrimination based on migratory status, gender identity and sexual orientation, and prohibited the return or expulsion of foreigners to countries that

posed a threat to their lives, freedom, security and integrity or those of their families. Ecuador's Constitution also prohibited the expulsion of groups of foreigners and upheld the right of migrants to individual trials.

50. Notwithstanding the multiple challenges Ecuador faced as a country of origin, transit and destination for migrants, it had honoured all of its commitments under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and regretted that none of the most developed countries had acceded to that Convention. In that context, it had created stimulus programmes to promote the repatriation of emigrants from Ecuador and had undertaken measures to facilitate their reintegration. He underscored the importance of efforts undertaken by the Community of Latin American and Caribbean States (CELAC) in the area of migration, including the recent Meeting on Migrations held in his country.

51. **Ms. Smaila** (Nigeria) reiterated her country's firm belief in the universality, indivisibility, interdependence and interrelatedness of all human rights. Nigeria had cooperated fully with the universal periodic review process, the sole mechanism that provided a uniform human rights assessment framework for all Member States, and, during its second review cycle, had issued an open invitation to all special procedures mandate holders to visit Nigeria. Through its active participation in the work of human rights mechanisms at national, regional and international levels, her country had largely fulfilled its commitments to the Human Rights Council.

52. Nigeria's Government had strengthened its legal framework in the area of human rights, notably by acceding to a broad range of relevant international and regional instruments. Its Constitution had been amended to provide for the establishment of a national court responsible for adjudicating cases involving the civil rights of workers, a reform that had resulted in increased protection of employees' rights. The Government's commitment to a rights-based, pro-poor and gender sensitive approach to economic management was reflected in its Vision 2020 agenda aimed at stimulating rapid and sustainable economic growth and guaranteeing the well-being and productivity of Nigerians across a range of indicators. That agenda incorporated a strategy for the systematic mainstreaming of gender in all Government policies

and programmes, and resources were currently being allocated to expedite the enactment of gender-related draft legislation.

53. The disproportionate focus on civil and political rights at the expense of economic, social and cultural rights was detrimental in view of the overwhelming prevalence of poverty, conflicts and diseases throughout the world, particularly in developing countries. Due consideration must be given to economic and social rights through refocusing international human rights mechanisms on the advancement of those rights and increasing development aid and financial assistance to developing countries, steps that were crucial to the realization of the Millennium Development Goals and the post-2015 development agenda. Nigeria reiterated its commitment to advancing dialogue and cooperation for the protection of universal human rights.

54. **Ms. AlMuzaini** (Kuwait) said that Kuwait focused on the role of human rights bodies and their efforts to promote cooperation with States to establish agreed mechanisms that ensured the enjoyment of human rights, without undermining the essence of cultural and religious backgrounds and the values of each State by imposing controversial concepts not recognized under international human rights law.

55. The issue of human rights was a top priority for Kuwait, due to its belief that respect for human rights had a close link to sustainable development, as enshrined in the Charter of the United Nations. Kuwaiti legislation was designed to provide the highest level of protection for human rights, ensuring the enjoyment of fundamental freedoms under the Constitution and relevant legislation. Kuwait had sought to entrench the values of human rights by promoting a culture of human rights at all levels. In the area of education, human rights had been added as a subject of instruction in 2006, in a book aimed at raising student awareness of the importance of democracy, the Constitution and human rights, as well as the role of international organizations in protecting human rights.

56. Her delegation's concern for human rights stemmed from its belief in their impact on the life of both individuals and society as a whole. Consequently, human rights principles had been incorporated into national development plans, in application of Law No. 9 of 2010, especially with regard to the implementation of the international human rights instruments to which

Kuwait had acceded, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture, the Convention on the Rights of the Child and its two additional protocols and the Convention on the Rights of Persons with Disabilities.

57. Since its accession to the International Labour Organization in 1960, Kuwait had ratified 19 conventions on fundamental labour rights. Since the adoption of the first periodic report under the universal periodic review of the Human Rights Council in 2010, Kuwait had made great efforts to implement the conclusions of the review, including by establishing a commission to prepare reports on the coordination of national efforts in the context of implementing voluntary pledges or State recommendations, and by drafting a law on the establishment of a national human rights institution in accordance with the Paris Principles. Kuwait would present its second periodic report to the working group of the universal periodic review of the Human Rights Council in January 2015.

