



General Assembly

Sixty-ninth session

Official Records

Distr.: General
20 January 2015

Original: English

Third Committee

Summary record of the 36th meeting

Held at Headquarters, New York, on Thursday, 30 October 2014, at 3 p.m.

Chair: Ms. Nilsson (Vice-Chair) (Sweden)

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In the absence of Ms. Mesquita Borges (Timor-Leste), Ms. Nilsson (Sweden), Vice-Chair, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 64: Promotion and protection of the rights of children (*continued*) (A/C.3/69/L.24)

1. **Mr. Dotta** (Uruguay), introducing draft resolution A/C.3/69/L.24, said that Andorra, Bolivia, Cuba, Dominica, Ecuador, Georgia, Grenada, Guatemala, Haiti, Honduras, Lebanon, Nicaragua, Peru and Venezuela had joined the sponsors. The draft resolution emphasized the fight against inequality and poverty as a basis to ensure the effective enjoyment of the rights of the child.

2. **Mr. Kane** (Secretary of the Committee) said that San Marino and Serbia had also joined the sponsors of the draft resolution.

Agenda item 26: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/69/L.12/Rev.1)

3. **Ms. Sabja** (Plurinational State of Bolivia), introducing draft resolution A/C.3/69/L.12/Rev.1 on behalf of the Group of 77 and China, said that the draft resolution provided an opportunity to revitalize the efforts and objectives of the International Year of the Family established twenty years earlier. The current draft resolution emphasized family-oriented policies in the elaboration of the post-2015 development agenda and the development of strategies and programmes aimed at strengthening national capacities to address national priorities relating to family issues.

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*) (A/69/362, A/69/306, A/69/548 (to be issued), A/69/301, A/69/398, A/69/356, A/69/307, A/69/639, A/C.3/69/2, A/C.3/69/3, A/C.3/69/4, A/C.3/69/5, A/C.3/69/6, and A/C.3/69/7)

4. **Mr. Sareer** (Maldives) said that the promotion and protection of human rights was central to the Maldives' domestic and foreign policy agenda. The Constitution of 2008 contained a Bill of Rights, enshrined the principle of the separation of powers and established independent institutions of horizontal accountability. In addition, the Maldives had ratified key international human rights instruments and was working towards domestic implementation of its obligations, including through legislation on disability rights and domestic violence. Under the Social Protection Act, all citizens could claim rights to healthcare, social health insurance and pensions; monthly income support was available for vulnerable people and those living in poverty, and low-income families received Government assistance to obtain school supplies, medical treatment and disability care.

5. However, the enactment of formal and statutory measures did not necessarily guarantee the delivery of fundamental human rights: the enjoyment of human rights and freedoms could only be attained through cultivating values and building resilience in society. To match its achievements at the domestic level, the Maldives was advocating for human rights on the international stage. As the smallest country to be elected to the Human Rights Council, where it was currently serving its second term, the Maldives had seized the opportunity to represent the voiceless and

marginalized, bringing the human rights agenda of small island developing States to the fore. Such an agenda could not be ignored as the international community hastened to complete the drafting of the post-2015 development agenda and secure a fair, ambitious and legally binding agreement on climate change. Slowly but surely, the world was moving towards a human rights-based approach to development.

6. It was also time for a human rights-based approach to climate change. The Maldives had drawn attention to the indivisible links between climate change and human rights across the platforms and organs of the United Nations and had been instrumental in bringing the issue to the Human Rights Council, leading to a unanimous resolution that explicitly acknowledged that climate change had implications for the full enjoyment of human rights (HRC/7/23). However, there was more work to be done as entire populations faced violations of their fundamental human rights and freedoms. Gradual change and extreme climate events were already affecting the lives of people living in small island developing States. The scientific consensus was frighteningly clear: in the absence of major mitigation, the impacts were due to get worse. Adaptation and climate resilience-building efforts must be combined with a strong, unequivocal commitment to cut global emissions.

7. His delegation called for the protection and promotion of human rights under particular threat due to the impacts of climate change. As the most low-lying country in the world, the Maldives was gravely threatened by rising sea levels, which led to saltwater intrusion and land erosion and might ultimately force its people to relocate. That emerging trend in migration was a human rights issue that had been neglected for too long and must be examined and addressed at the international level.

8. Climate change was fundamentally a human issue, as it threatened human prosperity, human rights and human survival; it was already interfering with the right to life, the right to take part in cultural life and the right to property. It must now be acknowledged that climate change was fundamentally an issue of international security and stability as well. The long-term security threat that affected low-lying States such as the Maldives should be addressed by the United Nations Security Council.

9. Contemporary challenges such as environmental degradation, climate change and global inequality undermined efforts to meet human rights commitments. Some nations bore a disproportionate share of those challenges and did not have adequate resources to deal with them. While it was the primary responsibility of Governments to protect human rights, it was also the responsibility of the international community as a whole. The Maldives urged the international community to assist countries in need of support with generosity and good faith, creating an upward spiral of compliance with human rights necessary for human development.

10. **Ms. Raabaua** (Kiribati) said that Kiribati was one of the countries currently undergoing the universal periodic review. It had reported on the positive developments in new legislation and institutional arrangements, but climate change and its adverse effects on the population were a new focus of the report. Kiribati was entirely low-lying except for one island, which rose no higher than 2 metres above sea level. Consequently, climate change and the resultant sea level rise presented new and major challenges, including loss of territory, severe coastal erosion, involuntary displacement of communities and decreases in food and water security. It had become a question of survival for its people. Those new challenges were putting enormous pressures on domestic institutions, the national budget, families, and the country's sense of well-being; the Intergovernmental Panel on Climate Change (IPCC) had confirmed that such difficulties would only grow worse in the foreseeable future. The sea level rise estimated by the IPCC at one metre by the turn of the century made Kiribati as well as other low-lying countries such as Tuvalu, the Marshall Islands, Tokelau and the Maldives the most vulnerable nations in the world to the consequences of climate change.

11. Therefore, her delegation could not really talk about human rights and freedoms without also talking about change in the climate system and sea level rise, which was affecting the very basic right to survive. Kiribati was trying to adapt, by buying land offshore, building seawalls and focusing on education and skills training for its population, but could not face the challenges alone. The changes that Kiribati was experiencing in the climate system brought new challenges and dimensions to the meaning of human rights, the right to a home, and the right to survival for

the global community. It was on the front line now, but the many millions of people living in low-lying coastal cities, towns and communities around the world would soon be affected too.

12. Her delegation challenged the Committee and the Human Rights Council to focus and catalyse global action to address that major challenge, as it had done for the rights of individuals, women's rights, gender equality, the rights of the child, the rights of the disabled, and freedom of speech, worship and association. The responsibility should not be shifted to other United Nations bodies or agencies.

13. **Ms. Vraïla** (Greece) said that Greece remained committed to the universality, indivisibility and interdependence of all human rights, providing its full support to the multilateral human rights system with the United Nations at its core. It was looking forward to receiving the Special Rapporteur for Racism and the Special Rapporteur on the independence of judges and lawyers in 2015. Greece had announced its candidature for the Human Rights Council for the period 2019-2021. If elected, it would focus on the promotion of democratic institution-building and respect for the rule of law, the promotion of freedom of religion or belief, the protection of religious minorities during armed conflict or unrest, the fight against racial discrimination, xenophobia and racism, the empowerment of women and the mainstreaming of the disabilities agenda in the United Nations system.

