



General Assembly

Seventy-first session

41st plenary meeting
Friday, 4 November 2016, 10 a.m.
New York

Official Records

President: Mr. Thomson (Fiji)

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

Agenda item 63

Report of the Human Rights Council

Report of the Human Rights Council (A/71/53, A/71/53/Add.1 and A/71/53/Add.2)

The President: In connection with this item, I would like to recall that at its 2nd plenary meeting, on 16 September 2016, the General Assembly decided to consider agenda item 63 in plenary meeting and in the Third Committee pursuant to resolution 65/281, of 17 June 2011.

If members permit me, I shall now make a statement.

I would like to begin by welcoming to the General Assembly Ambassador Choi Kyonglim, President of the Human Rights Council. I would also like to take this opportunity to congratulate once again the 14 new members of the Human Rights Council that were elected by the General Assembly last week.

For the Human Rights Council, 2016 has been a landmark year. As the international community has commemorated the tenth anniversary of the Council's establishment and has had an opportunity to reflect on its achievements, we have considered its pre-eminent place in the global human rights architecture. By any measure, it is clear that the Human Rights Council has played a critical role in promoting the universality, interdependence and indivisibility of all human rights. It has resolutely strengthened our collective efforts to protect human rights across our world.

The comprehensive and interconnected human rights mechanisms that the Council oversees — including the Universal Periodic Review (UPR), special procedures mandate-holders and treaty bodies — have put the Council at the forefront of our work to uphold existing human rights standards. They have allowed us to environment stablish new norms, provide accountability and remedies for violations and ensure that the human rights dimensions of emerging challenges are elevated and understood. Time and again, the Human Rights Council has shone a light on human rights violations across our world and brought global attention to gross and systematic violations requiring urgent action by the international community.

The Universal Periodic Review has been central to the Council's success. The UPR is based on the fundamental premise of equal treatment of nations and of enabling all Member States to engage with one another on an equal footing in order to improve human rights in all countries. The open and inclusive nature of the Universal Periodic Review process has been fundamental to its credibility, and I welcome the participation of civil society, national human rights institutions, academia and other human rights defenders in these processes. To that end, I encourage all Member States to do all that they can to enable civil society to conduct its work freely in our societies and to participate fully in human rights mechanisms.

As global attention shifts towards the implementation of the 2030 Agenda for Sustainable Development, we should all recognize that the implementation of the Sustainable Development

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

16-36139 (E)



Accessible document

Please recycle



Goals is the best way to enable all people to realize their rights. Indeed, the 2030 Agenda is premised on the fundamental recognition of human rights for all people, and, if it is implemented effectively, will allow us to build peaceful and inclusive societies, empower women and girls, tackle discrimination and inequality, end exploitation, trafficking and torture and promote the rule of law, eliminate extreme poverty and combat climate change.

The Human Rights Council has a central role to play in promoting the human rights dimensions of the 2030 Agenda for Sustainable Development. Ensuring that implementation of the Agenda is pursued in a manner consistent with international human rights standards demands attention from all of us.

While important progress has been made on humankind's behalf by the Human Rights Council, it is clear that much more work remains to be done. In the decade ahead, we must stand firm in our support of the work of the Human Rights Council, however difficult that may be for some of us from time to time. It will be essential that the Council remain visible and credible, retain its universal character and continue in its central role in the United Nations architecture.

Safeguarding the human rights of the people of our world requires vigilance and universality. I leave members with Nelson Mandela's famous words:

“[t]o deny people their human rights is to challenge their very humanity”.

In accordance with resolution 65/281, of 17 June 2011, I now give the floor to His Excellency Mr. Choi Kyonglim, President of the Human Rights Council.

Mr. Choi Kyonglim: It is a great pleasure and an honour for me to come before the General Assembly today to present the annual report (A/71/53) of the Human Rights Council. Please allow me to first take this opportunity to congratulate the newly elected members of the Council. I am sure that all the new members will make a significant contribution to advancing the shared goal of all Council members, that is, the promotion and protection of the human rights of all.

We began 2016 with hope and optimism and a common resolve to build a safer world and better future for all. Regrettably, though, we have moved through the year faced with ongoing, as well as emerging, armed conflicts, humanitarian crises, terrorist attacks and other events that shake our notions of security, human

rights, peace and stability. We have witnessed that key challenges for the international community — from religious confrontations to military provocations, to the refugee crisis — will not easily go away. And the human rights situation in the world is deteriorating before our eyes.

On one level, it is clear that many, if not all, of these challenges flow from a failure on the part of States, and increasingly non-State actors as well, to respect, protect and uphold international human rights norms. On another level, during such periods of uncertainty and insecurity, human rights violations and abuses become more likely and more frequent, thereby further undermining security and heightening vulnerability.

Against this challenging and complex backdrop, the Human Rights Council has worked hard to fulfil its mandate as the premier United Nations forum for human rights. The record and achievements of the Council since its establishment are a testimony to its responsiveness and flexibility in dealing with human rights issues all over the world. This year alone, the Human Rights Council adopted a total of 149 resolutions, decisions and President's statements. Of those, 114 were adopted without a vote. Many of the resolutions, including on country-specific issues, were cross-regional initiatives, affirming the capacity of the Council to overcome political differences and take unified action on important human rights issues.

Syria continued to be high on the agenda of the Human Rights Council throughout the year. The Council extended the mandate of the Commission of Inquiry once again, and just two weeks ago the Council held a special session on the deteriorating situation of human rights in Syria and the recent situation in Aleppo. During the twenty-fifth special session, the Human Rights Council requested the Commission of Inquiry to conduct a comprehensive special inquiry into the events in Aleppo in order to identify all those for whom there are reasonable grounds to suspect responsibility for alleged violations and abuses of international human rights law and to support efforts to ensure that perpetrators are held accountable.

The Council also considered the updates and reports of the Commission of Inquiry on Human Rights in Eritrea and the report of the United Nations Independent Investigation on Burundi, established last December pursuant to Human Rights Council resolution S-24/1, when the Council requested that the High

Commissioner for Human Rights dispatch a mission of independent experts to Burundi to investigate violations and abuses of human rights committed since April 2015. Following the report of the Independent Investigation in September, the Council decided to establish a Commission of Inquiry on the human rights situation in Burundi, with a mandate to conduct a thorough investigation into human rights violations and abuses since April 2015.

While recalling the findings and recommendations of the Commission of Inquiry on Human rights in the Democratic People's Republic of Korea, the Human Rights Council requested that the High Commissioner designate two independent experts to support of the work of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. The group of independent experts is mandated to focus on issues of accountability for human rights violations, in particular where such violations amount to crimes against humanity. The experts will present their report to the Council next March.

In the past year, the Council also established the Commission on Human Rights in South Sudan through resolution 31/20, of 23 March 2016. The Commission is mandated to monitor and report on the situation of human rights in the country and make recommendations for its improvement. The Commission will also present its report to the Council next March and will share the report with the General Assembly.

In 2016, the Council extended the existing country-specific special procedures mandates for Belarus, the Central African Republic, Côte d'Ivoire, the Democratic People's Republic of Korea, Eritrea, the Islamic Republic of Iran, Mali, Myanmar, Somalia and the Sudan.

In addition to responding to urgent situations and crises around the world, the Human Rights Council also addressed a number of global issues throughout the year. In particular, during this year's high-level panel discussion on promoting the mainstreaming of human rights throughout the United Nations system, the Council explored new opportunities arising from the 2030 Agenda for Sustainable Development to advance human rights and discussed how the 2030 Agenda could help bring the three pillars of the United Nations closer together.

In efforts to leave no one behind, the Human Rights Council engaged in a wide range of thematic debates

and held 20 panel discussions on important issues, such as the state of racial discrimination worldwide, human rights and climate change, the rights of persons with disabilities, the rights of the child, the human rights of women, using sport and the Olympic ideal to promote human rights for all, the human rights dimensions of preventing and countering violent extremism and the contribution of parliaments to the work of the Council and its Universal Periodic Review (UPR).

The special procedures of the Human Rights Council played a central role in responding to human rights challenges throughout the year, acting as the Council's ears and eyes and shining a light into the darkest corners of the world. The reports of the special procedures mandate-holders constitute one of the main sources of reliable information on human rights situations around the world and provide a solid basis for the dialogues and debates in the Council.

In 2016, the Council established two new special procedures mandates: an independent expert on protection against violence and discrimination based on sexual orientation and gender identity; and a special rapporteur on the right to development. The Council also decided to modify the mandate of the Expert Mechanism on the Rights of Indigenous Peoples and increased the number of members to seven, to represent each of the seven indigenous sociocultural regions. I hope that the creation and enhancement of these mandates will result in further strengthening the work of the Council in promoting and protecting human rights and fundamental freedoms for all.

Allow me now to turn to the Universal Periodic Review, which is taking place in Geneva as we speak. We are quickly approaching the end of the second cycle of the UPR, and the third cycle is set to commence next May. The process continues to receive positive feedback from all stakeholders, and I would like to take this opportunity to highlight some of the positive trends and some of the challenges being faced.

The principle of the universality of the UPR continues to be preserved, with the participation of all States Members of the United Nations. In the majority of cases, delegations continue to be represented at the ministerial level. However, the participation and involvement of small countries and States that do not have representation in Geneva is a challenge to the principle of universality. In that regard, the increased attention given to the needs of those States through a

variety of programmes and activities have helped to keep them engaged in the process.

Another important principle in the UPR process is its periodicity. The focus by States on the implementation of recommendations received in previous review cycles when drafting their national reports and presenting them in the working group is most welcome and duly reflects the cyclical nature of the reviews. Going forward into the third cycle, the focus on follow-up and implementation will need to be strengthened in order to safeguard the effectiveness and credibility of the follow-up mechanism.

States are increasingly strengthening their national processes and systems in order to ensure more systematic engagement with, and follow-up on, the recommendations of the Universal Periodic Review, along with other human rights mechanisms. That approach is highly encouraged and should be further pursued.

Protecting the role of civil society and national human rights institutions in our work is an issue of great importance. The active participation and contributions of civil society are central to the work of the Human Rights Council and its mechanisms, making the Council unique among United Nations intergovernmental bodies. In the course of this year, I have been apprised and seized of alleged cases of intimidation, threats and reprisals against individuals who cooperate or have cooperated with the Human Rights Council and its mechanisms. I have repeatedly appealed to the Council to ensure the safe participation of civil society in our work and, when necessary, I have followed up directly with the States concerned. I would like once again to reiterate that, without the contribution of civil society, the Council and its mechanisms would lack the substantive information and support needed to effectively perform their mandates. It is essential that representatives of civil society be afforded adequate protection to operate in a free, open and safe environment that protects and promotes their own human rights.

Let me now turn to the issues that directly touch upon the Assembly's work. This year, the Human Rights Council adopted a number of resolutions with recommendations made to the General Assembly. Through resolution 31/17, on the human rights situation in Syria, adopted in March, the Human Rights Council recommended that the General Assembly submit the

reports of the Independent International Commission of Inquiry on the Syrian Arab Republic to the Security Council for appropriate action. And in June, the Human Rights Council requested that the General Assembly submit the report and oral updates of the Commission of Inquiry on human rights in Eritrea to all the relevant organs of the United Nations for consideration and appropriate action.

The Council also recommended that the General Assembly remain apprised of the matter of ensuring accountability and justice for all violations of international law in the occupied Palestinian territory, including East Jerusalem. The General Assembly is advised to remain seized of the matter until it is satisfied that appropriate action with regard to implementing the recommendations made in the report of the United Nations Fact-Finding Mission on the Gaza Conflict has been or is being taken at the national or international level to ensure justice for victims and accountability for perpetrators. Finally, in resolution 32/28, adopted in June, the Council recommended that the General Assembly adopt the Declaration on the Right to Peace.

Before I conclude, I would like to briefly touch upon the significant challenges being faced by the Human Rights Council in terms of the resources required for it to continue its activities. As I mentioned earlier, the Council continues to adopt numerous resolutions and decisions, which carry significant resource implications. While the Office of the United Nations High Commissioner for Human Rights is asked to comply with an increasing number of mandates arising from Human Rights Council decisions, its regular budget has not kept pace with that growth.