58. Due to growing attention to human rights issues, many changes had occurred, chief among them in situations of human rights violations. Against that backdrop, Kuwait condemned the illegitimate Israeli practices in the Occupied Palestinian Territory and its continued violation of the human rights of the Palestinian people, including by the imposition of restrictions on freedom of movement, the annexation of territory, the destruction of homes and other flagrant violations of the principles of human rights as embodied in United Nations resolutions and the Fourth Geneva Convention of 1949.

59. The international community had a great responsibility to put an end to those illegal violations by the Occupying Power, as well as an obligation to fulfil its commitments to apply legitimate international resolutions. Her delegation shared the concern expressed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 regarding the tragedy that had befallen the Gaza Strip since the beginning of Israeli military operations in July 2014 and their impact on civilians. Kuwait was pained by the continued violence in Syria, now entering its fourth year, and its devastating repercussions on people and property. Roughly half of the country's inhabitants lived in difficult humanitarian

circumstances, whether as refugees in neighbouring countries or as displaced persons.

60. Kuwait stressed the need to redouble international efforts to ensure the delivery of humanitarian assistance to besieged areas and to expedite a political solution that would allow the Syrian people to realize their aspirations to a life of liberty and dignity. She reiterated her country's commitment to promoting and spreading a culture of human rights and international cooperation through participation in all international human rights forums and partnership with all United Nations and other relevant entities, as well as non-governmental human rights organizations, to achieve a better life for all humanity.

61. **Ms. Melón** (Argentina) said that her country's national development agenda, which was aimed at promoting the expansion of human rights and social inclusion for all, was based on a firm belief in the interdependence and universality of human rights and in the fundamental link between human rights and development. To that end, her delegation had issued a joint statement in conjunction with the Group of Friends to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to promote wider ratification of that instrument. Argentina welcomed the new accessions to the Protocol, which should be regarded as an invaluable tool for the implementation of international human rights obligations.

62. Argentina was lending support to a variety of initiatives and draft resolutions aimed at protecting children from violence and promoting the full enjoyment of their human rights, regardless of their condition or migratory status. International dialogue on those issues served to fuel national discussions, which were essential for furthering the realization of human rights, including those guaranteed under the Convention on the Rights of the Child. Measures must be undertaken to classify the various forms of exploitation and violence to which children were exposed through the use of new information and communication technologies and to protect potential victims. To that end, national legislation should be strengthened in accordance with international law to safeguard children against those and other emerging risks.

63. Continued discussions among Member States, special mandate holders and other human rights mechanisms were crucial for maintaining regular and open dialogue on human rights issues. Argentina had participated actively in the formulation of the International Convention for the Protection of All Persons from Enforced Disappearance, the first legally binding instrument to define enforced disappearance as a widespread and systematic practice and an offence under criminal law. The Committee on Enforced Disappearances was working to strengthen the preventive dimension of the Convention by developing monitoring and early warning mechanisms. Lastly, Argentina reiterated its unflagging commitment to combating impunity for human rights violations.

64. **Ms. Moutchou** (Morocco) reiterated her country's commitment to the development and enforcement of international human rights law. For more than two decades, Morocco had been implementing a progressive democratic reform agenda aimed at strengthening the rule of law and advancing human rights. Since the enactment of the 2011 Constitution, which provided a model framework for the protection of human rights, multiple stakeholders had engaged in a constructive national dialogue aimed at guaranteeing the protection of those rights in law and in practice. That dialogue had highlighted, inter alia, Morocco's progress toward protecting the rights of vulnerable groups and promoting economic, social and cultural rights. Achievements in those areas had included the adoption of a national policy on migrants and asylum-seekers and the launch of a plan aimed at promoting the sustainable development of Morocco's southern provinces. The dialogue had also focused on the significant progress made toward strengthening its institutional human rights framework; it had achieved results beyond expectations from the regional mechanisms of the Moroccan National Council for Human Rights, an accomplishment reinforced by the Government's decision to respond to all human rights complaints and proposals referred to it by that entity within a three-month time frame. That decentralized monitoring framework, the first of its kind in the region, had been widely praised for its effectiveness and identified as a best practice.

65. With regard to its international commitments, her country was implementing the recommendations of the universal periodic review and treaty bodies. It had received visits from nine and extended invitations to

nineteen special mandate holders. Morocco was harmonizing its national legislation with international human rights instruments, focusing particularly on the areas of civil and military justice, the criminal codes pertaining to the press and criminal proceedings, and laws on access to information. The country was in the final stage of ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and had just begun the ratification process for the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. Though proud of its achievements to date, Morocco recognized that strengthening the rule of law required drawing upon lessons learned from the past and promoting the regular reinforcement of human rights and their indivisibility, interdependence and universality.