14. Greece attached great importance to the full enjoyment of the freedom of expression by all persons as a necessary prerequisite for the effective functioning of a democratic society. In 2013, Greece had initiated a resolution on the safety of journalists and the issue of impunity, which it believed should remain a priority on the United Nations agenda. Moreover, Greece had ratified almost all major international conventions and additional protocols related to the protection of human rights, including the Convention against Torture. In 2013, the Greek parliament had ratified the International Convention for the Protection of all Persons from Enforced Disappearance, also amending its criminal and civil codes to harmonize domestic legislation with the relevant provisions of the Convention.

15. **Ms. Pachoumi** (Cyprus) said that the human rights violations committed by Turkey in Cyprus had been pointed out by the United Nations High

Commissioner for Human Rights, in resolutions of the United Nations Commission on Human Rights and by the European Court of Human Rights. The European Court of Human Rights had also confirmed the responsibility of Turkey in the occupied areas, stating that Turkey exercised effective overall control in the occupied part of Cyprus, where it had established a subordinate local administration, which was also condemned in numerous United Nations resolutions as an illegal secessionist entity.

16. Approximately 170,000 internally displaced Greek Cypriots were being denied the right to return to their homes, and of their right to full enjoyment of their home and property rights. The European Court of Human Rights had ruled in favour of Cyprus against Turkey on 12 May 2014. Homes and properties had been unlawfully sold and exploited by the occupying Power since 1974, in a persistent policy of solidifying the de facto alienation of the legal owners from their properties. Turkey's settlements policy in the occupied part of Cyprus continued unabated, with a view to distorting even further the demographic composition of the island and its character, in violation of human rights norms and international humanitarian law.

17. Maronites and Greek Cypriots enclaved in the occupied part of Cyprus were most affected by the continuous denial of basic human rights, while being treated in a discriminatory and intimidating manner and living in a constant state of fear. They were systematically subjected to harassment, monitoring, restrictions to their freedom of movement, right to privacy, denial of access to adequate medical care and curtailment of their freedom of worship, as well as freedom of expression and assembly. Violations of the right to education of enclaved students was also of concern, with the frequent censorship of textbooks and arbitrary rejection of appointed teachers effectively stripping them of the benefit of a comprehensive education. The property rights of the enclaved, as safeguarded by article 17 of the Universal Declaration of Human Rights, including the right to bequeath property to their descendants, were continuously violated. The deterioration of the living conditions of the enclaved population imposed by Turkey had led to the decrease of the Greek Cypriot population in the occupied areas, in a bid by Turkey to sever any Greek Cypriot ties with the region.

18. In May 2014, The European Court of Human Rights had ordered compensation for the

non-pecuniary damage suffered by the enclaved persons of the Karpas peninsula. A number of practices carried out by the occupying regime had created obstacles to the exercise of freedom of religion, including vandalism of churches and cemeteries, intimidation of worshippers, the limited presence of priests and arbitrary rejections of requests for the conduct of religious services in occupied religious sites. Widespread destruction and looting of religious and cultural heritage was also occurring in the occupied part of Cyprus. Around 550 churches and Christian monuments, along with numerous cemeteries, had been desecrated, pillaged, or demolished, or converted into mosques, army barracks, or stables.

19. The Republic of Cyprus strove to repatriate its looted cultural treasures, many of which had been illegally exported from the occupied part of Cyprus. It was encouraging that after years of deterioration, a project for the restoration of one of the most important religious sites on the island, the Monastery of Apostolos Andreas, had begun in September 2014.

20. Turkey had failed to conduct effective investigations to establish the fate and conditions of disappearance of all Greek Cypriot missing persons. The European Court of Human Rights, the Committee Against Torture and other bodies had all called on Turkey to comply with its international obligations and take effective measures in that regard. Cyprus also called on Turkey to launch an effective investigation, both on the cases of people whose remains had been identified, as well as those whose fate was still unknown, and to provide unrestricted access to all relevant information in its archives, as well as to allow complete and unrestricted access to all areas, including fenced military areas in the occupied part of Cyprus and in Turkey itself, in order for exhumations to be carried out where there was substantial information on the existence of burial sites of missing persons. The Committee on Missing Persons had identified over 598 Greek and Turkish Cypriot missing persons.

21. Her delegation called on Turkey to heed the call of the international community to end the occupation of Cyprus, withdraw its troops and apply and respect the resolutions and recommendations of all relevant United Nations and other international bodies. A lasting and viable solution to the Cyprus problem that would offer all Cypriots a peaceful and prosperous future with full enjoyment of their human rights could only be achieved once Turkey ended its continuous

occupation of the island and ceased to violate the fundamental rights of its people.

22. **Mr. Dabbashi** (Libya) said that although much had been achieved regarding the promotion and protection of human rights since the adoption of the Universal Declaration of Human Rights in 1948, many challenges still impeded their full enjoyment, including instability, terrorism, extremism, armed conflicts, economic crises, poverty, disease and natural disasters. While stability and security were necessary for the enjoyment of human rights, Libya was unfortunately experiencing a critical phase of instability. Many armed groups were challenging State authorities, impeding the country's democratic transition, causing deterioration in security and committing human rights violations including detention based on identity, torture, extra-legal execution, forced disappearances of political activists, journalists, and human rights defenders, and damage to public and private property. Hundreds of thousands of civilians had been displaced because of the fighting among armed groups. The elected parliament of Libya and its interim Government denounced the human rights violations committed by all armed groups and condemned all actions that violated national legislation and international instruments. The interim Government was working to fight impunity, to restore the rule of law, and to investigate all crimes, regardless of who the victims and perpetrators were.

23. His delegation hoped to receive the support of the international community to re-establish national authority throughout the territory, arm the police forces, disarm the armed groups, and integrate unemployed persons in national institutions. The people and Government of Libya were intent on moving forward with a State based on human rights, the rule of law, and democracy, and would continue to respect all their international human rights obligations. Libyan authorities had taken several recent measures to promote and protect human rights, including Law 29/2013 on transitional justice, which provided for establishing a reconciliation and fact-finding mission to investigate human rights violations committed during the past regime and established a fund to compensate victims; Law 10/2013 on criminalizing torture, forced disappearances and discrimination; and a decree recognizing the victims of rape during the 2011 revolution.

24. Lastly, his delegation noted in order to enjoy consensus, draft resolutions must take into account religious, cultural and legislative differences in societies and respect cultural pluralism. His delegation rejected any attempts to enshrine concepts that violated the Sharia of Islam and the social values of the Libyan people.

25. **Ms. Vraila** (Greece) said that for the past 40 years, the human rights and fundamental freedoms of the people of Cyprus had continuously been violated, as a result of the 1974 Turkish military invasion and continued occupation of 37 per cent of the country's territory. There had likewise been 40 years of recorded violations of the rights of the relatives of the missing persons, the rights of displaced persons, the rights of the enclaved Greek Cypriots as well as the rights of the legal owners of homes and real estate in the occupied part of Cyprus. The 2014 judgment by the European Court of Human Rights addressing the issues of the missing and the enclaved persons had reiterated that Turkey was held accountable for systematic human rights violations in Cyprus from 1974 onwards. Despite that judgement and a number of United Nations resolutions, human rights violations in Cyprus had yet to be adequately addressed, however.

26. The issue of missing persons was particularly important and sensitive for Greece. Most of the families of the missing, in Cyprus and in Greece, continued to live with the painful uncertainty of the fate of their loved ones. The European Court of Human Rights had ruled in the Fourth Interstate Application of Cyprus against Turkey in 2001 that Turkey had failed to investigate effectively the fate of the Greek Cypriot missing persons and had called upon Turkey to conduct an investigation. Effectively addressing the issue of the missing required that access be granted to all relevant information contained in military archives as well as unrestricted access to the extensive so-called military zones in the occupied part of Cyprus.