I would also like to refer to a crucial additional challenge, that is, the Human Rights Council is now faced with the real possibility of having its meeting time reduced and capped. From 2018 onwards, the Council may have to reduce its meeting time by as many as 23 meetings per year in order to comply with the limitations being discussed. These restrictions would greatly affect the work of the Human Rights Council, particularly its most distinctive characteristic — its responsiveness in addressing human rights issues worldwide in an efficient and timely manner. Although I am fully aware of the current financial challenges being faced, I seek the cooperation and support of all Member States in addressing this issue through the Fifth Committee. In that regard, it is my intention to propose to the Council, at its organizational session on 5 December,

that it adopt a draft decision requesting the support of the General Assembly for the organization of its 2017 sessions, which may amount to 150 meetings.

Despite the tireless efforts of the Council, and of the United Nations as a whole, to effectively respond to the multiple crises that we have faced in 2016, the human rights situation worldwide has shown little improvement since the beginning of the year. Human rights violations and abuses are still rampant, humanitarian conditions are worsening and armed conflicts continue to rage. But we cannot lose hope or optimism — these two words are our guiding lights with which we illuminate the darkest corners of the world. And we must make additional concerted efforts throughout the United Nations system if we are to bring about positive changes in the world. I am certain that together we can effect gradual change.

I wish to take this opportunity to thank the General Assembly for its support for the Human Rights Council and the Council's work over the past 10 years. The Human Rights Council will continue to faithfully discharge its responsibilities as a subsidiary body of the General Assembly and as the United Nations premier forum on human rights.

Finally, on behalf of the Human Rights Council, I hope that the General Assembly will continue to provide its full and effective support to the Council through the remainder of the tenth cycle, and I would like to welcome all members to the Human Rights Council next year.

The President: I thank President Choi Kyonglim for introducing the report of the Human Rights Council.

I now give the floor to the observer of the European Union.

Ms. Cardona (European Union): I have the honour to speak on behalf of the European Union (EU). The candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania; and the country of the Stabilization and Association Process and potential candidate Bosnia and Herzegovina align themselves with this statement.

The European Union would like to thank the President of the Human Rights Council, Ambassador Choi Kyonglim, for presenting the Council's eleventh annual report (A/71/53) to the General Assembly.

The European Union has been a strong supporter of the Human Rights Council since its establishment. As this year marks the Council's tenth anniversary, we would like to take this opportunity to reaffirm our continued support and our engagement to make further progress. Being the only United Nations body mandated to support the promotion and protection of all human rights around the globe, the Council has strengthened the ability of the United Nations to help ensure that all persons enjoy their human rights and that violations thereof are disclosed. We attach great importance to both the credibility and the effectiveness of the Council.

The European Union will continue to make every effort to ensure that the Human Rights Council is not only able to address violations and abuses of human rights, including gross and systematic violations and abuses, and to respond promptly to human rights emergencies, but also to improve human rights standards and their implementation worldwide through systematic work on relevant thematic issues. In that context, the European Union recalls the importance of the Council's independence and strongly opposes any attempts to undermine the institutional position of the Council within the United Nations system.

The European Union welcomes the central role played by the Human Rights Council in addressing human rights situations throughout the world. The severe consequences of the crisis in Syria and the violations committed by all parties, particularly the Syrian regime and its allies, cannot be ignored by any State. Any breaches of international law, in particular of international humanitarian law and human rights law, some of which may constitute war crimes or crimes against humanity, must be brought to justice. In that context, the Council's ongoing response to the crisis remains critically important, as mirrored by its efforts to foster accountability and to fight against impunity. We would also like to stress the importance of the promotion and protection of human rights as the key to conflict prevention.

The Council has demonstrated its commitment to providing technical assistance and capacity-building to the Governments of Côte d'Ivoire, Libya and Mali to promote human rights, and we welcome the continued support that has been rendered to the occupied Palestinian territory, including East Jerusalem, as well as the Republic of Guinea, South Sudan and Ukraine. We trust that the Council will continue to closely

monitor situations where technical assistance and capacity-building can make a difference and that it will take action where necessary.

On 28 October, the General Assembly elected 14 new members of the Council. Serving as a Council member entails important responsibilities. Paragraph 9 of General Assembly resolution 60/251 provides that

“members elected to the Council shall uphold the highest standards in the promotion and protection of human rights” .

While we congratulate the new members, we also encourage everyone to pay careful attention to the human rights records and commitments of States throughout their membership.

We attach great importance to all aspects of the Human Rights Council's work, from the Universal Periodic Review to the special procedures that are mandated by the Council's resolutions. It is with that in mind that we must voice our strong concerns at the draft resolution that has been submitted in the Third Committee on the report of the Human Rights Council. That draft resolution seeks to subvert a legitimate decision of the Human Rights Council by deferring one particular resolution, namely, Council resolution 32/2, of 30 June 2016, on protection against violence and discrimination based on sexual orientation and gender identity. In our view, any attempt to call into question the legitimacy of that resolution has no legal foundation. The text was adopted in Geneva in June, and, on that basis, Mr. Vitit Muntarbhorn was appointed at the thirty-third session of the Human Rights Council in September as the new independent expert. All 47 members of the Council went along with that appointment. Other current mandate-holders have been appointed on the basis of voted resolutions. To question that mandate is to question the delicate institutional relationship between the Human Rights Council and the General Assembly and their respective competences. The creation of a special procedure is well within the purview of the Human Rights Council and should not be questioned or reopened by the General Assembly. Otherwise, the functioning of the Council and the work of the Member States in the Council would be seriously called into question. Moreover, there should be no misunderstanding about the function of the new independent expert and how it relates to the need for States to protect the human rights of all individuals without distinction of any kind. No one should have to

suffer violence or discrimination on the basis of who they are.

We strongly encourage all States and stakeholders to cooperate with the special procedures as a means to enhance the protection and promotion of human rights, and we reaffirm notably that States elected to membership of the Council are required to fully cooperate with it.

The EU welcomes the continued cooperation of the Government of Myanmar in granting access to the United Nations Special Rapporteur. That is a positive example and one which we trust will be followed by other countries. We hope that the Government of Myanmar will also see the full benefit of opening an office of the Office of the United Nations High Commissioner for Human Rights (OHCHR), with a full mandate, in the light of the positive experience in countries across other regions. We also welcome the extensions of the country-specific mandates of the Special Rapporteurs on the situation of human rights in Iran, the Democratic People's Republic of Korea and Belarus, and the extension of the mandates of the independent experts on the situation of human rights in Haiti, the Sudan, the Central African Republic and Mali.

We welcome the establishment of a Commission for Human Rights in South Sudan, and we take note of the final report of the Commission of Inquiry on Human Rights in Eritrea. We hope that the General Assembly and other relevant United Nations organs will give it due attention. In the light of the ongoing human rights violations and abuses, we welcome the consensual adoption of the resolution on Yemen and look forward to the High Commissioner's update on its findings at the next Council session, in March 2017. Similarly, we welcome the resolution addressing the human rights concerns in the Democratic Republic of Congo.

The European Union would also like to highlight the importance of the resolution on the human rights situation in Burundi, which, in response to the latest report of a group of independent experts, establishes a commission of inquiry into alleged grave human rights violations committed in the country. We look to Burundi, as a member of the Council, to fully cooperate with that commission once it is established, as well as with other international human rights mechanisms. Members of the Human Rights Council should uphold the highest standards in the promotion and protection

of human rights, and we reiterate our urgent call to the Government of Burundi to do so.

The European Union attaches great importance to the valuable contributions made by civil society to the work of the Council and is gravely concerned regarding attacks and threats against, and harassment and intimidation of, participants from civil society and other stakeholders.

The European Union remains strongly committed to the Universal Periodic Review (UPR), a truly universal and unique mechanism within the United Nations that addresses all human rights and is applicable to all States Members of the United Nations without distinction or discrimination. As we are soon approaching the third cycle of the UPR, we encourage States to further strengthen the focus on implementation of previously accepted recommendations. We acknowledge the importance of providing technical assistance and capacity-building with a view to the implementation of UPR recommendations, and we are immensely grateful for the valuable support provided by OHCHR in that regard. Finally, we welcome the important contributions made by civil society in the UPR process.

In conclusion, let me reiterate our ongoing commitment to contributing to the work of the Human Rights Council and to further strengthening its role in the protection and development of international human rights law and in the prevention of human rights violations and abuses. We will continue to systematically uphold and ensure implementation of existing international norms and standards, to strongly advocate for the universality of human rights and to promote the observance by all States of all human rights and fundamental freedoms.

Mr. Ntwaagae (Botswana): I have the honour to deliver this statement on behalf of the Group of African States.

The Group adds its congratulatory voice in connection with the newly elected and re-elected members of the Human Rights Council. The Group of African States welcomes the President of the Human Rights Council, Mr. Choi Kyonglim, and wishes to express its appreciation for the opportunity to dialogue with him on the activities of the Council over the past year. The Group commends the President for his leadership and commitment and for his professionalism and constructiveness in the conduct of the work of the

Council. It assures him of its continuous support and cooperation in the discharge of his duties.

The Group of African States wishes to reaffirm the Council's mandate, as set out in resolution 60/251, of promoting universal respect for, the protection of, all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner and make recommendations thereon. On that basis, the Group has been consistently supportive of the work of the Council.

The Group of African States views the principles on which the Council's mandate rests as extremely important, particularly the principle of cooperation and genuine dialogue, which is aimed at strengthening the capacity of Member States to comply with their human rights obligations. It is therefore incumbent upon the Council in discharging its mandate to firmly apply the principles of universality, objectivity and non-selectivity in the consideration of human rights issues.

The Group of African States is convinced that the Universal Periodic Review remains the most effective mechanism of universal application to assist States in fulfilling their human rights obligations. In our view, the mechanism remains relevant and key to the promotion and protection of human rights. The Group would like to reaffirm the need to preserve the cooperative nature and principle of dialogue of the mechanism. The Group firmly believes that it is critical that the United Nations Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review be provided with adequate resources to assist States to develop national capacity and expertise for the implementation of the agreed recommendations.

While the Group of African States reiterates its support for the mechanisms and special procedures of the Council and the important work they undertake in the promotion and protection of human rights and fundamental freedoms, the Group believes that there is a need for rationalization of these mechanisms and special procedures in order for them to be effective. The Group would like to emphasize also the need for the procedures to comply with the institution-building package, the code of conduct of mandate-holders and their respective mandates. In that regard, we would like to express our support for the item on the Council's agenda that relates to technical cooperation and capacity-building in the field of human rights. We take this opportunity to stress that this agenda item

should not be used to serve other objectives, such as monitoring and investigation. Advisory services on human rights issues should be provided only when the State concerned so requests, based on its priorities and national ownership, with full respect for its sovereignty and political independence.

The annual report (A/71/53) before the Assembly sets out in a comprehensive manner the resolutions that were adopted by the Council during its yearly deliberations. The Group of African States is cognizant of the provisions of General Assembly resolution 60/251, specifically of paragraph 5 (i), which provides for recommendations to be made by the Council to the Third Committee of the General Assembly; hence its support for the universal membership of the General Assembly.

The Group of African States strongly deplores all forms of stereotyping, exclusion, stigmatization, prejudice, intolerance, discrimination, hate speech and violence directed against peoples, communities and individuals on any grounds whatsoever, wherever and whenever they occur. It is greatly perturbed by the attempts to introduce and impose new notions and concepts that are not internationally agreed upon, particularly in areas where no legal foundation exists in any international human rights instrument. We are even more disturbed at the attempt to focus on individuals on the basis of their sexual preference and behaviour, while ignoring that intolerance and discrimination regrettably exist in various parts of the world, be it on the basis of colour, race, sex or religion, to mention only a few. By creating divisions, those attempts not only undermine the intent of the drafters and signatories of the various human rights instruments, but also seriously jeopardize the entire international human rights framework. We call upon all Member States to refrain from attempting to give priority to the rights of certain individuals, as this could result in negative discrimination at the expense of other internationally agreed rights and thereby conflict with the principles of non-discrimination and equality. Those principles are well entrenched in the Charter of the United Nations and other internationally agreed human rights instruments, which all reaffirm our faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, without distinction.