66. In the face of ongoing challenges to the realization of the Millennium Development Goals, which particularly affected least developed countries and small island developing States, it was crucial to maintain the legacy of the Vienna Conference. To that end, Morocco had consistently stressed the need to avoid using human rights for political purposes and to regard all human rights as equal and interdependent. In the context of the post-2015 development agenda, it was crucial to strengthen prevention of human rights violations through the implementation of international human rights commitments and establishment of relevant mechanisms at national and international levels. Steps must likewise be taken to strengthen the role of the Office of the High Commissioner for Human Rights and ensure the adequate provision of funds to that entity. In recognition of Morocco's commitment to promoting the role of civil society, an aim reflected in its Constitution, the country had been selected to host the second World Forum on Human Rights in November 2015 on the theme of children's rights. Honoured by the international community's acknowledgement of its achievements, Morocco would spare no effort in ensuring the success of that event.

67. **Mr. Tupouniua** (Tonga), welcoming the Secretary-General's recommendations for the promotion of the human rights of migrants, an issue of particular relevance to his country, said that Tonga was determined to implement the human rights commitments contained in the Samoa Pathway. Tonga had received praise for its serious engagement with the universal periodic review process, which highlighted

the extensive progress it had made toward establishing a democratic political system. Over 49,000 people, the majority of them young voters, had registered to vote since the country's first general election, representing an increase of 17 per cent in two years. Tonga had strengthened the rule of law across all sectors of society through the adoption of a Police Act and a Prisons Act aimed at preventing abuse within the justice system. Perpetrators of prison abuse were routinely prosecuted and civilian deaths by police were extremely rare. Though Tonga had not ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it had demonstrated the legal capacity to deal effectively with torture and inhumane treatment.

68. His country had made further commitments to promoting education and improving women's representation in leadership roles and had established campaigns to prevent domestic and gender-based violence. It had also undertaken efforts to protect the rights of persons with disabilities and created a food, women and youth development division within the Government aimed at preparing youth to be human rights defenders.

69. Despite those achievements, Tonga still struggled to implement commitments to reduce corruption and to strengthen protection of freedom of expression, information and the press. Women also remained underrepresented in public bodies. Future progress would depend on adequate resources and the continuation of genuine and durable partnerships with other States, international organizations and non-governmental organizations. Though national actions were of primary importance, international cooperation was particularly crucial for addressing the unique human rights challenges faced by small island developing States, notably in ensuring their right to development and preventing abuses resulting from the impact of climate change. The Samoa Pathway provided a useful framework for cooperation efforts in that regard.

70. **Mr. Lynn** (Myanmar) said that, against a backdrop of complex and evolving global instability, calls for the protection of fundamental human rights were resounding throughout the world. Though indispensable to the realization of those rights, international cooperation was sometimes undermined by the selective targeting of countries for political purposes and the imposition of double standards.

Committed to upholding the principles of sovereignty, equality and non-interference, Myanmar rejected country-specific resolutions, which often proved fruitless and even counterproductive to the advancement of human rights. As his country prepared for its second cycle of the universal periodic review, he underscored the pre-eminent reliability of that mechanism for assessing human rights situations in all countries.

71. Myanmar's advancements in the area of human rights had obviated the need for country-specific resolutions and specific mandates to address its human rights situation, and, in view of substantial ongoing reforms in the country, the need for the continuation of the Secretary-General's good offices should be assessed per the recommendation contained in his report (A/69/362). A proponent of cooperation over confrontation, Myanmar was engaging in human rights dialogues with Japan, the United States and the European Union. It had strengthened its national human rights commission in accordance with the Paris Principles and was receiving technical and capacity-building support from the Office of the High Commissioner for Human Rights. Though incomplete, his country's peaceful transition to a democratic society was broadly recognized. Its achievements in that context had included, inter alia, the strengthening of the country's democratic institutions and legal framework, the advancement of national reconciliation, broader freedom of expression and fulfilment of socioeconomic needs, economic stimulation through foreign direct investment and enhanced international cooperation. A perspectival shift and continued engagement on the part of the international community were required to address the new democratic reality in Myanmar in a balanced and impartial manner.

72. **Mr. Rahman** (Bangladesh) said that his country's commitment to the protection of universal human rights and fundamental freedoms was reflected in its Constitution, which embodied the principles of the Universal Declaration of Human Rights. Convinced that human rights were indivisible, interrelated and mutually reinforcing, Bangladesh was a signatory of all the major international human rights instruments and had developed a strong legal and institutional framework which, in conjunction with a vibrant civil society and free media, helped to ensuring that its people enjoyed the full range of rights. Like any country, Bangladesh could not claim perfection in the

area of human rights and continued to face widespread poverty, a major obstacle to the realization of fundamental rights. Its Government was seeking to address that challenge through a range of policies and programmes aimed at promoting broader enjoyment of human rights through attainment of the right to development, a pre-condition for a strong democracy and a functioning political process. Efforts to promote that right, which was often regrettably denied for political reasons, must therefore be intensified, particularly in the context of the post-2015 development agenda.