27. Almost 200,000 Greek Cypriots continued to live as displaced persons, refugees within their own country. Turkey prevented them from returning to their ancestral homes and from exercising their legal property rights. The massive illegal sale of Greek Cypriot properties had exacerbated the problem. The demographic composition of Cyprus was being altered through the illegal influx of Turkish settlers in the occupied area, in blatant violation of the Geneva Conventions. The enclaved Greek Cypriots in the

occupied part of the island were still denied full protection of human rights, including property rights. Their numbers had been reduced from some 25,000 in 1974 to less than 500 currently.

28. The widespread looting and destruction of the cultural and religious heritage of Cyprus in the occupied area was also of concern. More than 500 Greek Orthodox churches and many monasteries had been pillaged, severely damaged or demolished. Some had been converted to serve non-religious purposes. Thousands of priceless ancient artefacts and Byzantine works of art had been smuggled abroad.

29. Greece supported efforts aiming at a comprehensive, viable, functional and just settlement of the Cyprus problem, in accordance with the relevant Security Council resolutions and the principles and values of the European Union. It hoped that the occupying country would decide at last to face its responsibilities by terminating its illegal occupation and demonstrating true willingness to redress its hitherto unacceptable attitude and record of respect for human rights in Cyprus.

30. **Mr. Sengsourinha** (Lao People's Democratic Republic) said that human rights and development were the main, interlinked pillars of the United Nations. Without development, favourable conditions for the promotion and protection of human rights could not be established, and without the promotion and protection of human rights, there would be no equity, growth and sustainable economic development.

31. At the national level, his delegation remained committed to promoting and protecting the rights of all its people. Poverty eradication was the country's main target, and had been implemented through a five-year national socioeconomic development plan, whose recent achievements had demonstrated sustained economic growth of about 8 per cent yearly and the gradual decline of poverty rates. At the global level, the Lao People's Democratic Republic constructively engaged with the United Nations human rights system through interaction and cooperation with different human rights bodies and special mechanisms. At the regional level, his delegation, together with Association of Southeast Asian Nations (ASEAN), Member States actively promoted and protected human rights through the implementation of the ASEAN Human Rights Declaration. At the bilateral level, the Government had conducted human rights dialogues

with the European Union and Australia to promote a better understanding of human rights reality; it had also exchanged lessons, good practices and experiences on human rights implementation with a number of countries and international organizations.

32. Such constructive and genuine dialogue and international cooperation between countries was an effective way to advance the promotion and protection of human rights around the globe and would strengthen the capacity of States to comply with their human rights obligations. All Member States should work together to promote and protect human rights, upholding human rights principles on the basis of objectivity, non-selectivity, avoidance of double standards, non-discrimination and non-politicization.

33. **Mr. Carrera Castro** (Guatemala) said that it was important for Guatemala to address the issue of migration, in particular the Central American child migrant crisis, which required a strategic response to attack the structural causes of the phenomenon and offer sustainable solutions. It was important to make the necessary efforts to regularize undocumented migrants in the United States of America. Above all migrants should not be criminalized, as migration was neither a sin nor a crime. It was the criminal human trafficking networks that engendered corruption, extortion, kidnapping and sexual abuse of migrants. Despite the international human rights framework established to protect children and adolescents, migrants, in particular those who were undocumented, were often the victims of human rights violations and abuses throughout their journeys. Coherent public policies must be developed that included migrants as actors of human development, protecting human rights, equality, and sustainability in international migration governance, in particular for unaccompanied children and adolescents, women and persons with disabilities.

34. As migration affected the whole world, information and disaggregated data must be generated and shared in order to design effective State and regional public policies and programmes for migrants in countries of origin, transit and destination. With equity as a guiding principle linking migration and development, sustainable development began and ended with guaranteeing the safety, health and education of children and adolescents, especially those who were unaccompanied, regardless of their migratory status. It was important to strengthen institutional capacities, as only by building strong

States would irregular migration be eradicated. The full and inclusive participation of various governmental actors was necessary, as well as input from experts in social development, education, labour, health, foreign affairs, migration and governance.

35. Likewise, it was important to involve diaspora populations in integrating and re-integrating migrants, developing strategic alliances with Government institutions, civil society, the private sector and international organizations. Development and migration policies should involve building human mobility to encourage decent work for all.

36. In order to ensure the safety of migrants who were affected by organized crime, it was necessary to implement effective mechanisms for access to justice for migrants, independent of their status. The detention of minors should be used as a last resort only when it guaranteed the well-being and safety of children, for a short duration until they could be returned to their families.

37. Guatemala recognized the contribution of the criminal justice system in its region to the investigation of forced disappearances of Central American migrants, a phenomenon that was linked to other crimes such as drug trafficking, organized crime and human trafficking. It also recognized the work of humanitarian institutions such as the Red Cross and State and civil society institutions to search for missing persons and identify human remains.

38. The human, social and economic dimensions of migration must occupy a central role in the post-2015 development agenda. By guaranteeing access to justice, health and education for all migrants and their families, in particular the most vulnerable, human and sustainable development could be ensured.

39. **Mr. Rishchynski** (Canada) said that democracy, respect for human rights and the rule of law were the foundation of Canada's foreign policy, and it was thus concerned about the human rights situations in Iran, North Korea and Syria. His delegation deplored the lack of improvement in the human rights situation in Iran and the numerous violations reported, including a considerable increase in executions since June 2013, the use of torture, human rights violations against journalists, forced marriages of girls younger than 10, and the arbitrary detention of prisoners. The trend proved that there was a need for greater focus on Iran

in order to urge the country to respect its international commitments and national laws.

40. Canada was appalled at the human rights violations committed by the Islamic State of Iraq and the Levant (ISIL) against innocent people and religious minorities, including kidnapping, torture, imposed slavery and the rape of women and children. Canada had joined the airstrikes against ISIL and had dedicated \$10 million to address sexual violence and related human rights abuses in ISIL-held areas.

41. Canada was likewise deeply disturbed by the human rights abuses in North Korea. The Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea had confirmed that systematic widespread and gross human rights violations were being committed, including attacks on freedom of expression, the use of severe detention and political prison camps, forced abortions, and public executions. The Commission had found that crimes against humanity were being committed and that the continued use of political prison camps could not be ignored. Canada endorsed the call for accountability, and the recommendation to submit the Commission's report to the Security Council for consideration and action.

42. Canada was also appalled at the terrible situation in Syria, where the conditions made it easy to lose sight of the true victims of the conflict: the citizens of Syria who merely wanted to live in peace and enjoy their civil rights. Both Government forces and ISIL attacks had killed innocent civilians, including through the Government's indiscriminate bombing of civilian populations. The international community must condemn the perverse interpretation of the noble teachings of Islam held by ISIL and the massacres it entailed. There was no military solution to the bloodshed, which called for a political settlement. Canada fully supported Security Council resolution 2175 (2014) on humanitarian action in Syria and reminded all parties of their obligations pursuant to international law to ensure the protection of civilians in any armed conflict.

43. Canada commended the people of Ukraine for their resilience and determination for a better future, and for exercising their democratic right to vote for a sovereign and unified country.