The adoption in June of resolution 32/2, entitled “Protection against violence and discrimination based on sexual orientation and gender identity”, is a clear

illustration of such attempts. The Group is concerned because notions that have not received international acceptance, such as sexual orientation and gender identity, are being given attention to the detriment of issues of paramount importance, such as the right to development and the racism agenda. We are alarmed because the Council is delving into matters that fall essentially within the domestic jurisdiction of States. That runs counter to the commitment in the Charter of the United Nations to respecting the sovereignty of States and the principle of non-intervention. Of even greater significance is the ominous reference to two notions: sexual orientation and gender identity. We wish to state that those two notions are not and should not be linked to existing international human rights instruments. In that regard, the Group of African States has submitted a draft resolution calling for the deferral of the consideration of, and action on, Human Rights Council resolution 32/2, of 30 June 2016, in order to allow time for further discussions and consultations on the legality of the creation of this mandate, which my colleague from the European Union just made reference to. We therefore call for the suspension of the activities of the appointed independent expert pending a final determination on the issue.

We urge all States and the relevant international human rights mechanisms to intensify their efforts to consolidate the international community’s commitment to the promotion and protection of the human rights of everyone on an equal footing, without exception, and we call upon all Member States to continue to step up their efforts to achieve the total elimination of all forms of racism, racial discrimination, xenophobia and related intolerance.

In conclusion, the Group of African States wishes to reassure you, Mr. President, of our full support and cooperation and to reaffirm its commitment to the fundamental principle of human rights for all, as enshrined in the Charter of the United Nations.

Mr. Wenaweser (Liechtenstein): I have the honour to deliver this statement on behalf of Iceland and my own country, Liechtenstein.

We thank the President of the Human Rights Council for presenting the Council’s report (A/71/53) to the General Assembly, an established practice that reinforces the dynamic relationship between the Council and the Assembly. The Council can look back on a busy, successful and historic year — its tenth anniversary.

We commend President Choi Kyonglim for his able leadership. What started out in 2006 as a project that met with opposition from various quarters has now become one of the international community's most important instruments for promoting universal respect for human rights and addressing situations of gross and systematic human rights violations. In its 10-year history, the Council has adopted landmark resolutions and appointed special mandate-holders on important issues such as violence against women, the protection of human rights defenders and the right to privacy. It has also established several country-specific mechanisms, and in particular commissions of inquiry in Syria, Eritrea, South Sudan, Libya, Gaza, North Korea and Burundi.

Many of those achievements reflect the original ideas behind the Council, that is, promoting universal respect for human rights and fundamental freedoms without distinction of any kind, guided by the principles of universality, impartiality, objectivity, non-selectivity and constructive dialogue and cooperation; but also addressing specifically those situations where human rights are systematically violated. Unfortunately, the Council has become more and more polarized in recent years. The opposition to certain country-specific issues as well as thematic issues has become a matter of politics, and the actual human rights consequences for thousands — sometimes millions — of people have taken a back seat. That polarization has even encroached up on issues on which members had previously been united, leading to regression on previously agreed commitments and standards. There also seems to be a trend towards reduced engagement in the Human Rights Council — resolutions are often not subject to actual negotiations, and there are no genuine efforts to narrow differences and to increase political support. We hope that this is a trend that will soon be reversed.

The establishment of the Human Rights Council was based on the understanding that those who served on it would commit themselves to cooperation and to the promotion and protection of human rights. In order to allow for informed decisions in the elections, candidate countries are asked to submit voluntary pledges and commitments. The practice today is that, although a vast majority of States running for election to the Council make such submissions, these are barely a factor in our decision-making, and often amount to little more than a somewhat interesting read. We of course need to look at our own behaviour as the electorate. We can choose

to ask for genuine commitments and implementation; yet our decision-making today is largely based on considerations that have little to do with the strong performance of the Council. We believe that overall political commitments, such as support for the code of conduct regarding Security Council action against genocide, crimes against humanity and war crimes, as elaborated by the Accountability, Coherence and Transparency Group, should play an important part in our decision-making in Council elections.

Let me offer a few comments on issues covered in the latest report. We are concerned by the insufficient action of the Council on the situation in Yemen. The Council adopted a resolution on technical assistance and capacity-building in the field of human rights — hardly a reflection of the actual needs on the ground. Given the reports of massive and frequent violations of international humanitarian law, the situation in Yemen deserves nothing short of a commission of inquiry to collect evidence of human rights abuses and violations.

The Council has been seized of the situation in Syria for several years now. Its most important decision was undoubtedly the creation of a commission of inquiry, which has supplied ample evidence and documentation of war crimes and crimes against humanity committed by the conflict parties. The Council also met recently in special session to address the situation in Aleppo, which was of particular importance after the veto cast in the Security Council on 8 October (see S/PV.7785). While the efforts of the Commission in particular continue to be highly relevant, it is also obvious that the activities of the international community are inadequate, especially in the area of accountability, where we have failed the victims of the conflict in Syria for over five years now. We believe that the time has come for the Assembly to step up and play its own role in that respect.

In the reporting period, the Council created several new mandates for special procedures and renewed others. We call on all countries to cooperate with the special procedures, including by issuing standing invitations, and to enable them to conduct their work independently and without interference. Their valuable work supports us in moving towards the achievement of commitments we have made: in the Charter of the United Nations, in the Universal Declaration of Human Rights in conventions and in recent agreements such as the 2030 Agenda for Sustainable Development. We commend the Council, in particular for its recent establishment of a mandate for an independent expert

on protection against violence and discrimination based on sexual orientation and gender identity, and we congratulate Mr. Muntarbhorn on his appointment as the independent expert. Ever since the first resolution on that issue was put forward by South Africa and Brazil in 2011, this issue has been high on the Council's agenda. The setting up of a special mandate is a reflection of the issue's importance, further underlined by the many heinous crimes committed against lesbian, gay, bisexual, transgender and intersex persons around the globe.

Mr. Bhattarai (Nepal), Vice-President, took the Chair.

We would like to highlight that, in conformity with the outcome of General Assembly resolution 65/281, entitled "Review of the Human Rights Council", it is up to the plenary of the Assembly — and not its Third Committee — to take action on the report of the Council. The review includes the understanding that the Third Committee is to consider and act on recommendations of the Council to the Assembly. We call on all delegations to respect the agreed understanding in the review and not to undo the valuable work carried out by the Human Rights Council.

Ms. Wilson (Australia): Australia supported the establishment of the Human Rights Council in 2006 and, 10 years on, we remain convinced that the Council and its mechanisms continue to play a fundamental role in upholding universal human rights. Today we have an opportunity to consider the Council's achievements over the past year, of which there have been many, and I take this opportunity to briefly highlight a couple.

We are pleased to note that the Council adopted its first resolution on violence against women, with a strong focus on indigenous women. We welcome the Council's increased focus on improving the human rights outcomes for indigenous peoples generally, including by strengthening the Expert Mechanism on the Rights of Indigenous Peoples. Australia was also pleased to sponsor the resolution on national institutions for the protection and promotion of human rights at the Council's September session, which was adopted by consensus.

Last but not least, like other delegations here, we wish to express our strong support for the Council's resolution on protection against violence and discrimination on the basis of sexual orientation and gender identity, including the appointment of an independent expert

on protection against violence and discrimination based on sexual orientation and gender identity. That represents a significant step towards recognizing the need to protect the lesbian, gay, bisexual, transgender and intersex (LGBTI) community from discrimination and violence. I would stress that it is not an attempt to elevate that issue over other human rights issues, but simply to ensure similar recognition of the importance of LGBTI discrimination and violence as one of several serious international human rights issues.

In that regard, we continue to be extremely disappointed to hear that some States, including some gathered here today, are challenging the appointment of the independent expert by the Human Rights Council. We would like to reiterate our position that it is up to the plenary General Assembly, not the Third Committee, to consider the report (A/71/53) of the Council in accordance with Assembly resolution 65/281, and we take this opportunity to reaffirm our support for the independence and mandate of the Council. We call on countries to support the appointment of the expert and to work cooperatively with him as he exercises his mandate. Australia has a long history of engaging cooperatively with human rights mechanisms and processes, including through our standing invitation to special procedure mandate-holders, and we look forward to welcoming a number of special rapporteurs over coming months.

Australia will continue to be a champion for the promotion and protection of human rights. For the first time, we have put forward our candidature for the Human Rights Council, for the period 2018-2020. We believe that all States should have an equal voice in the Council, regardless of size. We have been a strong supporter of the active participation of small island States and least developed countries in the Council, just as we are here in New York and in the United Nations system more broadly. We were pleased to support the participation of small island developing States and least developed countries in the proceedings of the tenth anniversary session of the Human Rights Council in Geneva — the first Council session with universal participation. Given the opportunity to serve on the Council, Australia would focus on five key areas: advancing the rights of women and girls; promoting good governance and strong democratic institutions everywhere; protecting the freedom of expression; advancing the rights of indigenous peoples; and promoting strong national human rights institutions. Regardless of whether or not

Australia is on the Council, we will remain strongly committed to engaging actively and constructively to improve the human rights situation for all people around the world.

Mr. Sukhee (Mongolia): At the outset, I would like to express our thanks to His Excellency Ambassador Choi Kyonglim, President of the Human Rights Council, for his leadership and his presentation of the Council's report (A/71/53) to the General Assembly today. This year, the Council has been able to address pressing human rights issues and adopt a number of resolutions and decisions. In that connection, it should be emphasized that the tenth anniversary of the establishment of the Council, which was celebrated earlier this year, was an opportunity for us to reflect on the Council's achievements and challenges, evaluate lessons learned, prescribe necessary changes and look forward to a stronger and more effective Council in the future.

In 2016, it has been a great honour for Mongolia to serve the first year of its membership of the Human Rights Council. We believe that the Human Rights Council should be a platform for enhanced and open discussion on human rights issues with a positive impact on national policies. As a newly elected member, Mongolia is focusing on a number of priorities, such as ensuring gender equality, protecting the rights of women, children and persons with disabilities, fighting human trafficking in all its forms, combating racial and gender discrimination, abolishing the death penalty, promoting the freedom of opinion and expression, and promoting the freedom of assembly and association.

The promotion and protection of human rights, fundamental freedoms, justice and equality have been at the core of all policies pursued by the Government of Mongolia. Accordingly, Mongolia has been constructively engaged with the Working Group on the Universal Periodic Review (UPR), and our second national report was reviewed in 2015 under the UPR review process. In order to implement the recommendations of the second UPR, the Government of Mongolia adopted its national action plan, which was developed through consultative processes engaging all relevant stakeholders. As the Council approaches the third cycle of the UPR, more focus should be given to ensuring the effective implementation of the recommendations made during previous cycles. In that regard, constructive engagement, cooperation and technical support are of the utmost importance.

We take this opportunity to commend the initiative and work of the President of the Council in moving forward the discussion with Member States on improving the working methods of the Council with a view to enhancing the efficiency of its work.

In conclusion, I would like to reiterate my Government's commitment to contributing to Human Rights Council activities during its membership through voluntary pledges and commitments made in accordance with General Assembly resolution 60/251.

Ms. Mendelson (United States of America): The Human Rights Council is a critically important institution; it ensures that human rights remain a focus of our work at the United Nations.

In recent days, we have grown concerned at the manner in which some Member States have dealt with the report (A/71/53) of the Human Rights Council. The United States strongly supports Human Rights Council resolution 32/2, which established a mandate for an independent expert on protection against violence and discrimination based on sexual orientation and gender identity. Although sexual orientation and gender identity are sensitive issues for some countries, no one should face violence or discrimination because of their sexual orientation or gender identity, and these issues clearly belong on the agenda of the Human Rights Council. The Human Rights Council has adopted numerous resolutions on persons who experience violence and discrimination as a result of specific characteristics or circumstances, such as belonging to a minority group. The sexual orientation and gender identity mandate falls perfectly in line with these existing mandates and addresses the specific issues around violence and discrimination experienced by persons on the basis of their sexual orientation or gender identity. We also strongly support the appointment of Mr. Vitit Muntarbhorn, a distinguished international law professor who has served on a number of bodies of the United Nations. He was appointed to this position on 30 September and has already begun his important work.