73. In line with its belief in the principles of universality, non-selectivity, impartiality and objectivity, Bangladesh rejected politically-motivated resolutions that were used to target developing countries without regard for their level of development, national situation, religious background, culture or the particular challenges they faced. Greater attention must be devoted to ensuring that respect for state sovereignty and non-interference in internal affairs, the cornerstone principles of international relations, were upheld.

74. Bangladesh was gravely concerned at the continued escalation of human rights violations in the occupied Palestinian territory, where thousands of children faced horrific violence and civilians struggled for their basic rights. Notwithstanding the perpetrators' disregard for the repeated appeals of the international community, collective efforts must be undertaken to compel the occupying forces to end their flagrant violations. More than advocacy, a true commitment must be demonstrated by the international community to promote human rights through dialogue, consultation and cooperation generated through mechanisms such as the universal periodic review.

75. **Ms. Mammadova** (Azerbaijan) underscored her country's commitment to protect the rights of missing persons and expressed concern at the ongoing rise in their number in situations of armed conflict worldwide. The lack of information regarding their whereabouts led to heightened vulnerability and mistrust on the part of victims and their families and failure to resolve the issue only hindered reconciliation in conflict-affected countries. The issue of missing persons should not be politicized or made contingent on political settlement of disputes, as those persons faced multiple violations of their fundamental human rights. Respect for and implementation of international human rights

obligations were therefore key to protecting their rights and reducing their number.

76. Preventive measures, including the enactment and strengthening of national legislation in accordance with relevant sanctions under international humanitarian law, must be prioritized. Guaranteeing the right to truth was likewise essential for alleviating the suffering of families and combating impunity, and best practices with regard to criminal investigation, forensic recovery and prosecution of cases of missing persons must be promoted to ensure accountability. Despite progress achieved in some parts of the world, lack of information, access and inadequate political will to guarantee accountability continued to pose obstacles.

77. Armenian military aggression had resulted in a total of 4604 missing Azerbaijani citizens, one of the highest numbers of missing persons in the world. With the assistance of international organizations, Azerbaijan's State Commission on Prisoners of War, Hostages and Missing Persons had investigated and closed 1070 cases since 2004 and had launched a recent pilot project in conjunction with the International Committee of the Red Cross aimed at collecting the DNA of missing persons. Attempts by Azerbaijani authorities and international organizations to gain access to occupied territories or information regarding the whereabouts of missing Azerbaijanis were systematically thwarted by Armenia, which continued to violate the right of families to truth. With regard to Armenia's recent capture of three Azerbaijani civilians, one of whom was brutally murdered, Azerbaijan wished to clarify that those citizens were captured within its internationally recognized borders; that restriction or prohibition of the free movement of Azerbaijani citizens within the territory of Azerbaijan was forbidden, except under conditions specified by that country's national law; and that Azerbaijan therefore had sole prosecuting authority over the case in question. The case was exemplary of Armenia's policy of ethnic cleansing, which was aimed at achieving full occupation of Azerbaijani territories and preventing the return of hundreds of thousands of civilians to their homes. Urgent intervention by international actors was required to protect the two living hostages from illegal detention and prosecution.

78. **Ms. Nguyen** Phuong Nga (Viet Nam) said that reports of persons living in extreme poverty or situations of conflict, unable to go to school or suffering from hunger highlighted the situation of

millions who were deprived of the ability to enjoy their basic human rights. The international community continued to aspire to peace, stability and development, and the United Nations was central to the realization of those aspirations. The Human Rights Council, in particular the universal periodic review, facilitated dialogue and cooperation among Member States on human rights issues. A balanced agenda covering all social, economic, cultural, civil and political rights and strong will to build consensus within the Council were crucial to ensure its success.

79. It was necessary to strengthen dialogue, technical assistance and capacity-building to assist all countries ensure human rights for all. Viet Nam had contributed substantively to the work of the Human Rights Council during its first year as a member and was strongly committed to working with Member States to ensure the Council fulfilled its mandate.