44. **Mr. Cabactulan** (Philippines) said that the protection of human rights was at the core of his

Government's policies and programmes, as evidenced by the recent draft Bangsamoro Basic Law, which provided that all laws and policies must conform to international human rights and humanitarian standards. It also provided for the creation of an independent and impartial Bangsamoro human rights commission.

45. Attacks on journalists and others working in the media sector occurred all over the world, and it was unfortunate that there was a disproportionate focus on cases in the Philippines. His Government was mindful of its obligation to prevent extrajudicial killings and committed to resolving all such cases, including the Maguindanao massacre and other cases involving journalists. The remaining challenges and shortcomings were being addressed through specialized prosecution teams, capacity-building, improvements to the witness protection programme and collaboration with non-State stakeholders. In that regard, his delegation took note with appreciation of General Assembly resolution 68/163 and asked whether focal points for the exchange of information about the implementation of the Plan of Action had been considered or identified by the relevant United Nations bodies, as requested in the resolution.

46. On 10 October 2014 his Government, along with eleven others, had expressed its commitment to promoting the right to life by issuing a joint declaration in favour of the abolition of the death penalty. Crime was better deterred by empowering citizens and ensuring a trusted law enforcement sector and an independent judiciary were in place than by applying the death penalty.

47. It was of paramount importance to promote and protect the human rights of migrants, regardless of their status. Providing protection for migrant children and adolescents was particularly important. He called on Member States to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and other relevant human rights instruments.

48. Lastly, his delegation was much encouraged that the universal and inalienable right to development would be reaffirmed in the post-2015 development agenda.

49. **Ms. Tsheole** (South Africa) said that non-discrimination was the cornerstone of the practical enjoyment of human rights and fundamental freedoms. Her Government continued to advocate for equal emphasis to be placed on economic, social, cultural,

civil and political rights, including the right to development, as all human rights were equally universal, indivisible, interdependent and interrelated. The United Nations human rights system should increase its efforts to implement the Declaration on the Right to Development and create a legally binding instrument on that right. Her country's Constitution took a progressive approach to economic, social and cultural rights; provided for the equal enjoyment of all human rights and fundamental freedoms, including the right to freedom of association; and affirmed the democratic value of human dignity, equality and freedom. Constitutional adjudication had given new momentum to the notion of the justiciability of economic, social and cultural rights. Rights protected by the Constitution became subject to limitations at the point where enjoyment of a right would incite hatred or significantly disrupt public order.

50. The international human rights system should increase its efforts to promote the practical enjoyment of economic, social and cultural rights, which were key to eradicating poverty and underdevelopment. Her Government had made significant progress at the national level by improving access to primary education; expanding health care infrastructure and improving health services; introducing school feeding programmes; and providing financial support for elderly, disabled and sick persons as well as those with low incomes.

51. South Africa placed great importance on gender equality and the elimination of violence against women. It also supported the full participation of women in political, civil economic, social and cultural life at national, regional and international levels. The number of women in its Parliament had increased from 27 per cent in 1994 to 42 per cent in 2012 and women had to be given equal opportunities when competing for senior positions in both the public and the private sectors.

52. **Ms. Rasheed** (Observer for the State of Palestine) said that her delegation deeply regretted that the occupying Power had continued to obstruct the efforts of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 to fulfil his mandate, despite its assurances that it would cooperate. Should Israel continue to refuse to fulfil that fundamental legal obligation incident to membership in the United Nations, her

delegation would call on the United Nations to take action.

53. Israeli human rights violations continued to affect every aspect of the lives of the Palestinian people living under its occupation, which was illegal, inhumane and contravened the principles of international law, international humanitarian law and human rights law. Through a racist and aggressive occupation involving armed forces and terrorist settlers, Israel was intentionally killing and injuring children, women and men, including elderly persons; carrying out extrajudicial executions; colonizing land; constructing and expanding illegal settlements; destroying homes and property; forcibly displacing and dispossessing Palestinians; imprisoning and detaining more than 6,000 Palestinians, including women and children, and subjecting them to physical and psychological abuse, including torture; destroying livelihoods; desecrating holy sites; exploiting natural resources; and segregating and restricting the movement of Palestinians by means of the wall, permit requirements, checkpoints and Israeli-only roads.

54. Israel's complete lack of respect for the rights of Palestinians and its blatant violations of international law had been particularly evident during its 50-day attack against the Palestinian people of Gaza in 2014. The international community had expressed disbelief and shame that such devastation and trauma could have been inflicted on the Palestinian people once again and in such a cruel and systematic manner. The occupying Power had killed 2,180 Palestinians, 516 of whom were children, and injured 11,000, including 3,000 children. The majority of those affected were civilians. The destruction had left 108,000 people homeless and damaged 100 United Nations facilities, including schools run by the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

55. Israel had committed war crimes and violated the core human rights instruments with impunity. It was time for the occupying Power to be held accountable for its actions. Israeli violations must be stopped in order to end the suffering and salvage the possibility of implementing the two-State solution before it was too late. The international community must do everything within its power to enable the Palestinian people to realize their inalienable human rights and live in freedom, security, peace and dignity in an independent State of Palestine with East Jerusalem as its capital.

56. **Mr. Mendoza-García** (Costa Rica) said that new global threats such as extremism would best be addressed by strengthening international institutions and increasing, rather than limiting, the realization of human rights. He reiterated his Government's commitment to the promotion and protection of all human rights; the principles of universality, impartiality, objectivity, non-selectivity and non-politicization; constructive international dialogue; and cooperation.

57. While rapid advances in information and communications technology presented enormous opportunities for children and youth, including the possibility of using the technology to educate them about human rights, they also made young people vulnerable to harmful content, intimidation, bullying, abuse and exploitation. Efforts were needed to ensure that its potential benefits were maximized by guaranteeing the right to free speech while also protecting children's rights. Measures should also be taken to overcome the digital divide within and between States and to give the public more opportunities to produce, rather than simply consume, online content.

58. His delegation supported initiatives related to gender equality and women's empowerment and called for emerging issues, such as violence linked to the trade in illicit drugs and small arms and light weapons, to be addressed. Of particular concern was the disproportionate increase globally in the number of women being incarcerated for drug trafficking offences, many of whom were serving sentences for relatively minor roles in crimes committed by their husbands and had acted under coercion. States had a duty to address the root causes of the victimization and incarceration of women.

59. His country had abolished the death penalty in 1877 and believed that the punishment should be progressively, definitively and irreversibly phased out. An open dialogue and clear, objective information on the death penalty would help States analyse their legislation from a humanitarian point of view.

60. Costa Rica also took the view that the World Conference on Indigenous Peoples should be used as an opportunity to increase the pace of implementation of the Declaration on the Rights of Indigenous Peoples and its outcome document.

61. The international community had agreed at the World Conference on Human Rights in 1993 that all human rights should be treated on equal footing. His country had invested the savings made by abolishing its army in education, health care and other basic services as well as safeguarding and promoting economic, social and cultural rights. The Government had ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 23 September 2014 and had also joined the Group of Friends of that Protocol.

62. The development agenda should focus on human rights and dignity, with an emphasis on economic, social and cultural rights. It should also take into account the universality, interdependence and indivisibility of human rights; the principles of equality, non-discrimination, participation and inclusion; and the importance of accountability, the rule of law and sustainability. The sustainable development goal indicators should also reflect the specific needs of indigenous peoples, persons of African descent, persons with disabilities, older persons and migrants.