Yesterday, the African Group submitted its annual draft resolution on the Human Rights Council report. While this is typically procedural in nature, this year's draft resolution includes incredibly problematic language. It attempts to delay the consideration of the Human Rights Council resolution, spuriously objecting to the legal basis for the independent expert's mandate.

We are deeply concerned about this attempt. Seeking to reopen a Human Rights Council mandate that some States deem objectionable, and to do so under the guise of a legal concern, is inconsistent with respect for the Human Rights Council's ability to function. Such an attempt has never been made before. The General Assembly has never attempted to reopen a Human Rights Council mandate where a mandate-holder has been appointed and is fully functioning. This would set a very dangerous precedent. The Council has established many mandates that various countries oppose, but no country has sought to relitigate those mandates in the Third Committee.

We also must remember that civil society organizations and Governments work courageously in all regions to protect the human rights of all persons, regardless of their sexual orientation or gender identity. Our actions on the Africa Group's draft resolution in the Third Committee and in the plenary of the Assembly will have significant implications for their work. We must continue to uphold dignity and fundamental freedoms for all persons.

Members of the Latin American and Caribbean Group will submit a draft amendment today removing the language that goes against the decision of the Human Rights Council. We strongly urge all States to vote in favour of the draft amendment. If the draft amendment fails, we further strongly urge those present to vote against the draft resolution, which should take note of the report of the Human Rights Council in its entirety and not undermine the Council by relitigating a mandate.

Mrs. Rodríguez Abascal (Cuba) (*spoke in Spanish*): The Human Rights Council was established as a result of the need to address double standards, confrontation and the political manipulation of the now-defunct Human Rights Commission. We must make every effort to avoid a repeat of the negative practices that discredited the Human Rights Commission — practices that Cuba roundly rejects. We reiterate our concern about the tendency in the Council to impose selectivity and double standards relative to the consideration of human rights situations, as is reflected in the report (A/71/53) currently under discussion. Today we must rescue the Council from the selectivity and political manipulation that characterize its work in the treatment of country situations. Cooperation and respectful dialogue must be the guidelines for its work.

Cuba notes that the Universal Periodic Review has been strengthened as the sole existing universal mechanism for a comprehensive analysis of the human rights situations in all countries; it is the main element that distinguishes the Council from the Human Rights Commission. That mechanism has proved to be a means for international cooperation on human rights issues, on the basis of constructive dialogue and respect for the principles of universality, objectivity, impartiality and non-selectivity. Those principles must be equally respected by the special procedures of the Council and by the human rights treaty bodies, which, furthermore, must observe the code of conduct that was adopted when the Council was established as an institution.

As long as an unfair and exclusive international economic and political order persists, the Council must continue to take a stance in favour of a democratic and equitable international order. As long as we have instances in which unilateral coercive measures prevail and rigid blockades are maintained — as is the case for Cuba, which has endured a blockade for more than 50 years now — the Council must reject those measures and call for them to end. The Council must ensure that the right to international solidarity is urgently addressed, with a view to overcoming the serious global challenges that are posed by economic, financial, energy, environmental and food crises.

In response to the recommendation the Human Rights Council made to the General Assembly in resolution 32/28, my delegation has submitted a draft resolution entitled "Declaration on the Right to Peace". The underlying idea is that peace, which is already recognized as a fundamental condition for the enjoyment of all human rights, should also receive due recognition as the right of all persons, both individually and collectively, to contribute to efforts to achieve peace and enjoy an environment of harmony in which all their needs are met and their individual and collective rights are fully respected.

Cuba will continue working to promote the rights of all peoples to self-determination, peace and development through the realization of the right to food, the establishment of a democratic and equitable international order, the fight against racism, xenophobia and all forms of discrimination and the realization of cultural rights and respect for diversity. Cuba reiterates its everlasting commitment to promoting and respecting human rights for all.

Mrs. Al-Duwailah (Kuwait) (*spoke in Arabic*): An important agenda item is under discussion today in the General Assembly. I would like to thank the Human Rights Council for its report (A/71/53), which summarizes the work to promote human rights in the international community and its ongoing endeavour to entrench and defend the human rights principles. We also congratulate the States elected on 28 October to membership of the Council for the period 2017-2019 and wish them every success during their term.

The report reviewed several issues relating to human rights and their protection, including the realization of fundamental rights. It also addressed the human rights situation in some States, focusing on their role in international institutions and the efforts to promote all aspects of cooperation with various countries in the world. Moreover, it addressed issues of the utmost importance relating to trafficking in persons and the rights of people with special needs, as well as the acceleration of efforts to eliminate all forms of intolerance and violence against women. We would stress that the full implementation of the concept of human rights is the responsibility of States and requires the concerted efforts of the international community.

The challenges facing our world and the difficulties that some people face in acquiring the most basic means of subsistence, such as housing, food and medicine, make it incumbent upon the international community to strive to do more. We welcome the adoption in September of the New York Declaration for Refugees and Migrants, which expressly acknowledges the magnitude of the suffering of populations around the world as a result of tragic humanitarian crises. We also welcome all international efforts to promote and protect the rights of displaced persons, including the 2030 Agenda for Sustainable Development.

Today marks an important event, which is the entry into force of the Paris Agreement on Climate Change. All such measures reflect the seriousness of the international community in protecting and promoting human rights. I would like to note that my Government, guided by the principles of the Paris Agreement, has approved a bill on the establishment of a national human rights institution that will promote the protection of human rights and public freedoms, in line with current international conventions. Furthermore, it has established national mechanisms to promote human rights.

Certainly, the concept of human rights is closely linked to the achievement of the Sustainable Development Goals, as illustrated by the fact that the progress of people is measured by the degree of their commitment to human rights. The Charter of the United Nations also urges us to promote human rights and respect fundamental freedoms. A great deal of humanitarian assistance is provided through non-governmental and governmental institutions and international organizations, including the Office of the United Nations High Commissioner for Refugees (UNHCR), which believes it imperative to establish international peace and security in order to promote respect for human rights. In that vein, Kuwait has hosted three international conferences to support the humanitarian situation in Syria, in line with the UNHCR report and resolution 28/20. Kuwait also participated in co-hosting the Supporting Syria and the Region Conference, held in London on 4 February, which further raised funds to fulfil the immediate and long-term requirements of those affected by the crisis in Syria.

We feel pain and sorrow regarding the continuing acts of violence in Syria, which have been taking lives and have devastated poverty. My delegation stresses the importance of concerted urgent international action aimed at finding a political settlement to the crisis in Syria that will make it possible for the Syrian people to realize their aspirations to live their lives in freedom and dignity.

In that respect, as we are discussing human rights, we must strongly condemn the oppressive policies and practices of Israel in violating the most rudimentary human rights of the unarmed Palestinian people in their occupied territories. We call upon the international community to assume its responsibility to compel Israel to abide by the General Assembly resolution promoting international legitimacy and cease its expansionist policies, respect the principles of international human rights and respect its obligations under the Geneva Convention 1949 relative to the protection of civilians.

In conclusion, Kuwait affirms its commitment to support all international efforts to promote and protect human rights. We must seek to benefit from past experiences in order to achieve our aspirations of a world of peace and stability, where the preservation of human rights will be a linchpin and an inalienable right.

Mr. Lukyantsev (Russian Federation) (*spoke in Russian*): International cooperation in the field of human rights over the past years has been of increasing importance. The United Nations has the unique and important task of ensuring the conditions for a truly equitable dialogue among States. That dialogue should allow for the fullest possible realization of human rights in all countries of the world. The Human Rights Council plays a particularly crucial role in that work.

In that connection, allow me to congratulate the representatives of the States elected to the Council last week and to express the hope that they will contribute to constructive cooperation aimed at promoting and protecting human rights as enshrined in universal international instruments.

We must note, however, that the agenda of the Council has become a tactical tool for promoting the interests of individual States and groups. Discussions are increasingly turning into the airing of political grievances, patronizing attitudes and the defamation of States. Moreover, unjustified geographical imbalances with respect to the various human rights situations being considered do not reflect true trends; rather, they are the result of politically motivated actions.

We are also struck by certain dubious activities, including the promotion of supposedly progressive reforms and initiatives that in practice translate into the erosion of the intergovernmental nature of the work of the United Nations and its human rights bodies, attributing subsidiary bodies to functions that they should not perform. We regret that the Council is becoming a platform for a test-run for such controversial initiatives.

We are categorically against using the Council to include various politically charged matters on the agenda of the General Assembly, including the idea of referring human rights situations to the Security Council and the International Criminal Court. We believe that United Nations bodies charged with human rights mandates should not interfere in the purviews of other bodies of the United Nations, including on the issues of international security, development, counter-terrorism and human trafficking. The integration of human rights issues into the activities of various other bodies of the United Nations should have its limits. It must not lead to a duplication of functions. That applies, above all, to the Glion Human Rights Dialogue, which is promoted by the Human Rights Council.

We would like to express concern about the fact that the agenda of the Human Rights Council deals with matters that are not within its mandate and jurisdiction, including the responsibility to protect the international legal status of territories and their related qualifications. We are alarmed by the relentless attempts of individual States that, instead of seeking a unifying agenda, bring to the consideration of the Council deliberately confrontational topics. The latest example was the resolution of the Council on issues of sexual orientation and gender identity and the establishment of the post of independent expert on the matter. That does not improve the human rights situation, but instead further divides members of the Council.

We are worried that, given the expansion of the special procedures system of the Human Rights Council, the practice of exceeding mandates and the duplication of functions will become features of many of those mechanisms. In our view, the primary task of the Council should be to restore the mutually respectful nature of intergovernmental dialogue. That is based on the fact that the fundamental principle of the Council's work should be equitable cooperation based on compliance with the principle of the sovereign equality of States.

We believe that the only objective mechanism for monitoring compliance with human rights is the Universal Periodic Review. We believe that in order to increase the effectiveness of the Human Rights Council's work, the focus should be on the provision of technical assistance to States that express their consent.

In conclusion, we would like to note that it is important for the Human Rights Council not to erode the trust bestowed upon it by the General Assembly in 2006. The worrisome trends in the work of the Council I just mentioned could bring the Council to a status resembling that of the Commission on Human Rights as it stood in the end of the 1990s and the beginning of the 2000s. That would once again discredit the work of the United Nations in promoting and defending human rights.

Ms. Kumar (India): We welcome the President of the Human Rights Council, Ambassador Choi Kyong-lim, and we thank him for his comprehensive presentation.

The year 2016 marks the tenth anniversary of the Human Rights Council. Anniversaries provide an opportune moment for assessment and introspection. We feel that it is worth analyzing the progress that

the Council has made towards accomplishing its dual mandate of promoting and protecting human rights, and to reflect on its achievements and challenges and prescribe change where necessary, with the objective of shaping a stronger and more effective Council.

The Human Rights Council evolved from the political will to avoid the shortcomings of the Commission on Human Rights. While celebrating the tenth anniversary of the Council, we must also remain mindful of the reasons for its establishment and avoid repeating the mistakes of the past. In that context, we must mention that intrusive monitoring and finger-pointing while dealing with specific human rights situations in various countries is inimical to the objectives of the Council. India believes in an open, inclusive approach based on dialogue, consultation and cooperation.

As a signatory to both of the principal Covenants on human rights and the major human rights instruments, India has consistently promoted human rights. India made important contributions to the drafting the Universal Declaration on Human Rights, especially highlighting the need to reflect gender equality.