80. The well-being of its people was the ultimate goal and driving force of Viet Nam's sustainable development. Her Government had strengthened its legal frameworks and implemented various socioeconomic programmes to ensure social security and improve living standards. The freedom of expression and access to information was respected and promoted, and the role of the media was continuingly growing. Major world religions coexisted peacefully, and discrimination on the basis of belief was strictly prohibited.

81. International cooperation and dialogue on the promotion and protection of human rights were a priority for Viet Nam. It continued to conduct regular bilateral dialogues with partners and actively participated in regional efforts, in particular the Association of Southeast Asian Nations Intergovernmental Commission for Human Rights. Viet Nam had presented its second national report under the universal periodic review in February 2014 and would continue to engage with the Human Rights Council special procedures mandate holders.

82. Her Government was finalizing the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Rights of Persons with Disabilities. Viet Nam would redouble efforts to ensure the full enjoyment of human rights by all Vietnamese, and was committed to collaborating with all partners

for the protection and promotion of human rights worldwide.

83. **Mr. Lupan** (Republic of Moldova) said that the Republic of Moldova was fully committed to the protection of human rights and commended the work of United Nations bodies in that respect. His Government fully supported the strategic framework for the period 2014-2015 and would bring its national contributions and best regional practices in line with its priorities. As an active member of the Council of Europe and participant in the European Union-Republic of Moldova human rights dialogue, his Government had contributed to coordination and synergy among international and regional mechanisms as a more efficient and consolidated approach to the fulfilment and promotion of human rights.

84. The Republic of Moldova had abolished the death penalty in 1995, and had promoted its abolition ever since in all relevant international forums. All States were urged to join the global moratorium on the death penalty.

85. The Republic of Moldova was a candidate for membership in the Human Rights Council for the period of 2020-2022. His Government attached great importance to the universal periodic review, and had organized the fourth French-speaking seminar on the universal periodic review with International Organization of la Francophonie and the Office of the High Commissioner for Human Rights in April 2014, which had provided a platform for sharing experience on the implementation of universal periodic review recommendations and improving the mechanism's durability. Greater priority should be given to the implementation and follow-up of the recommendations issued from the universal periodic review process, treaty bodies and special procedures mandate holders. As a participant in streamlining such recommendations, the Republic of Moldova could confirm their effectiveness in the systematic implementation of human rights, and could serve as a useful example for other Member States.

86. Resolution of the human rights situation in the Transnistrian region of the Republic of Moldova, where an unresolved conflict remained outside the monitoring process of the national and international human rights mechanisms, remained a high priority on the national agenda. Another issue of great concern to his Government was the operation of Latin-script

schools in the aforementioned region. Over the years, such schools had been subject to various forms of pressure and intimidation from various Transnistrian structures, and operated in a climate of uncertainty and insecurity in addition to being confronted with myriad challenges, including discriminatory policies. His Government was committed to identifying solutions through dialogue, and had appealed constantly to the Transnistrian side to refrain from taking any unilateral action that could lead to the deterioration of the conditions of those schools. The attention of international partners to the issue was still much needed.

87. With the new development agenda on the verge of finalization, the international community should strengthen the links between the three dimensions of sustainable development. A human rights-based approach was essential to development progress.

88. **Mr. Kydyrov** (Kyrgyzstan) said that his Government attached great importance to ensuring the basic human rights and freedoms enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and other core international legal instruments. The capacity of the United Nations and its agencies to promote and protect human rights should be enhanced. As a member of the group of Friends of the Rule of Law, Kyrgyzstan supported the proposal that the promotion of democratic governance, the rule of law and human rights for all should be central to the post-2015 development agenda.

89. His Government was determined to follow universally accepted legal principles. Building a State governed by the rule of law and achieving sustainable development were the objectives of the National Sustainable Development Strategy 2013-2017. In accordance with the Strategy, his Government had taken steps to improve the regulatory legal framework and comprehensive reform of the judiciary, law enforcement and penitentiary systems and to ensure gender equality, strengthen the role of youth, and protect the rights of children, the disabled and the poor.

90. Kyrgyzstan had abolished the death penalty, amended criminal legislation and adopted a new code on the rights of the child. A State programme on juvenile justice had been developed and submitted to Parliament. Human rights activities had resulted notably in the November 2013 establishment of the

Coordination Council for Human Rights, which had the powers to improve mechanisms to ensure protection of the human rights and basic freedoms of all individuals and citizens, the implementation by Kyrgyzstan of its international obligations.

91. The role of the Ombudsman should be adequately reflected in the post-2015 development agenda as one of the effective mechanisms for the protection and promotion of human rights. Parliament was increasingly involved in legislative and monitoring activities related to the adoption and implementation of human rights legislation and strengthened cooperation with civil society. International agencies in the field of human rights, including the Office of the High Commissioner for Human Rights, played an important role in activities to build peace, stability and security. Yet, to improve the effectiveness of human rights mechanisms and the comprehensiveness of the measures taken, the international community should take into account national and regional specificities and historical, cultural, and religious developments.