63. **Ms. Adhikari** (Nepal) said that the promotion and protection of human rights had formed an integral part of her Government's domestic and foreign policy. At the international level, it was rolling out comprehensive policies and action plans on the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, among others. It was also implementing the recommendations from its first universal periodic review and preparing its second review. Several domestic laws ensured the rights of all sectors of society, including women and children, and marginalized and deprived communities. The country had an independent human rights commission and had been implementing human rights action plans since 2004. The current three-year National Human Rights Action Plan focused on a number of vital areas including education, health, labour and employment, environment and sustainable development and law and prison reform. The Government was making concerted capacity-building efforts for all national human rights institutions and for media and civil society organizations. The Office of the Prime Minister and the Council of Ministers was responsible for overall coordination of human rights matters.

64. A post-conflict truth and reconciliation commission would soon be established with a view to healing the wounds left by the conflict and enabling society to move forward in unity. The possibility of a general amnesty for serious crimes had been ruled out.

65. The advancement of women continued to top the national agenda, with efforts for women's empowerment made in all spheres. Security Council resolutions 1325 (2000) and 1820 (2008) were being implemented to ensure meaningful participation of women in the post-conflict peace and development process. The Government was also working to combat trafficking in women and girls through a strong legislative framework and had action plans in place to empower women and achieve its vision of a society free of gender-based violence. The promotion of equality and non-discrimination should be a stand-alone goal in the post-2015 development agenda.

66. Migrants, despite their contribution to overall development worldwide, tended to be among the most vulnerable groups in terms of enjoyment of their human rights. Serious and concerted efforts were needed to address that problem and protect the rights of all migrant workers and members of their families in the post-2015 development agenda.

67. The right to education was the key to enjoying all other human rights. The positive results achieved as a result of her Government's commitment to provide free and compulsory primary education would be further enhanced through additional efforts to reduce gender inequality and the rural-urban gap and to improve the quality of education in the country.

68. The right to development was central to the Government's plan to eradicate poverty and hunger; the current thirteenth Development Plan had therefore adopted a rights-based approach to development with a focus on the rights of vulnerable groups.

69. As a least developed country in a post-conflict phase, Nepal had significant difficulties in finding the resources required to make the best use of its institutions. The international community was therefore urged to increase its support for her Government's efforts to sustainably promote and protect the human rights and fundamental freedoms of the Nepalese people.

70. **Ms. Hsien** (Tuvalu) said that her Government was fully committed to the promotion and protection of

human rights, which provided a solid foundation for sustainable development. However, environmental degradation presented serious challenges to the realization of the rights to health, food, water, self-determination, cultural expression and even the right to life. The economic, social and cultural rights of the citizens of her country were being jeopardized by the continuing loss of vital land, the destruction of food crops and the contamination of the groundwater supply by seawater. Many people in small island developing States were already being internally or externally displaced as a result of climate-related disasters and the Governments of those countries would be unable to fulfil their human rights obligations if global temperatures continued to increase at the current rate. Her Government was doing its utmost to ensure that its people were able to live with dignity and without fear of climate-related disasters resulting from human activity but would be powerless if its land were to disappear. Moreover, displaced persons would have no legal status as long as the status of climate refugee remained unrecognized. Thus, climate change posed an unprecedented threat to the rights of the people of Tuvalu to nationality and statehood. Her country accepted its share of the responsibility for protecting its environment, but the reality was that climate change was caused by emissions from countries many thousands of kilometres away. Tuvalu contributed less to global warming than other States, yet it was the country most affected by the phenomenon. The international community, and particularly the major emitting countries of the developed world, must take responsibility and stop interfering with the climate. Climate change was not merely a political issue; for Tuvalu, it was an issue of human rights and of survival.

71. **Ms. Alsaleh** (Syrian Arab Republic) said that after three years of denying that human rights violations were being committed by armed terrorist groups in the Syrian Arab Republic, the so-called international community had finally recognized the existence of terrorism in her country. Most Member States had been forced to change their positions from criticizing the Syrian Government and concocting lies against it to condemning the actions of terrorist groups in her country and in Iraq. The Government of the United States of America, which had helped those groups kill, rape and wreak havoc on the lives of hundreds of thousands of Syrians, was now encouraging other States to recognize the need to fight *takfirist* terrorism in the Syrian Arab Republic and

Iraq, with the Vice-President of that country stating that the biggest problem was his country's allies in the region, including Turkey, Saudi Arabia and the United Arab Emirates, whose sole concern had been to topple the Syrian President. Those countries had provided assistance to al-Nusra Front, Al-Qaida and other extremist groups. Furthermore, Saudi prince Alwaleed Bin Talal had admitted to Cable News Network (CNN) that the Saudi regime and other Gulf States had supported and financed extremist groups, including ISIS, in the Syrian Arab Republic, while the French Minister of the Interior had said that the number of French citizens joining terrorist groups in the Syrian Arab Republic and Iraq had increased by 74 per cent in 2014. Those declarations followed scores of reports produced by Western countries that indicated beyond any doubt that United States intelligence services had smuggled arms into her country under Saudi supervision and that the Saudi regime was financing mass killings in the Middle East.

72. There was clearly an unofficial alliance between the unelected Saudi regime and ISIS: Saudi Arabia and other regimes in the Gulf were financing armed terrorist groups, providing them with media coverage and hosting their leaders. Yet representatives of the Saudi regime lamented human rights violations in her country and repeated lies that no reasonable person could now believe, speaking as if they did not know that that their country had founded ISIS and trained mercenaries and jihadist terrorists to send to the Syrian Arab Republic and were unaware of their Government's despicable human rights record. The representative of that country had been wrong to say that her country was a democracy.

73. Governments of Member States that had expressed concern over the situation in her country, including those of European Union members States, Australia and Canada, should stop enabling terrorist citizens of their countries to travel to her country and should end punitive economic measures that violated the rights of the Syrian people. She asked what the position of the Australian Government was on the type of terrorism practiced by Children of the Caliph's Army, an organization reported by the Australian media to be based in Sydney. The time had come for States involved in the terrorist war in her country to reconsider their criminal positions, stop supporting terrorism in her country and implement Security Council resolutions 2170 (2014) and 2178 (2014).

Terrorism would not stop at the borders of the Syrian Arab Republic and Iraq; it would extend to every part of the world, from Saudi Arabia to Europe, the United States, Australia, Africa and Canada.

74. **Ms. Klein Solomon** (Observer for the International Organization for Migration) said that one in seven people in the world had migrated either across or within borders, with some facing serious danger at the hands of unscrupulous recruiters, smugglers or traffickers during their journeys or abuse and exploitation at their places of transit or destination, including by employers. Poor and low-skilled migrants, especially children and adolescents, were most at risk.

75. Paradoxically, at a time of such significant human mobility, there was an increasingly harsh and restrictive response to migration in the developed world. Such responses, which were often driven by unfounded negative public perceptions of migrants, harmful stereotypes and xenophobia, had many unintended negative consequences. Limited opportunities for safe and legal migration drove those seeking to migrate into the hands of smugglers and traffickers and created conditions in which human rights abuses were more likely to occur. The International Organization for Migration (IOM) estimated that an estimated 40,000 had died since 2000, although the actual death toll was likely to be higher, as many deaths were never reported. Such a situation could not be allowed to continue. While IOM recognized that Governments had a sovereign right to determine which non-nationals could enter and remain in their territories, that determination and all related processes must be carried out in accordance with international legal standards. All migrants, irrespective of their legal status, were entitled to protection under international human rights law, and some were due additional protection under international refugee law, international humanitarian law, transnational organized crime conventions, consular law and various regional instruments. It was essential for them to be provided with effective protection and assistance in a systematic, comprehensive and integrated way, including by their countries of origin, which retained certain responsibilities with regard to their nationals even when they were abroad.