India's engagement with the Human Rights Council since its inception has been primarily guided by the significance that it attaches to the mechanisms of the United Nations that serve to frame the international discourse on human rights. It has been our constant endeavour to constructively engage with the processes of those bodies. In the relatively short span of 10 years, the Council has encountered enormous challenges on a vast array of issues relating to migrants, refugees, terrorism, violent extremism, climate change, development and others. Over the years, the Council has evolved into a forum for voluntary participation and the sharing of national experiences and best practices in the protection and promotion of human rights. We strongly believe that, in order to ensure its continued relevance and further success, the Council must continue to strengthen its adherence to the fundamental principles of universality, transparency, impartiality, objectivity, non-selectivity and constructive international dialogue, while seeking to realize human rights for all.

It is among the Council's core responsibilities to ensure that the indivisibility, interrelatedness and interdependence of all human rights, including the right to development, are treated in a fair and equal manner. The right to development is an inalienable human

right central to the purposes and mission of the United Nations. However, a caveat in that regard is in order: the notion of the universality of rights does not imply the uniformity of values and systems. For a more meaningful and productive discharge of its responsibilities, the Council would do well to bear in mind the significance of national and regional particularities and the various historical, cultural and religious backgrounds in its dialogue with its Member States.

India believes that the Council's Universal Periodic Review mechanism provides a forum for non-politicized, non-selective and non-confrontational discussion among Member States. The relevance of those characteristics continues to remain strong as we approach the conclusion of the second cycle of the review mechanism. There are suggestions emanating from some quarters that the process of that mechanism needs to be reviewed in order to make it more effective. We reiterate that the Universal Periodic Review mechanism should not be tinkered with, because any such attempt carries the potential of diluting the universal support that it currently enjoys. The process is less than 10 years old, and it is therefore too early to pronounce on its ultimate effectiveness or to identify specific needs to reform it.

We would also like to mention that the success of dialogues with special procedures hinges on their continued independence and impartiality and on their carrying out their entrusted tasks with responsibility and sensitivity in accordance with their mandates. The comments and recommendations by mandate-holders should also conform to their respective mandates. The outcomes of their efforts need to be constructive and not driven by ideological and ulterior motives. That would help the Governments concerned to fully acknowledge their reports and take the requisite follow-up actions. It would be useful for mandate-holders and Member States if misguided attempts at self-glorification and publicity through unfounded generalizations were avoided, including the issuance of joint press releases on issues beyond their mandates.

It is our long-held belief that human rights issues cannot be approached in isolation, while ignoring the complex and intricate relationship between human rights, development, democracy and international cooperation. The challenges of poverty eradication, armed conflict, terrorism, democracy deficit and impunity continue to deprive millions of people from the full enjoyment of their human rights. Democracy,

good governance, the rule of law and access to justice and the engagement of civil society are essential for safeguarding fundamental freedoms and for promoting and protecting human rights for all.

In conclusion, India remains committed to making the Human Rights Council a strong, effective and efficient body capable of promoting and protecting human rights and fundamental freedoms for all in a transparent, cooperative and non-selective manner.

Ms. Naeem (Maldives): At the outset, my delegation would like to thank His Excellency Ambassador Choi Kyonglim, Permanent Representative of the Republic of Korea to the United Nations Office in Geneva, for his admirable work as the President of the Human Rights Council and for presenting the Council's annual report (A/71/53) to the General Assembly.

The year 2016 marks an important milestone in the history of the Human Rights Council. As we celebrate the tenth anniversary of the Council, we would like to take this opportunity to commend the Council for its achievements and to reaffirm our support for the Council. Since its inception, in 2006, the Council has made substantive contributions to the improvement of the world's human rights situation. Not only has it proved to be an effective institution in protecting human rights across the world, it has also played a significant role in promoting constructive international dialogue and improving international human rights standards and their implementation. The Maldives is proud to have been actively engaged in the process as a member of the Council for six out of its 10 years. At a time when human rights violations and abuses are rapidly increasing the world over, and when extremism and terrorism pose ever-increasing threats to the global community as a whole, the Maldives welcomes the initiatives undertaken by the Council in addressing the many human rights violations that plague our world.

One of the most important contributions made by the Human Rights Council to the world's human rights situation is the Universal Periodic Review process. In establishing a unique mechanism in which the human rights of all countries are assessed and measured on an equal footing and on an equal basis, the Universal Periodic Review process has come to be widely recognized as one of the biggest achievements of the Council. We are pleased to note that the Maldives completed its second review under the Universal Periodic review process this year. We believe that

the review process is of crucial importance, and we reiterate our support for efforts to further strengthen the process.

Another noteworthy development is the special procedures mechanism of the Human Rights Council. The special procedures system, through the reports of the special procedures mandate-holders, provides an effective basis for dialogue and debate, both among States members of the Council and between States Members of the United Nations and the Council.

We welcome the Human Rights Council's most recent special session, on the situation of human rights in the Syrian Arab Republic, and the recent situation in Aleppo and the attention given by the Council to the grave human rights violations being committed against the people of Aleppo. The Maldives calls upon the Council to step up its efforts to that end and to adopt a more proactive role in addressing the grave human rights violations committed against the women, men and children of Aleppo.

Similarly, while the Council has continued with its traditional set of resolutions on the human rights violations and atrocities committed by Israel against the Palestinian people, the Maldives calls upon the Council to take strong and effective measures to relieve the plight of the people of Palestine.

This year is also a particularly significant year for the Maldives as we conclude our second term in the Human Rights Council. We are proud of the contributions that we have made to the work of the Council. We especially recall our efforts to integrate climate change into the Council's agenda through Council resolution 71/23. Small island developing States (SIDS) such as the Maldives are at the forefront of feeling the impacts of climate change. The Maldives has long advocated that the issue of climate change and its impacts on populations must be viewed through a human rights lens. We are pleased to note that, at its thirty-second session, the Council continued to recognize the importance of addressing the adverse consequences of climate change on the full and effective enjoyment of human rights.

The increased engagement with the Voluntary Technical Assistance Trust Fund to Support Participation of Least Developed Countries and SIDS in the work of the Human Rights Council is another important development that we are proud to see materialize. In addition to actively participating in setting up the Trust

Fund, we were able to secure the participation of all SIDS not represented in Geneva in the Council session held there in June this year, which saw the universal participation of all SIDS for the first time.

Despite our limitations and our status as a small island developing State, the Maldives has maintained a strong presence on the Human Rights Council. We are proud to have given a voice to the smallest members of the international community, and we will continue lending our voice for the promotion and protection of human rights and fundamental freedoms in the coming years. My delegation is pleased to note that the Government of the Maldives has announced its candidacy for membership in the Human Rights Council for the term 2018-2020. The Maldives remains steadfast in its efforts to continue keeping development and the empowerment of all people central to the Council's agenda. Human rights remain the heart of our developmental efforts, especially those of the most vulnerable — the disabled, women and children.

While the Council has achieved considerable success during its short existence, it can continue to live up to its mandate only if it is guided by the principles upon which it was founded, namely, universality, impartiality, objectivity, constructive international dialogue and cooperation. It is our hope that the next decade will see the Council become even stronger, more efficient and more effective.

I conclude by reaffirming our continued support for the Human Rights Council and its mechanisms. Let me also take this opportunity to reaffirm our country's dedication to working with the Office of the United Nations High Commissioner for Human Rights and to cooperating with other Member States in the promotion and protection of human rights globally.

Mr. Zehnder (Switzerland) (*spoke in French*): Switzerland wishes to thank the President of the Human Rights Council for introducing the Council's report (A/71/53). We express our gratitude and congratulations for his commitment during his presidency of the Council over the past year. He bore particularly great responsibility during this tenth anniversary year of the Human Rights Council.

That occasion allowed priority courses of action to be identified, which must now be implemented in order to strengthen the pillar of human rights within the United Nations as a whole and to counteract the deliberate efforts to undermine human rights institutions that have

regularly been witnessed. In that context, Switzerland would like to reaffirm its position concerning the draft resolution on the report of the Human Rights Council presented in the Third Committee (A/C.3/71/L.46). That draft resolution is not necessary. The Human Rights Council is a subsidiary organ of the General Assembly, and not one of its Committees. We are concerned by the fact that once again a draft resolution on the report of the Human Rights Council seeks to isolate a single Council resolution by calling for its consideration to be deferred. The Council resolution in question seeks to create the mandate of the independent expert on protection against violence and discrimination based on sexual orientation and gender identity. Switzerland reiterates its support for the establishment of that mandate and calls upon all States to respect the independence of the Human Rights Council.

The 10 years of the Human Rights Council's existence have seen an increase in the importance of civil-society participation in the work of the United Nations, particularly in monitoring the implementation of the Human Rights Council's decisions, recommendations and mechanisms. Ensuring greater inclusion and protection for civil society is therefore an investment in enhancing the impact, efficiency and credibility of the Council. In that regard, Switzerland is concerned about numerous cases of intimidation and reprisals against members of civil society as they exercise their fundamental rights by providing first-hand information to representatives of United Nations mechanisms. Switzerland is grateful for the commitment to the follow-up to such cases and urges the international community to take further action to protect those who defend human rights, especially those who cooperate with the Council and its mechanisms.

Furthermore, Switzerland strongly believes that the relationship between human rights and peace and security is worthy of special attention, not least in view of its potential in terms of conflict prevention. The appeal of 13 June "Put Human Rights at the Heart of Conflict Prevention", launched by Switzerland and other Member States, calls for an enhanced exchange of information on conflict prevention between the Human Rights Council and the Security Council. Switzerland calls upon all Member States to join the 70 States that already support the appeal and to commit to its implementation.

While the increase in the Council's workload confirms the relevance of its mandate, Switzerland

does not believe that that workload is sustainable in the medium term. It is crucial that consideration continue on how to optimize working methods and implement the relevant proposals already on the table. At the same time, it is vital to improve the working atmosphere in the Human Rights Council. My delegation points in particular to the lack of transparency in an increasing number of negotiations and resolutions, the growing and combined use of written and oral amendments and requests to vote on concerns that were never expressed during informal negotiations. All of that is fostering a mood of confrontation. Switzerland calls upon all States to work constructively on Council matters so as to enhance its credibility and efficiency.

Mr. García Moritán (Argentina) (*spoke in Spanish*): Argentina wishes to express its gratitude to Ambassador Choi Kyonglim, President of the Human Rights Council, for his presence today in the General Assembly and welcomes the report (A/71/53) on the activities of the Council over the past year.

First of all, we would like to point out that we believe that it is relevant to maintain close coordination between New York and Geneva on the human rights agenda. We are therefore very grateful for this opportunity to express our views on the recent work of the Council. Argentina has always been, and will continue to be, a strong advocate for the independence, work and achievements of the Human Rights Council in promoting, respecting and protecting human rights. We firmly believe that the Council should be on an equal footing with the principal organs of the United Nations. For Argentina, the promotion and protection of human rights is a State policy that reflects the main desires and concerns of Argentine society. The defence and promotion of human rights is a central element of our country's foreign policy.

Argentina would also like to take this opportunity to highlight the role of the Council in ensuring that human rights are universally prioritized. The Council's establishment has made it possible to strengthen dialogue and various channels of cooperation among States in order to promote universal respect for the human rights and fundamental freedoms of all people, which will result in their further contribution to international development, peace and security. In that regard, the international community should continue to work together to strengthen the role of the Council in peace restoration and post-conflict and transitional justice processes. Initiatives taken to establish or

refine national plans and regional strategies should be complemented and developed in cooperation with the United Nations system.

We would particularly like to express our concern about recent actions designed to disregard the Council's mandate or to undermine its legitimacy as the main body within the United Nations system for the promotion and protection of human rights. We are deeply concerned that the legal basis that enabled the Council to create the mandate of the independent expert on protection against violence and discrimination based on sexual orientation and gender identity — who was appointed at the latest session of the Council — is being questioned, when it was legally established by resolution 32/2 of the Human Rights Council.

Without going into unnecessary detail on the legitimacy of the fight against any form of violence or discrimination and in accordance with the provisions of the Covenant on Civil and Political Rights, we firmly believe that it is unacceptable to attempt to disregard a special mandate legally established by the Council through a draft resolution of the Third Committee. We are convinced that the scale, gravity and generalized nature of violence and discrimination against individuals based on their actual or perceived sexual orientation or gender identity requires a specific response from the international community.