92. The Kyrgyz Republic had presented its report under the universal periodic review process in 2010, and 154 of the 168 recommendations had been adopted. It was finalizing the second national report under the periodic review, bringing the total number of reports presented to United Nations treaty bodies to six.

93. The efficiency of the Human Rights Council should be increased. Many countries, in particular developing countries, lacked the resources needed to reform the relevant institutions and mechanisms to promote human rights. It was important to take that into account within the framework of the United Nations and multilateral cooperation.

94. **Mr. Mandoukou Ombegue** (Gabon) said that given man's centrality to development, it was only fitting that the full enjoyment of human rights should underpin a fair, egalitarian and prosperous society. Those values were central to his Government's efforts to ensure the respect of human rights. A ministry for human rights and equal opportunity had been created, and, in follow-up to the 2010 decision to abolish the death penalty, Gabon had ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty. Gabon had supported the relevant General Assembly resolutions since 2007.

95. Gabon would soon assume the presidency of the Human Rights Council. As one of the Council's founding members, Gabon had always worked alongside other Member States to find consensus solutions. His Government, like that of other member States of the Non-Aligned Movement sought to resolve human rights issues through dialogue and cooperation rather than confrontation.

96. In its efforts to implement the International Covenant on Economic, Social and Cultural Rights, Gabon had taken numerous steps to allow its citizens to fully enjoy such rights. It had ratified the Convention on the Rights of the Child, the Convention on the Elimination of All Forms Discrimination against Women and their Optional Protocols. Equality was guaranteed under the Constitution, and several innovative measures had been taken to promote women in the public sphere and judicial system. Several structures had been implemented to handle cases of gender-based violence, along with efforts to reduce all forms of gender-based violence through systematic investigations, judicial proceedings and sanctions. The Constitution also provided for legal redress of any failure to respect human rights. Medical insurance and the coverage of social services throughout the territory had also been implemented. Those efforts aimed to implement Article 4 of the Covenant, the principle of which had been integrated into domestic legislation and applied to magistrates, lawyers and State officials alike. Through education, information and awareness-raising, informal seminars organized by public authorities contributed to the implementation of the Conventions and protocols. Gabon was ready to follow the recommendations arising from the universal periodic review process and would continue to support the promotion and protection of human rights.

97. **Mr. Mulyadi** (Indonesia) said that the promotion and protection of human rights was a national priority clearly demonstrated in the Constitution. Since 1998, Indonesia had achieved major national reforms in such areas as human rights, governance, and the rule of law.

98. Notwithstanding the many excellent examples of national democracies, every country had its own distinguishing characteristics that precluded the use of a fixed formula to address specific human rights situations. Each situation should be carefully observed to produce an appropriate and sustainable solution based on the principles of objectivity, impartiality and non-selectivity and the elimination of double standards

and politicization. While all countries could communicate their views on human rights issues, their commitment was best expressed through long-term technical assistance and capacity-building tailored to the needs and requests of the country concerned.

99. The universal periodic review played a critical role as it placed countries on equal footing and strengthened efforts to promote the values of democracy and human rights; however, all recommendations made within the universal periodic review process should be realistic and implementable. When considering human rights issues, the international community and human rights bodies should take a constructive, cooperative, and respectful approach, and be sensitive to values and practices that did not enjoy international consensus or acceptance.

100. Indonesia attached great importance to the right to development and was committed to its full enjoyment and effective realization. Given the growing complexities of development challenges, it was crucial to secure a post-2015 development agenda that was sustainable, inclusive and people-centred, and the international community should redouble efforts to build trust and improve the efficiency of its joint endeavours.

101. The work of the Special Rapporteurs and Special Representatives of the Secretary-General was critical to highlighting human rights issues or incidents. They should continue to collaborate with Member States and relevant stakeholders, uphold the highest standards of professionalism and work in full compliance with the Code of Conduct. In turn, the international community should respond to the needs of the countries concerned through a process of constructive engagement.

102. **Mr. Mayr-Harting** (Observer for the European Union) said that the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Albania and Bosnia and Herzegovina had aligned themselves with his statement. The European Union reaffirmed its commitment to human rights as well as its support for United Nations bodies tasked with the promotion and protection of human rights even as it scaled up its own response to ongoing crises.