76. IOM had repeatedly emphasized the need for better designed, "high road" policies to put an end to migrant deaths and guarantee ways for migrants to

reach their destinations safely and legally. The “Recommended Principles and Guidelines on Human Rights at International Borders” (A/69/CRP.1) by the Office of the United Nations High Commissioner for Human Rights provided useful guidance for Governments and practitioners in that regard. IOM incorporated human rights protection in its activities and projects worldwide, which included capacity-building initiatives to familiarize border officials with relevant international human rights and refugee law and train them to properly identify and address the needs of vulnerable migrants. It also helped States improve border and migration management. However, recent tragedies highlighted the great need for immediate, collective action.

77. **Ms. Brennen-Haylock** (Food and Agriculture Organization of the United Nations (FAO)) said that FAO looked forward to continuing to work with the Special Rapporteur and to support Member States’ efforts to implement the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security. The Committee on World Food Security, in its ten-year retrospective on the progress made in implementing the Voluntary Guidelines in October 2014, had shown that Member States were increasingly ready to advocate for and advance the right to food at the global level. It had resulted in a consensus decision reaffirming Member States’ commitment to implementing the guidelines and paving the way for the realization of the right to adequate food.

78. Responding to the requests for examples of best practices for implementing the Voluntary Guidelines, she mentioned the Caribbean Community’s Regional Food and Nutrition Security Policy; the efforts by the Community of Latin American and Caribbean States and the Community of Portuguese-speaking Countries to enhance good governance and mainstream the right to food in their policies and programmes; the explicit references to the right to food in the constitutions of 28 Member States; and the implicit constitutional protection of the right to food in 40 additional Member States. Further work was needed to promote and facilitate the implementation of constitutional improvements, particularly where protection was indirect.

79. To promote coordinated action between different sectors and actors, in recent years FAO had worked to strengthen inter-ministerial coordination mechanisms

at the national level; helped develop regional arrangements to coordinate national efforts to realize the right to adequate food, such as its collaboration on the Zero Hunger Initiative in the Economic Community of West African States; and facilitated the creation of sound multiparty platforms for the establishment of parliamentary fronts to enable States to exchange experiences, challenges and recommendations.

80. FAO supported national institutions such as human rights commissions and ombudsmen, which were key to protecting, monitoring and promoting the right to food. It would contribute further to efforts to gain a better understanding of the links between critical issues such as climate-smart agricultural policies, food waste and the right to food and would continue to support initiatives such as the Scaling Up Nutrition movement and the United Nations social protection floor. It would continue its country-level work on the implication of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, while remaining mindful of the critical role of smallholders and women in the realization of the right to food. Furthermore, FAO and the World Health Organization (WHO) were jointly convening the Second International Conference on Nutrition in November 2014 with the goal of improving diets and nutrition through national policies and international cooperation. A new policy framework and more appropriate responses were needed to respond to the substantial changes in the global economy, food systems and the nutritional states of populations.

81. FAO would continue to offer its technical expertise and provide a platform for stakeholders to share their experiences and build consensus. A key priority would be to increase ownership of the right to food agenda and mainstream that right more systematically into its technical work. FAO would continue to support the implementation of the Voluntary Guidelines and the international community’s efforts to end hunger, achieve food security and improve nutrition and sustainable agriculture in its post-2015 agenda.

Statements made in exercise of the right of reply

82. **Mr. Sargsyan** (Armenia), responding to the statement made by the representative of Azerbaijan at the 35th meeting, said that his delegation strongly objected to that country’s politicization of the

discussions on human rights in a deplorable attempt to mislead the Committee with lies and fabrications. Thousands of Armenians were still missing as a result of the war waged by Azerbaijan against the civilian populations of Nagorno-Karabakh and Armenia, and parts of the territories of those States were still under Azerbaijani occupation. Moreover, the Azerbaijani authorities refused to cooperate on the issue of missing persons and denied access to international organizations attempting to obtain information.

83. The representative of Azerbaijan had wrongly portrayed Hasan Hasanov, Shahbaz Guliyev and Dilgam Askerov as civilians. While Azerbaijan was welcome to communicate its concerns to the Nagorno-Karabakh authorities directly or through Armenia, it was well documented that the persons in question were members of a subversive group and had been carrying out intelligence and sabotage activities in the Nagorno-Karabakh Republic. They had killed a teenager and a man in addition to seriously injuring a young woman and had resisted arrest. The terrorists were being treated in a manner compliant with the laws of Nagorno-Karabakh and international law while they awaited trial. They had been provided with defence lawyers, and relevant international organizations such as the International Committee of the Red Cross had unhindered access to them. Meanwhile, Azerbaijan was committing grave violations of basic humanitarian norms. The co-chairs of the Minsk Group had expressed concern over the case of Karen Petrosyan, an Armenian civilian who was killed by the Azerbaijani authorities while in their custody after having accidentally crossed the border. Also in 2014, 77-year-old Armenian villager Mamikon Khojoyan had died less than two months after being detained in similar circumstances, as a result of injuries he received during his detention. Those deplorable acts must be independently investigated and the perpetrators held accountable.

84. **Mr. Aldoseri** (Bahrain), responding to the statement made by the representative of the Observer for the European Union at the 35th meeting, thanked the European Union for supporting Bahrain in fulfilling its obligations; assured the Committee that his Government was committed to the protection of civil liberties, including freedom of opinion and of assembly; and welcomed the European Union's call for full participation in the national dialogue and the upcoming elections in his country.

85. **Mr. Wang Zhaoxue** (China) said that his delegation opposed the groundless accusations made against his country by the representative of the European Union. It was essential for the principles of universality, objectivity and non-selectivity to be respected in the United Nations' work on human rights, yet Western countries portrayed themselves as judges while applying a magnifying glass to human rights situations in other States and turning a blind eye to the problems in their own, which included serious racial discrimination and xenophobia. His delegation hoped that the European Union and its member States would engage in self-reflection, admit their shortcomings to the international community and provide justice for the victims of human rights violations within their borders.

86. **Mr. Goltyaev** (Russian Federation), also responding to the statement made by the representative of the European Union, said that his was a country with a developing democracy and clear delineation of powers. Its legislation on the work of non-governmental organizations did not violate its human rights commitments: Russian law did not restrict the right to freedom of assembly and non-governmental organizations were allowed to participate in political activities. The only restrictions were that such organizations must not receive funding from abroad and that their registration and accounts must be in order. His country's partners should recall that the Republic of Crimea and the city of Sevastopol had become constituent entities of the Russian Federation following the transparent, free and democratic expression of the wishes of the population in exercise of their right to self-determination as provided for by the Charter of the United Nations.

87. The European Union had made it clear that it considered human rights to fall under its foreign policy. That position that was reflected by the fact that its primary human rights body was more active outside of its borders than within them, even though the human rights situations in many of its member States were a cause for concern. His Government strongly condemned demonstrations of xenophobia, including SS veteran marches and expressions of support for Nazism, and called on European Union member States to take decisive measures to eradicate discrimination against ethnic minorities and combat racism and xenophobia.

88. **Mr. Canay** (Turkey), responding to the statement by the representative of Greece, said that his delegation

regretted the politicization of the Third Committee and the attempts to convey a selective, unilateral interpretation of history. Turkish Cypriots had been forced out of the Government institutions and legislative and judiciary organs of Cyprus in 1963, and the United Nations Peacekeeping Force in Cyprus had been deployed in 1964. During the 10 years that had followed, 180,000 persons had been confined to enclaves covering only 3 per cent of the island. Following a military coup in 1974 aimed at annexing Cyprus to Greece, Turkey had intervened in accordance with its international responsibilities as a guarantor Power.