Among the other notable actions of the Council are the initiative presented together with Brazil for the renewal of the mandate of the independent expert on the rights of older persons and the resolution presented with Switzerland and Morocco on human rights and transitional justice. We believe that it is relevant to explore the contribution of transitional justice to the prevention of grave violations and abuses of human rights and serious violations of international humanitarian law, including genocide, war crimes, ethnic cleansing and crimes against humanity.

Without respect for the existing institutions and mandates of United Nations bodies, we will find it incredibly difficult to meet the expectations of our peoples in ensuring the defence and protection of human rights. That is why all Member States must make the commitment to respect the independence and integrity of the mandate of the Human Rights Council in accordance with resolution 60/251 and other relevant resolutions.

In conclusion, we welcome the countries recently elected to the Council and reiterate our unyielding commitment to uphold the independence and work of the Human Rights Council.

Ms. Bogyay (Hungary): We would like to thank the President of the Human Rights Council for presenting the Council's annual report (A/71/53) to the General Assembly.

Hungary aligns itself with the statement delivered on behalf of the European Union.

The establishment of the Human Rights Council, 10 years ago, was a major achievement that put human rights at the centre of the United Nations system. By establishing the Council, Member States acknowledged that there was no peace, security or development without respect for, and the protection of, human rights. Hungary strongly believes that the Council and its Universal Periodic Review mechanism represent the best universal framework for achieving that goal. Over the past 10 years, the Human Rights Council has proved to be a key player and a central forum in the universal promotion and protection of human rights. Hungary has been an active player in the Council's work since it was established. Hungary was a member of the Council from 2009 to 2012 and served as one of its Vice-Presidents in 2012. We look forward to serving on the Council again and would like to take this opportunity to thank all Member States for their strong support for our election.

Over the past decade, we have led initiatives in our national capacity on a number of thematic issues within the Council, including on the independence of the judiciary and the prevention of reprisals against individuals cooperating with the United Nations. In that regard, we wish to thank the President of the Council for his efforts to highlight the importance of addressing reprisals against individuals cooperating with the Council. Hungary also plays an active role in facilitating the exchange of views and in disseminating knowledge about the Council and its review mechanism. To that end, the Ministry for Foreign Affairs and Trade of Hungary continues to host the annual Budapest Human Rights Forum, which was launched in 2008. Those conferences offer an opportunity to exchange views among representatives of Governments, international organizations, civil society and academia.

The next Budapest Human Rights Forum will take place on 18 and 19 November and will focus on the tenth anniversary of the Human Rights Council and other

major human rights issues, including the prevention of mass atrocities through the responsibility to protect. The implementation of the 2030 Agenda for Sustainable Development is also at the core of the upcoming Forum. As a member of the Council, Hungary will, while being firm in supporting its principles, be open and attentive to all views and opinions represented in the Council and will work with its partners to build bridges and understanding.

We are committed to fostering cooperation among members of the Council by playing the role of facilitator among countries with different cultural, social and economic backgrounds. Consensus-building on issues such as gender equality, women's empowerment, children's rights, minority rights, the fight against all kinds of discrimination and the protection of vulnerable groups will be of the utmost importance in the coming period, in particular in the context of the implementation of the 2030 Agenda.

Furthermore, we will continue to be a proactive player in the fight against any form of sexual exploitation and the various forms of modern-day slavery, which, according to recent estimates, affect 45 million women, men and children worldwide. Hungary believes that Member States should assume political leadership aimed at eradicating that scourge, but we also believe that cooperation and collaboration within the United Nations system are very important.

In conclusion, I would like to reaffirm Hungary's deep commitment to the strengthening of international human rights mechanisms, and in particular the work and functioning of the Human Rights Council.

Ms. Shilo (Israel): Special agenda items, politicized debates, biased resolutions, preposterous reports, discriminatory conduct and unfounded accusations characterize the attitude of the Human Rights Council towards Israel. Although the Council is mandated to be unbiased, transparent and apolitical, its seven special sessions, 66 resolutions, a Special Rapporteur with an unlimited mandate and a specific agenda item, all of which target Israel, clearly prove otherwise. We believe that, instead of stomping in the political swamp, as it has been doing for so long with regard to Israel, it is crucial that the Human Rights Council finally focus on its mandate to protect human rights.

As the United Nations High Commissioner for Human Rights recently said, our world today is suffering from countless atrocities, terrible humanitarian crises

and increased xenophobia, racism and prejudice, which are greater than any that we have experienced since the end of the Second World War. The international community and the United Nations are faced with an inexhaustible list of desperate calls for urgent assistance. The situation in Syria, which is entering its sixth year, continues along its devastating course, while numerous people around the world are falling prey to crimes such as extermination, murder, enslavement, torture, rape and starvation — crimes that shock the conscience of humankind.

A revision of the resources allocated to deal with the Human Rights Council's biased agenda item 7 will definitely allow the Council to better address the real and urgent concerns that the international community should deal with. Israel is a strong democracy in the Middle East, and, while it faces many security challenges, it is fully committed to respect all human rights, including those of its own citizens. Israel will continue to cooperate with those who really care about human rights and to firmly object to any attempt to abuse those rights for political ends.

Ms. García Gutiérrez (Costa Rica) (*spoke in Spanish*): We thank the President of the Human Rights Council for his briefing, and we welcome the report (A/71/53) on the vital work that body carries out. Costa Rica commends the continued strengthening of the Council and the implementation of its mandates.

This year has been particularly important for the human rights system. Last month we commemorated the fiftieth anniversary of the adoption of the International Covenants on Human Rights. True to its tradition, Costa Rica was the first country to ratify both Covenants, on 29 November 1968. As a matter of principle, our country will always seek the promotion and protection of all human rights without distinction, in all circumstances and places. We also welcome the commemoration of the tenth anniversary of the establishment of the Human Rights Council and are pleased by its institutional consolidation as the body responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all individuals, without distinction, in a just and equitable manner and guided by the principles of impartiality, objectivity and non-selectivity.

We appreciate the work performed by the Council in consolidating the Universal Periodic Review mechanism, which treats all States equally when

reviewing their human rights situations on the basis of the principles of cooperation and constructive international dialogue. We welcome the broadening of the Council's sphere of action, which has been made possible by its special procedures. We therefore see fit to reiterate our firm support for the work and independence of the Council. Nevertheless, we must also express deep concern over certain current practices that could undermine its institutionality and its legitimacy. Practices such as questioning the legal basis that entitles the Council to establish a mandate are unacceptable. The Human Rights Council must be recognized as the primary body of the United Nations for the promotion and protection of human rights and, as such, its institutionality and independence must be preserved.

We consider all efforts aimed at strengthening the Council and the human rights system to be relevant and indispensable, and have therefore welcomed the review processes promoted by the President to review the work and strengthening of the Council. Similarly, and with the goal of bolstering the human rights system, we must ensure the institutionality of the Office of the United Nations High Commissioner for Human Rights and guarantee it full independence and the ability to carry out its mandate. Costa Rica, as a country historically committed to human rights and as one of the proponents of the establishment of that Office, believes that the robustness of the Office's mandate derives from its total and complete independence. In order for that to be possible, and pursuant to our commitment to human rights, we urge that the necessary resources from the regular United Nations budget be allocated to the Office of the High Commissioner so that it can have the necessary tools to fully carry out its mandate.

The growth of the human rights protection system is evidence of its importance in the United Nations architecture but at the same time has revealed challenges that we need to overcome. We are convinced that the system can be improved. A good example of that is the strengthening of the treaty body system, which culminated in the adoption of resolution 68/268, in April 2014. We are grateful to the Office of the High Commissioner for recently issuing its first report on the implementation of the resolution, which reaffirms the growing need to support the organs of the system with a view to ensuring their sustainability.

The Human Rights Council must be strengthened. But we must also reflect on ways to enhance the impact

of its work, to avoid the dispersal of effort and to act in the face of grave and systematic violations of human rights all around the world, especially in conflict situations. We are concerned over the increasing violence on the planet, which has directly impacted civilians and has resulted in millions of displaced persons and refugees — men, women and children. Today more than ever, women, girls, boys, persons with disabilities, the sexually diverse population, minorities and all who belong to vulnerable groups or groups in precarious circumstances need greater protection. It is a legal and ethical imperative to protect them and all of humankind.

That is why we want a Council that will give equal weight to inter-State and intra-State inequities, as well as to the grave consequences of discrimination and social injustice. Similarly, we want a Council that will be more visible and have a greater impact on the ground — which implies mandates that are more specific, better communication with the rest of the United Nations system and greater efforts to respond to emergency situations in a timely manner, including those the High Commissioner of Human Rights and the special procedures refer to the Council. In that regard, we reiterate our full commitment to strengthening the Human Rights Council, its institutionality and its independence.

Ms. Stener (Norway): Let me begin by thanking the President of the Human Rights Council for introducing the Council's report (A/71/53).

The Human Rights Council is responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner. Norway therefore believes that when the Council adopts a resolution, the General Assembly has no role in reopening or overturning those decisions, and certainly not the Third Committee. That undermines the very role and independent mandate that we, as States, have given the Human Rights Council. We call on all States to respect all of the Council's decisions. Needless to say, that call also covers decisions that specifically establish special mandate-holders.

We have committed ourselves to ensuring that all people are entitled to and granted the same set of rights, irrespective of gender, race, religious and political background or, indeed, sexual orientation and gender identity. Those rights exist already through,

inter alia, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and a number of human rights conventions. Human rights are also at the very heart of the 2030 Agenda for Sustainable Development, underpinning the Sustainable Development Goals and our ambitious plan to leave no one behind. It is a call not only to end poverty but also to tackle inequality and discrimination. There is no shortage of rights to be implemented; it is the implementation itself that is the problem. The special mandate-holders established by the Council are crucial to the implementation of the commitment that we have made. Their work should not be impeded, it should be supported.

Norway applauds resolution 32/2 of the Council, recognizing the need to protect persons from the lesbian, gay, bisexual, transgender and intersex community from discrimination or violence on the basis of sexual orientation and gender identity. We strongly support the landmark decision to appoint an independent expert on that topic.

Norway is therefore disappointed and troubled by the decision to once again put forward a draft resolution in the Third Committee that is aimed at reopening discussion of the Council's report. We strongly oppose the attempt to defer the decision on the establishment of the independent expert on the protection against violence and discrimination based on sexual orientation and gender identity. That attempted deferral has no legal basis. No formal objection was raised on the appointment of the mandate-holder. The appointment rigorously respected all the procedural rules of the Council. Norway is dismayed by the blatant disregard for the fact that the decision effectively undermines the mandate and the credibility of the Council and sets a very dangerous precedent. We call upon all Member States to respect and safeguard the independence of the Council.

Mr. Morales López (Colombia) (*spoke in Spanish*): We would like to express our gratitude for the report (A/71/53) presented this morning by the President of the Human Rights Council.

Today we have an opportunity, as we did in June in Geneva, to commemorate the tenth anniversary of Human Rights Council. I would like to highlight the positive impact and transformative actions that the Council has taken. It has had an impact on the lives of millions of people around the world. The resolutions,

decisions and mechanisms adopted by the Council, as described in the report on the twenty-fourth special session and the thirty-first and thirty-second sessions, give an account of the standing and cross-cutting nature of human rights in the United Nations system and the international community. While we recognize that contribution, we also believe that we must continue to work to streamline the number of resolutions to be adopted and the items to be considered. The progress that could be made in that regard would help to improve the follow-up and implementation of human rights recommendation. It would also enable more time to be allocated to each agenda item and allow for better use of our capacities at the national level and within the United Nations itself. Among the actions which lend themselves to a joint effort, my delegation would like to highlight the activities that make up the 2030 Agenda for Sustainable Development, in which we committed to leaving no one behind.