103. The European Union was determined to support international endeavours to end such atrocities as sexual and gender-based violence, the targeting of minority and majority communities, abductions and forced marriage of women and girls taking place in the

Syrian Arab Republic and Iraq. A political transition led by the Syrian Arab Republic and an inclusive Government committed to conducting the necessary reforms were crucial to sustainable peace and stability in the region. The European Union would support refugee host countries in the region.

104. The European Union supported the work of the Commission of Inquiry for the Syrian Arab Republic and condemned the human rights violations perpetrated there, the denial of humanitarian assistance by the Assad regime and the actions of the Islamic State of Iraq and the Levant. Any responsible for abuses and violations of human rights and international humanitarian law should be held accountable, and the Security Council should refer the situation to the International Criminal Court. It also called on Iraq to accede to the Rome Statute, and welcomed the Human Rights Council request that a mission of the Office of High Commissioner for Human Rights should be sent to investigate the violations and abuses there.

105. Lasting peace in both the Syrian Arab Republic and Iraq depended on inclusive and genuine dialogue, as only tackling the legitimate grievances of all involved would allow for reconciliation and a durable political solution. Any measures taken in that context should not be limited to security and counter-terrorism considerations. Rather, they should include a human rights perspective and address the underlying causes of violent extremism, abuses of the right to freedom of religion or belief, societal fragmentation, and what drove individuals to extremism. Only protecting the right to freedom of religion or belief and combatting discrimination and intolerance would ensure the full realization of human rights, help to build truly pluralistic societies, and guarantee long-term stability.

106. The European Union strongly condemned the ongoing violence, human rights abuses and violations of international humanitarian law committed in Libya. It called on all parties to ensure the protection of civilians and to facilitate the provision of assistance to those in need and supported all efforts made to address the situation.

107. The European Union was also deeply concerned by ongoing conflicts in Sudan, accompanying violations of humanitarian and human rights law, human suffering and internal displacements. The many challenges of Sudan required a holistic approach, including through the commitment of all political

actors to the success of the national dialogue initiated in January 2014. The deteriorating humanitarian and human rights situation in South Sudan was also worrying. Failure to bring about a sustainable and inclusive political solution would intensify the looming humanitarian disaster. All parties were urged immediately to cease fighting and expedite talks facilitated by the Intergovernmental Authority on Development. The European Union was ready to assist the United Nations and the African Union commission of inquiry.

108. International efforts had failed to stabilize the Central African Republic. The European Union strongly condemned the ongoing violence and attacks on civilians, humanitarian partners and international forces. It urged all armed groups to immediately cease violent acts against civilians and to comply with the ceasefire agreement signed in Brazzaville. The European Union would continue to respond to the crisis in that country as part of its comprehensive approach.

109. Each of the aforementioned situations called for justice and accountability, with a view to ending impunity, providing redress to the victims and laying the basis for reconciliation and peace. The European Union had already expressed its support for the work of the commissions of inquiry set up by the Human Rights Council, and supported ongoing investigation of OHCHR in Sri Lanka. It would also support the work of the commission of inquiry on Eritrea. The international community had a responsibility to defend the independence of those investigations and take their findings into account.

110. The European Union drew on the commission of inquiry report for its resolution on human rights in the Democratic People's Republic of Korea, and called on that country to immediately halt violations and address the findings of the commission.

111. The work of OHCHR to assess and report on current crises such as that in Ukraine was greatly appreciated. The European Union was concerned by reports of killing, abduction and torture and other abuses of human rights perpetrated by illegal armed groups operating in eastern Ukraine. It condemned the deterioration of the human rights situation in Crimea, which had been illegally annexed by the Russian Federation, and the persecution and intimidation of Crimean Tatars, and the continued harassment and

discrimination against Ukrainian nationals and minorities, including religious ones, residing in Crimea. The European Union welcomed the recent parliamentary elections in Ukraine and reiterated its willingness to support its efforts to ensure human rights and democracy.

112. While noting the positive developments in Myanmar, the European Union remained deeply concerned about the situation of the Rohingya in Rakhine State, and the violence against religious minorities. It encouraged authorities to take action to ensure accountability and bring about reconciliation. Civil society organizations and human rights defenders were important partners in the effort to build inclusive, resilient and flourishing societies. Governments were more efficient where people were free to express their opinion or grievances, to organize themselves, and to hold the authorities to account. Though civil society continued to voice its opinions, regrettably that space was dwindling. There had been a worrying increase in restrictions placed on non-governmental organizations, harassment and severe human rights violations inflicted on activists. The European Union welcomed the recent amnesty in Azerbaijan; however, the authorities should release other individuals belonging to civil society organizations that had been detained or faced imprisonment for their activities.