89. Turkish Cypriots had voted overwhelmingly in favour of the Comprehensive Settlement of the Cyprus Problem, but continued to live in isolation. In his report to the Security Council in 2004, former Secretary-General Annan had said that efforts to end the restrictions did not contradict Security Council resolutions 541 (1983) and 550 (1984). The international community should engage in direct economic, commercial, social and cultural contacts with Turkish Cypriots to end the injustice without further delay.

90. Preserving the rich cultural heritage of Cyprus was the joint responsibility of both Greek and Turkish Cypriots. For their part, the Turkish Cypriot authorities had spent more than \$400,000 on cultural heritage restoration projects, including the restoration of a number of Greek Orthodox churches.

91. Turkish Cypriot authorities were taking all necessary steps to ensure that the Committee's work on missing persons progressed unhindered. It should be recalled that hundreds of Turkish Cypriots went missing in 1963 and 1974.

92. The Immovable Property Commission endorsed by the European Court of Human Rights had been in place in northern Cyprus since 2005 to provide remedies to Greek Cypriots. As of 28 October 2014, 6,007 applications had been filed with the Commission, 590 had been concluded, rulings for exchange, compensation and restitution had been made and almost \$300 million had been paid in compensation to Greek Cypriots. Since the opening the crossing point between Northern and southern Cyprus in 2003, Greek Cypriots from northern Cyprus had been able to enter southern Cyprus on a daily basis and access all services they required, including education

at all levels in their mother tongue. In contrast, Turkish Cypriots were forced to live in severe isolation.

93. Greece had recently abandoned the peace talks, even though the leaders of the two sides had already agreed to proceed to the next phase. His Government expected Greece to return to negotiations immediately and without any preconditions. Politicizing human rights issues was counter-productive. Turkey would continue to support the efforts of Secretary-General to reach a just and comprehensive agreement.

94. **Ms. Lalic Smajevic** (Serbia), responding to the statement by the representative of Albania at the 35th meeting, said that Third Committee should not be treated as a forum for politicizing issues that fell outside the scope of its mandate. It was regrettable that a unilateral action that violated the Charter of the United Nations, Security Council resolution 1244 (1999) and the core principles of international law had been praised at the 35th meeting, as such an approach undermined the efforts that had been made to achieve a sustainable solution to the situation in the Serbian province of Kosovo and Metohija. References to the unilaterally declared independence of Kosovo were counter-productive and did nothing to improve relations between Balkan States. Resolving the status of its southern province was one of her Government's foremost priorities and it had repeatedly demonstrated great willingness and flexibility with regard to finding a solution that took into account the legitimate interests of all communities in Kosovo and Metohija.

95. With respect to the references made to the Council of Europe report entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo" and the work of the EULEX Special Investigative Task Force, her delegation agreed with the observations of the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo ([S/2014/558](#)), which underlined that the work of the Task Force was "essential not only for sustaining fundamental principles of international justice but also for combating impunity and ensuring accountability, all of which are required to promote reconciliation and healing among the communities in Kosovo" and hoped that a dedicated court would be established as soon as possible to bring the perpetrators of those crimes to justice.

96. **Mr. Mahmoud** (Egypt), responding to the statement made by the representative of the European

Union, said that there were no indiscriminate detentions in Egypt and that persons accused of crimes were guaranteed full judicial rights. The death penalty was imposed only for the most serious crimes and following due judicial process. His country's penal code was comparable with those of many European countries and it was therefore unclear upon what standard the European Union based its inaccurate claims that sentencing in Egypt was disproportionate. His country's Constitution contained unprecedented clauses protecting human rights and fundamental freedoms, including freedom of expression and of assembly, and those provisions were fully respected by the Government. The European Union should refrain from discussing what it considered to be human rights concerns in Egypt without taking into consideration its current political and socioeconomic context and the progress it had made in moving towards democratization and the realization of the aspirations of its people.

97. **Mr. Choe** (Democratic People's Republic of Korea) said that his delegation rejected the groundless and politically-motivated accusations made under the current agenda item by the representatives of the European Union and Canada, who were simply aligning themselves with the United States' hostile position towards the Democratic People's Republic of Korea. The allegations had no relevance to the genuine promotion and protection of human rights. While Western countries boasted that they took an uncompromising stance against human rights violations wherever, whenever and by whomever they were committed, they were reluctant to discuss the gross violations prevalent within their own borders, including racism, racial discrimination, xenophobia and Islamophobia as well as the invasion of countries such as Iraq and Afghanistan by the United States and the subsequent killing of innocent civilians. The fact that those countries had never explained their reticence to discuss those violations left his country and many others with no choice but to believe that their expressions of concern over the human rights situations in other countries were a manifestation of their double standards and hypocrisy.

98. **Ms. Abdulbaqi** (Saudi Arabia) said that her Government only applied the penalty of retaliatory execution as punishment for grave crimes that endangered the security and rights of society; in such instances, Saudi Arabia adhered to the highest

standards of justice, in accordance with its international obligations. Furthermore, it was only after deliberations at three levels, namely, the court of first instance, the court of appeal and the Supreme Court, that the penalty could be handed down. European Union and other Member States must respect the sovereign right of States to take the necessary judicial measures to protect their citizens, a right enshrined in the Charter of the United Nations.

99. Her delegation deplored the Syrian regime's criminal acts, which had been widely condemned in United Nations reports and resolutions. Failure to take a strong stand against the crimes against humanity committed by that regime was the main reason for the rise of other forms of terrorism. She therefore called on the international community to unite to put an end to those crimes.

100. **Mr. Barkan** (Israel) said that the representative of the State of Palestine had provided an entirely inaccurate portrayal of Israel. The Palestinian authorities must recognize the human rights of the citizens of Israel, including their right and obligation to defend themselves. The State of Palestine must disassociate itself from the destructive policies of Hamas, which had led to the conflict in Gaza, and return to negotiations. Mud-slinging in the Third Committee would do nothing to help the Palestinian people achieve their aspirations.

101. **Ms. Mammadova** (Azerbaijan) said that her delegation rejected the comments made by the representative of Armenia, which were an attempt to divert the Committee's attention from the Armenian occupation of 20 per cent of her country's territory and the mass atrocities it had committed.

102. Azerbaijan's claims that the captured Armenian citizens were saboteurs were absurd; they had entered the occupied territory to visit the graves of their parents and had posted details of their journey online. Moreover, it was illogical for Armenia to charge Azerbaijani citizens who had not left internationally-recognized Azerbaijani territory with illegally crossing a border. Realizing the absurdity of the situation and the consequences that would arise from holding a trial in Yerevan, Armenia had announced that the internally displaced persons would be prosecuted by the so-called Nagorno-Karabakh Republic. As the latter was not recognized as a State by any country or international organization and Azerbaijani courts had sole

jurisdiction within the territory of Azerbaijan, the ruling of the Nagorno-Karabakh court would have no legal effect.