Colombia is a firm supporter of the independence, work and achievements of the Human Rights Council in promoting, respecting and protecting human rights. As is the case with any multilateral forum, controversy is an inherent part of the dialogue within the Council. We should not fear the differences of opinion that occur in that regard; rather, they should be seen as an opportunity. Critical and constructive debate is positive in that it allows us to become aware of different points of view, enriches our work and enables us make gradual progress towards agreement and consensus on the basis of the shared principle of respect for and promotion of human rights for all without exception. On this tenth anniversary of the Human Rights Council, we call on States to avoid polarization, continue deepening dialogue and cooperation and redouble efforts and strengthen the Council in order to move forward in defending, protecting and promoting human rights for all.

Ms. Cantada (Philippines): The Philippines thanks the President of the Human Rights Council for his briefing as well as for his personal contributions to the work of the Council. We welcome the report (A/71/53) on the work of the Council.

At the outset, allow me to congratulate the newly elected and re-elected members of the Human Rights Council. As a current member of the Council, let me affirm that the Philippines remains committed to actively participating in its work in a spirit of constructive engagement and cooperation and with

the aim of upholding international standards of human rights.

The Philippines takes note of the newly appointed special procedures mandate-holders. Fully recognizing the growing complexity and breadth of human rights issues in today's world, we look forward to the expertise and renewed vigor that special procedures mandate-holders will bring to the global human rights conversation. Our delegation recognizes the important role that special procedures play in the protection and promotion of human rights. Nonetheless, our delegation continues to stress that the performance of their mandates must always be in accordance with resolution 60/251, which recognizes that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue aimed at strengthening the capacity of Member States to comply with their human rights obligations.

The Philippines strongly supports the Universal Periodic Review (UPR) mechanism of the Human Rights Council. We firmly believe that the mechanism is a very useful tool in upholding and promoting human rights around the world, as it allows the Governments concerned and the members of the international community to constructively engage with each other with a view to improving the human rights situation in line with national priorities and international obligations and commitments. However, the UPR process should not be the be-all and end-all of the human rights protection and promotion process. It is imperative to put equal, if not sharper, focus on providing international support for capacity-building in order to enable countries to better implement recommendations.

As we enter the second decade of the Council's existence, my delegation believes that it is high time for economic, social and cultural rights, especially the right to development, to be given equal importance along with civil and political rights in the global human rights discussion. Accordingly, the Philippines continues to work with the international community to ensure that the multidimensional aspects of that right are mainstreamed in all the relevant areas. Moreover, given that migrants are recognized as positive contributors to inclusive and sustainable development in their countries of origin, transit and destination, we urge everyone to uphold and respect their economic, social and cultural rights.

With regard to the work of the Human Rights Council, the Philippines supported, among others, the resolution on unaccompanied migrant children and adolescents and human rights. The resolution calls upon countries of origin, transit and destination to facilitate family reunification, as appropriate, as an important objective that promotes the welfare and the best interests of unaccompanied migrant children and adolescents. The resolution also calls for avoidance of arbitrary arrest and arbitrary detention.

In conclusion, my delegation wishes to take this opportunity to express its support for the important work of the Human Rights Council and its role in fostering genuine, inclusive and constructive dialogue.

Ms. Kupradze (Georgia): At the outset, let me thank the President of the Human Rights Council for presenting the Council's comprehensive report (A/71/53). We applaud the leadership of President Choi Kyonglim in reinforcing the joint efforts to effectively address multiplying human rights challenges. I would like to reiterate Georgia's strong support for the work of the Human Rights Council and its mechanisms as key instruments for promoting and protecting human rights worldwide.

Over the past decade we have witnessed the Council standing at the forefront of protecting human rights and fundamental freedoms. Nevertheless, the systematic violation of human rights is a common phenomenon worldwide. As a result of armed conflicts, millions of people are deprived of their fundamental rights and freedoms as they become victims of armed hostilities, forcible displacement, expulsion from their homes and separation from their families. Violence and brutality continue to infest the world. Attacks on innocent civilians in different parts of the world once again illustrate that terrorism and violent extremism know no boundaries. In that context, as a member of the Human Rights Council, Georgia recently joined the Group of Friends on countering and preventing violent extremism, which is an important platform for promoting the Group's agenda in Geneva. Georgia stands ready to further contribute to the work of the Group.

We welcome the work of the Council in addressing the human rights situations in Syria, Ukraine, the Democratic People's Republic of Korea, South Sudan, Burundi and other countries by adopting relevant resolutions. The Human Rights Council has adopted

several landmark thematic resolutions, including resolutions on protecting human rights defenders and on protection against violence and discrimination based on sexual orientation and gender identity. We welcome the Council's establishment of the mandate of an independent expert to address the issue of violence and discrimination based on sexual orientation and gender identity.

Georgia reiterates its strong support for the Universal Periodic Review (UPR), a truly universal mechanism aimed at assessing and improving the human rights situation in many countries. As we approach the next UPR cycle, I would like to stress the importance of the universal applicability of the UPR regulations to all States without distinction or discrimination. We must do our utmost to prevent every attempt at deviation from those principles, in order to preserve the UPR's universality. We furthermore underscore the importance of keeping a continuous focus on the implementation of accepted recommendations, and we welcome the practice by many States of submitting voluntary mid-term implementation reports.

The effective participation of civil society in the work of Human Rights Council and its mechanisms is instrumental. In that context, we underline the importance of strengthening the role of non-governmental organizations and creating space for the voices of civil society to be heard. We believe that the role of a strong and inclusive civil society should be decisive for the functioning of modern democracies. I am pleased to underline that civil-society organizations in Georgia are very actively involved in all major reform processes.

Let me use this opportunity to refer to the statements delivered by the United Nations High Commissioner for Human Rights during the two most recent sessions of the Human Rights Council, which, among other important issues, covered developments in two occupied regions of Georgia, Abkhazia and the Tskhinvali region, and also highlighted the necessity of unhindered access by international human rights mechanisms to those regions. We fully agree with the High Commissioner's assessments that in conflict situations and during foreign occupation the strong involvement and objective reporting of his Office play an important role in preventing further violations. As the basic human rights and fundamental freedoms of local residents in both occupied regions continue to be violated in a systematic manner, particular attention by

the Office of the High Commissioner and the Human Rights Council is of paramount importance.

In conclusion, let me reiterate our strong commitment to continuing our active engagement with the Council and its mechanisms and to contributing to the common efforts of promoting and protecting human rights for all.

Mr. Tsymbaliuk (Ukraine): The delegation of Ukraine aligns itself with the statement delivered by the observer of the European Union and would like to make a number of comments in its national capacity.

I thank the President of the Human Rights Council, Mr. Choi Kyonglim of the Republic of Korea, for briefing the Committee on the Council's eleventh annual report (A/71/53) and for his personal contribution to the work of the Council, a contribution that he makes not only in formal Human Rights Council settings, but also through initiating thought-provoking informal discussions on important challenges facing the United Nations human rights pillar.

After 10 years of the Council's work, we see a great untapped potential in that body. We believe that any human activity comprises a human rights dimension. Therefore, we support more synergy between the Human Rights Council and the General Assembly and the interaction of Human Rights Council with other bodies, including the Security Council. That applies to the whole spectrum of the United Nations human rights machinery: the Universal Periodic Review (UPR), treaty bodies and the Human Rights Council special procedures.

Ten years ago Ukraine issued an open-ended invitation to the special procedures, and since then our invitation has been taken up repeatedly. Just this year, the Working Group on the use of mercenaries and the Special Rapporteur on the human rights of internally displaced persons visited our country. We appreciate the hard and valuable work of those and other mandate-holders and, despite all the challenges that Ukraine now faces, we look forward to continued cooperation with them and with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in general. We do so because we see a benefit in experts' detecting trouble spots that should be dealt with, and because we highly value the Office's increasing ability to provide the necessary technical assistance to fix the problems detected. In our view,

the role of the Human Rights Council should be to encourage and to support such an approach.

As a country suffering from Russian military aggression and the grave human rights violations caused by it, we understand from our own experience how much work lies ahead in the areas of preventing such violations, protecting fundamental freedoms and strengthening the comprehensive response to threats to security and human rights. The United Nations Human Rights Monitoring Mission, undertaken at the request of the Government of Ukraine, has documented numerous compelling accounts of human rights violations, mostly in the temporarily occupied territories of my country. We are deeply perturbed by the fact that the missions of international organizations and special procedures have no access to monitor the observance of human rights in the Autonomous Republic of Crimea, where the situation continues to deteriorate. Therefore, we believe that the grave and systemic nature of the problem with regard to the observance of human rights in Crimea by the Russian occupying authorities requires a separate detailed OHCHR report. I have prepared a draft resolution with that request.

We find the practice of interactive dialogue when the Council discusses OHCHR reports, based on the Mission's findings on the human rights situation in Ukraine, very useful. As of now, such interactive dialogues are envisaged to continue until the Council's thirty-fifth session.

Transparency, dialogue and cooperation are important in achieving progress in the field of human rights throughout the world. In that regard, the Universal Periodic Review has become an essential tool for the purposes of international scrutiny. We are approaching the third UPR cycle, which will start next year. Ukraine is now in the process of preparing its national report to undergo the review in autumn 2017. We fully share the view that improved implementation and reporting and better measurement of impact should be priorities for the third UPR cycle.

The importance of the role played by the prevention of human rights violations in overall strategies for the promotion and protection of all human rights cannot not be overemphasized. The discussions held by the Council, the UPR sessions and the work of the special procedures and the treaty bodies, together with the technical assistance provided by the Office of the United Nations High Commissioner for Human Rights,

all help to strengthen that role. However, there is a need for further evidence-based research to advance our understanding and effective implementation of measures that can prevent human rights violations. In that regard, on the initiative of Ukraine, together with a core group of countries, at its thirty-third session the Council adopted a resolution that asks for the organization of an expert workshop to discuss the role and contribution of civil society organizations, academia, national human rights institutions and other relevant stakeholders in the prevention of human rights abuses. Our expectation is that the results of the workshop will provide material for a practical toolkit for States and other stakeholders in the practical application of prevention measures in the promotion and protection of human rights.

Despite challenges in the area of security, Ukraine has embarked upon the path of comprehensive reforms with human rights at their core. The implementation of our human rights commitments will continue to be carried out in close collaboration with the relevant international organizations, particularly the United Nations.

To conclude, I would like to reaffirm the intention of Ukraine to become a member of the Human Rights Council for the period 2018-2020 with a view to actively participating in further improving the functioning methods of the Council and increasing the efficiency of its activities.

Mr. Ghaebi (Islamic Republic of Iran): We would like to thank the President of the Human Rights Council for his report (A/71/53) to the General Assembly. The Islamic Republic of Iran has been a consistent supporter of the Universal Periodic Review (UPR) mechanism. We believe that the universal periodic review has the potential to translate human rights into cooperative rather than confrontational discourse. This important added value of the Universal Periodic Review mechanism emanates from its intrinsic principle of equality in the consideration of the human rights situations of all Member States free from selectivity and discrimination. In that regard, the Islamic Republic of Iran, in close cooperation with all relevant stakeholders, has commenced the implementation of the accepted recommendations arising from the second UPR cycle.

While we appreciate the existence of cooperative and functioning mechanisms in the Human Rights Council, such as the UPR, we regret that certain countries are continuing to pursue their worn-out policy

of confrontation in place of dialogue and cooperation. The sinister insistence on politicization and polarization of human rights is hard to comprehend. Having said that, we strongly recommend that the drivers of the country-specific resolutions against Iran, along with a few backseat drivers, stop pursuing the wrong and misleading way of the old rough road of naming and shaming. Accordingly, the Islamic Republic of Iran disassociates itself from the part of the Human Rights Council report contained in document A/71/53, which includes the destructive resolution on the so-called situation of human rights in the Islamic Republic of Iran.

Meanwhile, guided by the principles of the Charter of the United Nations, the Human Rights Council should firmly maintain its fairness, impartiality, non-selectivity and respect for different religions, values, traditions and cultures and refrain from imposing a single lifestyle and non-consensual concept on others. With such understanding, we reiterate our principled position of non-recognition of and non-cooperation with such mandates as sexual orientation and gender identity, which are created by the Council out of the sphere of internationally recognized human rights.