113. The European Union continued to closely monitor the situation in Bahrain and supported the framework set by the commission of inquiry on Bahrain and the recommendations of the universal periodic review. The European Union firmly believed that freedom of expression and assembly were key prerequisites if Bahrain was to overcome its current challenges. As Bahrain prepared elections, the European Union urged all relevant actors to contribute to dialogue and national reconciliation in a peaceful and constructive manner.

114. The European Union deplored the imposition by the Russian Federation of severe restrictions on the freedom of expression, peaceful assembly and association, and reiterated its concerns about restrictive non-governmental organization legislation. It called on the Russian Federation to uphold its national and international obligations and to ensure that the laws governing non-governmental organizations complied with international human rights standards.

115. The arrest and detention of peaceful human rights defenders, including lawyers, artists and intellectuals in China were cause for concern. The European Union urged the authorities to release those detained for exercising their right to freedom of conscience, expression and association. The human rights situation in Tibet and Xinjiang were also worrying. China was urged to address the grievances of ethnic and religious groups and to foster meaningful dialogue.

116. The European Union regretted the continued use of the death penalty in approximately 22 countries around the world. China had a high number of executions. The European Union hoped that the recent decision in Pakistan to uphold a death sentence for blasphemy would be appealed and overturned by the Supreme Court. In the Islamic Republic of Iran, many cases ending in application of the death penalty were the result of trials that did not respect due process guarantees or comply with international minimum standards. Such systematic recourse to the death penalty should be seen against the backdrop of persisting human rights violations including the oppression of political freedoms and violations of the rights of persons belonging to religious and ethnic minorities.

117. There had also been an increase in executions in Iraq, while Saudi Arabia continued to apply the death penalty for crimes that did not warrant it under international minimum standards. Though it took note of the serious security challenges in Egypt, the European Union had also noted a trend of disproportionate sentencing and the lack of adequate safeguards for freedom of expression and assembly as enshrined in the Constitution. Belarus, the only country in Europe that still applied the death penalty, was also urged to introduce a moratorium on executions.

118. The European Union was strongly committed to the indivisibility of all human rights and believed the growing recognition of the interdependence of human rights, good governance and development should guide its work for the post-2015 development agenda.

119. The Ebola crisis required swift, united, and coordinated efforts by the international community. The European Union had just scaled up its contribution to provide urgent medical care to those infected by the virus and to help contain the epidemic and support governments of affected countries to provide guarantees to medical personnel. More would need to

be done to address the economic and humanitarian consequences and underlying causes. The pandemic had exposed enormous gaps in education and information and weak, under-resourced health systems and the lack of trust in public institutions.

120. **Mr. Hoxha** (Albania) said that his Government was deeply concerned about the continued application and, in some cases, the resumption of the use of the death penalty in several countries. Albania called on all States that had resumed executions to reconsider their position. Albania sought to achieve a global understanding to put a final end to that unjust practice.

121. His Government was also deeply concerned by the increasing number of violent acts against individuals, in particular religious minorities, and the perpetration of human rights violations against minorities by some Governments. It was more important than ever to protect vulnerable groups. Lessons learned from past atrocities should be put into practice and violence against minorities given high priority by the international community.

122. In Albania, intercultural and interreligious dialogue, combatting discrimination, and early education to promote tolerance were central to domestic and foreign policy priorities. Religious freedom was a shared space that required respect, understanding and cooperation to build. Albania had achieved and wished to conserve such a space.

123. The previous day, the representative of Serbia had referred erroneously to Kosovo, an independent State recognized by 110 Member States, as a province of Serbia. The representative had evoked the work of the Chief Prosecutor of the EULEX Special Investigative Task Force, which Serbia welcomed, on crimes that had allegedly taken place in 1999. Following a three-year investigation, as decided by the Parliament of Kosovo, an ad hoc court would be established to decide whether to investigate the relevant matter further and whether to indict the individuals who bore responsibility for any crimes committed.

124. Albania believed that the rule of law and transitional justice were essential components in building a sound post-conflict society, improving inter-ethnic relations and bringing about good will in Kosovo. There should be an end to political statements. Dictating how the court should proceed neither helped justice nor contributed to the truth. It was important to

remember that the investigation had found no conclusive evidence of the charges, though it did not excuse any crimes that may have been committed. The Chief Prosecutor had not intended to rewrite history or to attack the legitimate fight of Kosovo for freedom and dignity. Kosovo was independent and its citizens were free. Justice for all would consolidate that reality.

The meeting rose at 1.05 p.m.