103. The assertion that Karen Petrosyan was a civilian was baseless. His weapons and military clothing were discovered near the site of his capture, along with sufficient Armenian weaponry to equip a subversive group of between 10 and 12 persons, and photographs on his mobile phone revealed that he was connected with, and had been trained by, an Armenian military facility. Regarding the allegation that one of the captured Azerbaijani civilians had attacked two Armenian servicemen, the account given by the representative of Armenia differed from his Government's official statements, calling into question the credibility of the narrative. Before discussing inhuman treatment and asserting that his country was committed to respecting international humanitarian law, the representative of Armenia should have recalled that his Government had murdered Hasan Hasanov and initially refused to return his body to his family in order to conceal the fact that he had been tortured. Furthermore, it was hypocritical of the Armenian delegate to call for accountability when his own country was known for occupying and annexing territory and committing atrocities such as the massacre in Khojaly.

104. **Ms. Rasheed** (Observer for the State of Palestine), responding to the comments made by the representative of Israel in exercise of the right of reply and at the 34th meeting, said that her delegation had not attacked Israel or distorted the truth; it had simply stated facts about the occupying Power's systematic human rights violations, non-compliance with international law and complete disrespect for the United Nations and the international community. There was no symmetry in the conflict: there was an occupying Power with a clear legal obligation to protect the civilian population under its occupation and an occupied people entitled to the protection provided for under international humanitarian law and to the enjoyment of their human rights, including the inalienable rights to self-determination and freedom. Israel could not invoke the right to self-defence to justify military aggression against people that it had oppressed, colonized and collectively punished during its 47-year military occupation. The fact that it had killed 1,500 civilians, including 500 children, in 50 days showed that its offensive was excessive and

that its claims that it had taken precautions to avoid harming civilians were lies. Every effort must be made to put an end to violence and terror against civilians, including measures to enforce respect for international law.

105. Israel had never admitted to the Committee that it was an occupier, yet it claimed the right to self-defence against the people it was occupying and repressing. That was a fabricated right, unlike the legitimate rights to self-determination and to resist foreign occupation. She rejected Israel's classification of the entire Palestinian people as terrorists. The children, women and men of Palestine were in fact prisoners in Gaza, which remained under Israeli occupation and control in spite of the claims made in the false Israeli narrative regarding its so-called 2005 redeployment, while Israeli settlers and occupying forces were killing, injuring and terrorizing Palestinians in the West Bank with complete impunity.

106. The comparison drawn between the Palestinian people and ISIS was ludicrous. In fact, the ideology of ISIS was closer to that of Israel, as both believed that they were acting on behalf of, and received special treatment from, God. An acknowledgement that the occupying Power had no interest in peace and was deliberately undermining every effort to achieve the two-State solution was long overdue.

107. **Mr. Nina** (Albania), responding to the statement by the representative of Serbia, said that Kosovo was an independent State recognized by 110 Member States and belonged to a growing number of regional and global organizations, in addition to being a European Union stabilization and association process country. Failure to recognize that reality undermined efforts, such as those led by the European Union, to normalize relations between Kosovo and Serbia and bring about the peace, security and cooperation that would be of enormous benefit to the region.

108. **Ms. Alsaleh** (Syrian Arab Republic) said that in spite of the lies spouted by the representative of Saudi Arabia, her delegation agreed that the international community was responsible for the spread of terrorism in the Syrian Arab Republic. Its responsibility, however, stemmed from its failure to curb the terrorist Saudi Arabian regime's practices, which had been documented extensively. In 2009, the United States Secretary of State had declared that Saudi Arabia remained the primary financial backer of Al-Qaida,

Lashkar-e-Taiba, the Taliban and other terrorist groups. More recent reports confirmed that that Government continued to refuse to stop supporting and exporting terrorism to the Arab Islamic world. It was hard to believe that the Saudi Arabian regime wanted to protect the Syrian people when it persisted in recruiting foreign fighters and sending them to slaughter Syrians and rape Syrian women. She called on Saudi Arabia to stop the hypocrisy and halt its support for the so-called Islamic State in Iraq and Syria, Jabhat al-Nusra and other groups; the Syrian people would certainly thank them for it.

109. **Ms. Pachoumi** (Cyprus) said that the answers to the allegations made against her country by the representative of Turkey could be found in the numerous General Assembly and Security Council resolutions that condemned the 1974 Turkish invasion and the continuing military occupation, as well as in the many decisions of other international entities.

110. Her Government was doing everything within its power to ensure that all citizens enjoyed full and equal access to their freedoms, rights and privileges and had taken specific measures to promote the development of the Turkish Cypriot community, despite the difficulties arising from the fact that the vast majority of that community lived in occupied territory. Turkish Cypriots were entitled to and had been issued Cypriot passports, identity cards and other official documents, which enabled them to enjoy all the benefits of her country's European Union membership. The Government respected the Muslim religion, facilitated the observance of its practices and protected Muslim monuments and places of worship, which were an integral part of the island's heritage. In contrast, Turkey was deliberately isolating the Turkish Cypriot community and using it as an excuse to pursue its expansionist policy in Cyprus. If Turkey really desired lasting peace in the region, it should withdraw its troops, respect the relevant United Nations resolutions and immediately restore the rights and freedoms of all Turkish Cypriots.

111. **Mr. Sargsyan** (Armenia) said that the accusations made by the representative of Azerbaijan, including the claim that Armenia had violated Security Council resolutions, were baseless. There was no reference to Armenian aggression in any of the resolutions. However, Azerbaijan had repeatedly violated a number of Security Council resolutions by warmongering and refusing to establish confidence-building measures. The

delegation of Azerbaijan should focus on contributing to the work of the Committee rather than spreading lies and distorting facts.

112. **Mr. Canay** (Turkey) said that he categorically denied the allegations made against his country by the representative of the Syrian Arab Republic. His Government's efforts to assist the Syrian people were being carried out in full view of the international community and in close cooperation with international organizations, including United Nations agencies. Turkey would continue to stand by the people of Syria.

113. **Ms. Lalic Smajevic** (Serbia) recalled Security Council resolution 1244 (1999) and said that making statements irrelevant to the work of the Committee did nothing to improve relations between Balkan States or contribute to the dialogue facilitated by the European Union.

114. **Mr. Jamalhariri** (Saudi Arabia), reiterating his Government's solidarity with the Syrian people, stressed that the continued, excessive, systematic use of force and deployment of chemical weapons by the Syrian regime against civilians constituted flagrant violations of human rights.

115. **Ms. Mammadova** (Azerbaijan) said that high-ranking Armenian officials, including the incumbent President, took pride in their personal involvement in the seizure of Azerbaijani territory and had openly stated that they had no regrets about the deaths of hundreds of Azerbaijani citizens in the early 1990s. The fact that the Head of State was proud of committing mass atrocities spoke for itself.

116. **Mr. Nina** (Albania), responding to the statement by the representative of Serbia, said that his delegation's unwavering position was based on fact.

117. **Ms. Alsaleh** (Syrian Arab Republic) wondered who had authorized the Turks and the Saudis to speak on behalf of the Syrian people, a most reprehensible tendency. The undeclared alliance between Turkey and Saudi Arabia was scandalous; Saudi Arabia funded, armed, trained and hosted terrorist groups before sending them to the Syrian Arab Republic, while Turkey opened its borders with her country to tens of thousands of foreign mercenaries, heavy equipment and virulent ideas in tow. According to documents from customs offices along the Turkish border and United Nations reports, Turkey had sent 47 tonnes of weapons into the Syrian Arab Republic since the

previous June. Moreover, Turkish soldiers had raped Syrian women living in refugee camps in Turkey. She wondered whether the representative of Turkey really believed his Government was innocent of terrorism in her country. How then had all those terrorist groups gained access to the Syrian Arab Republic?

The meeting rose at 5.58 p.m.