As Chair of the Movement of Non-Aligned Countries, the Islamic Republic of Iran coordinated a number of resolutions in the Human Rights Council on behalf of the non-member States, including the right to development, international cooperation in the field of human rights, and human rights and unilateral coercive measures. We look forward to their effective implementation.

The Islamic Republic of Iran, recalling the vaguely worded resolution against violent extremism, which the General Assembly backed by consensus at President Rouhani's initiative, would like to highlight the important role of the Human Rights Council in confronting and addressing violent extremism conducive to terrorism. The Human Rights Council has a role to play in raising global awareness towards the imminent threat of terrorism, which is creeping throughout the Middle East though, for sure, it will not stop there. The Human Rights Council should warn the world about the speed and mobility of the evil forces of violent extremism and terrorism and, more importantly, warn the supporters of that menace, including the Islamic State in Iraq and the Sham, that the boomerang they are throwing towards other nations will hit them in its return sooner rather than later.

Mr. Tommo Monthe (Cameroon) (*spoke in French*): Earlier today from this rostrum, the representative of Botswana delivered a statement on behalf of the Group of African States regarding the report of the Human Rights Council (A/71/53) under consideration. I would like to align myself with the statement he made. In addition, the President of the Human Rights Council introduced in a comprehensive way the report before us. I would like to express my appreciation for that introduction and for his work at the head of the Council during the reporting period under review.

It has been 10 years since the Human Rights Council was established, and it actively continues its work. Cameroon has been a member of the Council and very actively participated in various of its activities. It serves not just as a space, but rather as a platform conducive to dialogue for an exchange of views and of experiences; in short, for mutual enrichment and promotion in the very important and complex domain of human rights for all the peoples of the world, which is why the Universal Periodic Review mechanism is important.

In the Central African subregion, the achievement of respect for human rights and the promotion and protection of human rights is entrusted not just to the countries of the subregion but above all to the Subregional Centre for Human Rights and Democracy in Central Africa, established by the United Nations for human rights and the promotion of democracy in Central Africa, which Cameroon has hosted since its establishment in 2001.

The Centre's goal is backstopping the work of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the subregion, which is done through, on the one hand, the promotion and protection of human rights and, on the other hand, providing support for democratization in the countries in the subregion. To that end, the Centre regularly organizes seminars and national workshops in capacity-building, bringing on board various stakeholders in the promotion and the protection of human rights. It periodically submits a report on its activities to the Assembly and to OHCHR, which leads to collaboration between the two institutions. Cameroon would like to see OHCHR give greater attention to the Centre and to increase its human and financial resources, which would allow the Centre to better cope with its expanded programmes.

Strongly dedicated to the fundamental values and ideals in the area of the protection and promotion of human rights, Cameroon accords special attention to the issue. Human rights are enshrined in my country's Constitution and are formulated in its laws, policies and programmes. The principles of equality and non-discrimination and the commitment to protect vulnerable groups are also embodied in them. So as to better highlight those rights and principles and ensure that every individual benefits from the progress made in the area of human rights in Cameroon, a national self-evaluation system is in place and is complemented by the mechanisms that cooperate with treaty bodies.

At the national level, every year since 2005 Cameroon has published a report on the status of human rights in the country. The report outlines the Government's work to promote and protect human rights. It covers civil, political, economic, social and cultural rights in general, together with those of socially vulnerable groups. The report is based on cross-cutting and inclusive data and incorporates the contributions of civil society; its purpose is to assess the progress made and the challenges that need to be addressed by all stakeholders, with a view to formulating future strategies.

At the international level, constructive dialogue between Cameroon and international mechanisms for protecting human rights also provides a means of assessment. Cameroon regularly submits its reports to the relevant treaty bodies of the United Nations. Since September 2014, the report has included a standing invitation to all special procedures, and in that regard visits have been announced by the Special Rapporteur on the rights of indigenous peoples and the Special Rapporteur on the sale of children, child prostitution and child pornography.

Thanks to all the Government's efforts, significant progress has been made in the area of human rights in Cameroon. As examples, we can underscore reduced illiteracy, improved enrolment rates, better health indicators, stable living standards and quality of life, strengthened good governance, the inclusion of the gender aspect in public policy, a stepped-up fight against impunity and the progressive professionalization of teaching personnel. Those efforts deserve to be consolidated while the challenges that continue to exist in various areas should not be lost sight of. To that end, in December 2015, the Government of Cameroon adopted a national action plan for the promotion

and protection of human rights. The plan identifies the efforts to be undertaken and defines the roles to be played by stakeholders, with the aim of making the protection and promotion of human rights more effective in my country.

In conclusion, I would like to reaffirm our unwavering commitment to the values and ideals of human rights so as to promote peace throughout the world. Accordingly, we would like to serve again on the Human Rights Council, beginning in 2018.

Ms. Al-Thani (Qatar) (*spoke in Arabic*): At the outset, I would like to thank His Excellency Mr. Choi Kyonglim, President of the Human Rights Council, for his briefing and his efforts to enhance respect for and promote human rights. From its own experience in the Council, on which it served for three terms, Qatar reiterates its conviction that the Council plays an important role as the best and most appropriate international mechanism to promote universal respect for human rights and fundamental freedoms. Without any doubt, the new challenges arising from armed conflicts, acts of terrorism, violent extremism and discrimination mean that the Council must assume increased responsibility and increasing burdens. That will require a redoubling of efforts if the goals for which the Council was established are to be attained and its mandate fulfilled in accordance with the principles of impartiality, objectivity and non-selectivity.

The report (A/71/53) of the Human Rights Council includes the resolutions of the Council on the human rights situations in the occupied Palestinian territories and in Syria. They reflect the gravity of the blatant violations of human rights perpetrated against our Palestinian and Syrian brothers, which call for prompt and effective measures by the international community commensurate with the seriousness of the situation faced by civilians as a result of the lack of even the minimum level of fundamental rights. In the light of the gravity of the situation and the direct impact on human rights, and in accordance with the Charter of the United Nations and international law, the State of Qatar continues to spare no effort within the international community to address that dire situation, as well as to achieve peace and security in the region and the world through the implementation of resolutions, including those of the Human Rights Council.

Qatar commends the effective role of the Human Rights Council in offering technical assistance and

capacity-building to States to help them to fulfil their obligations in protecting and promoting human rights. In support of that role, the specific training and documentation mandate carried out by the Centre for South-West Asia and the Arab Region of the Office of the United Nations High Commissioner for Human Rights, which is hosted by Qatar, deserves our praise. The Centre contributes effectively to capacity-building and promoting human rights at the regional level. It is a source of experience and references for researchers and civil society organizations concerned with human rights.

Based on the principle of international cooperation and joint responsibility in addressing crises, promoting international peace and security and encouraging development at the regional and international levels, Qatar has sought to achieve the objectives of the United Nations through its efforts aimed at the peaceful settlement of disputes through the rule of law and at building peaceful societies that are capable of achieving development and promoting human rights in line with Sustainable Development Goal 16. In that context, my country has given particular attention to the area of education. It has launched various initiatives to promote the achievement of the right to education in other States, especially developing States.

At the national level, the State of Qatar accords great importance to the protection and promotion of human rights, which are guaranteed by its Constitution as well as within Qatar's National Vision 2030. The latter covers the inclusion of the subject of human rights in curriculums; the promotion of the human rights of women, children, persons with disabilities and the elderly; combating human trafficking; improving health care and education; and providing a dignified life for immigrant workers. In that context, the State of Qatar has succeeded in developing a framework in which institutional reform is able to guarantee the protection and promotion of human rights. It shares its experience with other States and United Nations mechanisms and pursues an open-door policy of cooperation with the special procedures.

In conclusion, the State of Qatar renews its commitment to continuing its efforts to promote and protect human rights and will continue to cooperate with international organizations and the relevant United Nations mechanisms, especially the Human Rights Council and its special procedures.

The Acting President: We have heard the last speaker in the debate on this item for this meeting.

I shall now call on those representatives who wish to speak in exercise of the right of reply. May I remind members that, in accordance with decision 34/401, statements in exercise of the right of reply are limited to 10 minutes for the first statement and to five minutes for the second and should be made by delegations from their seats.

Mr. Goltyaev (Russian Federation) (*spoke in Russian*): I would like to exercise the right of reply to respond to the statements made by the representatives of Georgia and Ukraine.

With regard to the statement made by the representative of Georgia, we would like to call upon that country to finally recognize the new political reality, namely, the existence of two independent States: South Ossetia and Abkhazia. In that regard, any matters, including those concerning human rights, have to be addressed directly to the Governments of those countries using existing international formats, first and foremost the Geneva international discussions.

Turning to the statement made by the representative of Ukraine, I would like to recall that Crimea and Sevastopol became part of the Russian Federation as a result of the referendum, which was conducted in full accordance with international law. The people of Crimea and Sevastopol have realized their right to self-determination, which is guaranteed by the Charter of the United Nations and by international conventions on human rights, as well as by the Declaration on the Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, of 1970.

We would like to repeat that the Constitution of the Russian Federation and the international agreements of which the Russian Federation is a signatory, including those pertaining to human rights, apply in Crimea and Sevastopol. The people who live in the Republic of Crimea and the city of Sevastopol, like any other individuals who come under the jurisdiction of the Russian Federation, enjoy all human rights that are legally guaranteed by Russia. If they have grounds for believing that their rights or freedoms have in some way been violated, the competent Russian authorities, acting in accordance with their mandates, respond to any information regarding possible violations of human

rights, including by conducting investigations and instituting legal proceedings, as necessary.

Mr. Ri Song Chol (Democratic People's Republic of Korea): My delegation would like to exercise its right of reply to respond to the statements made by the observer of the European Union (EU) and some of its member countries.

My delegation totally resents the groundless allegations made by the EU and those EU countries. The EU is the main violator of human rights. EU countries have deplorable human rights violation records: the refugee crisis, which involves the ill-treatment and exploitation of migrants and refugees; Islamophobia; increasing unemployment; and sexual assault. Refugees in European countries are far from protected and are subjected to humiliation, expulsion and even to violence, a situation that causes strong protest and concern within the international community.

First and foremost, the EU and other Western countries should attend to their own human rights situations. The specific procedures of some countries are obvious examples of politicization, selectivity and double standards and interference into other countries' sovereignty. Such procedures should be ended in the interests of facilitating constructive dialogue and cooperation in the handling of human rights issues.

Ms. Kupradze (Georgia): I take the floor to exercise our right of reply to respond to the comments just made by the representative of the Russian Federation.

First of all, it is surprising that the delegation of the Russian Federation saw fit to exercise its right of reply, given the fact that in our statement we did not mention Russia. However, since the status of the occupied Georgian regions of Abkhazia and Tskhinvali was mentioned, let me once again, in response to the misleading comments made by the Russian delegation, state that Russia is an occupying Power in the Georgian regions of Abkhazia and Tskhinvali. It still maintains thousands of troops and military bases in those territories, where human rights are systematically violated.

Let me once again reiterate, with regard to the comments made concerning the Geneva international discussions, that the conflict has only two parties: one of them is Georgia, a country that is defending its sovereignty and territorial integrity, and the other party is the Russian Federation, which consistently

and continuously violates our country. We discussed those issues at the Geneva international discussions with the other party to the conflict. At the same time, let me reiterate that all this recalls the urgent need for international human rights mechanisms to access and monitor the occupied regions. Given the current status of the Russian Federation in that region as an occupying Power, its statements have no credibility whatsoever.

Ms. Horbachova (Ukraine): I would like to exercise my right of reply to respond to the statement and comments just made by the representative of the Russian Federation. I will be very brief.

I would like to once again stress that the conflict in certain areas of the Donbas, including the Donetsk and

Luhansk regions, was caused by the Russian aggression against Ukraine, which started with the occupation of the Autonomous Republic of Crimea. Were it not for the constant and sustained flow of weapons and fighters, as well as the presence of regular Russian troops on Ukrainian territory, the lives and well-being of millions of Ukrainian citizens would not have been adversely affected.

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 63.

The meeting rose at 1.10 p.m.