



General Assembly

Seventy-first session

Official Records

Distr.: General
21 November 2016

Original: English

Third Committee

Summary record of the 53rd meeting

Held at Headquarters, New York, on Monday, 21 November 2016, at 10 a.m.

Chair: Ms. Mejía Vélez (Colombia)

Contents

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

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

This record is subject to correction.

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

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

16-20686 (E)



Please recycle 



The meeting was called to order at 10 a.m.

Agenda item 27: Advancement of women (continued)
(A/C.3/71/L.16/Rev.1)

Draft resolution A/C.3/71/L.16/Rev.1: Intensification of efforts to end obstetric fistula

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

2. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Antigua and Barbuda, Australia, Azerbaijan, Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Dominican Republic, Ecuador, Estonia, France, Georgia, Greece, Guatemala, Hungary, Indonesia, Israel, Italy, Japan, Latvia, Lithuania, Maldives, Malta, Monaco, Myanmar, New Zealand, Nicaragua, Norway, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Singapore, Slovakia, Slovenia, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United States of America, Uruguay, Venezuela (Bolivarian Republic of) and Yemen had joined the sponsors.

3. **Mr. Herrmann** (Observer for the Holy See) said that his delegation welcomed the draft resolution, which called upon the international community to intensify its efforts to end obstetric fistula, a condition known for its preventability. However, the Holy See wished to express reservations about some of the concepts contained in the text. The Holy See considered the terms “sexual and reproductive health”, “sexual and reproductive health care services”, and “reproductive rights” in the context of a holistic concept of health, and did not consider abortion or abortifacients to be included in those terms. Furthermore, the Holy See reaffirmed that it supported only those family planning methods considered morally acceptable by the Catholic Church.

4. *Draft resolution A/C.3/71/L.16/Rev.1 was adopted.*

5. **Mr. Ružička** (Slovakia), speaking on behalf of the European Union and its member States, said that obstetric fistula was a result of gender inequalities, the denial of human rights and poor access to reproductive health care services. Evidence-based and comprehensive sex education was one of the best

means of prevention of obstetric fistula as well as one of the best means of prevention of early childbearing, one of the main root causes of the condition. The European Union and its member States therefore regretted that the draft text contained language on the issue that did not reflect recent agreements, including the outcome document of the High-level Meeting on HIV/AIDS. Nevertheless, the European Union would continue to work with all delegations to end obstetric fistula given that campaign’s high importance for the protection of the rights of women and girls.

6. **Ms. Simenstad** (Norway) said that obstetric fistula was a condition with devastating consequences but was preventable and treatable. The content of the draft resolution had become stronger with the passage of time. In 2014, for example the resolution had included references to the importance of eliminating child, early and forced marriage, and in 2016, language on gender inequality had been added. Although the text was not perfect, it was substantial enough to merit sponsorship.

7. **Mr. Davis** (Jamaica), speaking on behalf of the Caribbean Community (CARICOM), said that CARICOM had joined the consensus around the issue of obstetric fistula due to its unwavering commitment to the health, well-being and human rights of girls and women. However, the use and interpretation of the term “early marriage” in the context of the draft resolution would be subject to the national laws of CARICOM member States.

8. **Mr. Thórsson** (Iceland), speaking also on behalf of Australia, Argentina, Colombia, Liechtenstein, New Zealand and Mexico, said that obstetric fistula was an issue of access to health care and of poverty and gender inequality, but it was also an issue of education and empowerment, not only of women, but of the community as a whole. Those delegations had argued for the importance of comprehensive sex education as a tool to enable young people to make decisions about their health and sexuality, and it was therefore unfortunate that the draft resolution continued to refer to “age-appropriate” sex education, a term that was unnecessarily restrictive. They were committed to finding a long-term solution to that problem of terminology, and regretted not being able to support the draft resolution wholeheartedly.

9. **Ms. Gueye** (Senegal) said that the only battle worth fighting with regard to the draft resolution was around strengthening the action and the engagement of the international community to eradicate obstetric fistula, a battle that depended on joint effort. Senegal hoped that donations to the global campaign to end obstetric fistula would continue, despite the reservations expressed by some delegations concerning the inclusion of the phrase “age-appropriate sex education” in paragraph 5 of the draft resolution. Loss of such donations would be unfortunate, as well as unjust to the millions of women and girls suffering from the condition, whose ultimate wish was access to medical care.

10. **Mr. Joshi** (India) said that although his delegation had joined the consensus on the draft resolution, it had taken note of the term “child, early and forced marriage”. Given that India did not recognize the concept of “early marriage”, that term would be interpreted in accordance with national legislation. Furthermore, with respect to “age-appropriate sex education”, his delegation believed that understanding of that term should rest on a culturally relevant approach.

Agenda item 63: Report of the Human Rights Council (*continued*) (A/C.3/71/L.46, A/C.3/71/L.52)

Draft resolution A/C.3/71/L.46: Report of the Human Rights Council

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

12. **Mr. Khane** (Secretary of the Committee) said that Pakistan, Qatar, Russian Federation, Saudi Arabia, United Arab Emirates and Yemen had joined the sponsors of the draft resolution.

13. **The Chair** drew the attention of the Committee to the proposed amendment to draft resolution A/C.3/71/L.46 contained in document A/C.3/71/L.52. The proposed amendment had no programme budget implications.

14. **Mr. Vieira** (Brazil), speaking on behalf of Argentina, Brazil, Chile, Colombia, Costa Rica, El Salvador, Mexico and Uruguay, introduced the amendment contained in document A/C.3/71/L.52. The amendment proposed the deletion of paragraph 2 of draft resolution A/C.3/71/L.46 on the Report of the

Human Rights Council, which sought to defer consideration of and action on Human Rights Council resolution 32/2 by questioning the legal basis for the creation of an Independent Expert. It was being put forward even though the relevant mandate had been established in accordance with the rules of procedure of the Human Rights Council.

15. The adoption of the draft resolution would severely jeopardize the ability of the Human Rights Council to function. It was not within the Committee’s purview to reopen the annual report of the Human Rights Council, and it should not try to influence the confirmation or deferral of specific mandates. Paragraph 2 of the draft resolution could set a precedent for other selective targeting of mandates or mechanisms in the future.

16. Human Rights Council resolution 32/2 was not the first time a special procedure mandate had been created through a resolution adopted by a vote in the Council. Several mandates had faced opposition in the Council prior to their establishment, and moreover, an explicit treaty-based definition of the issue to be considered was not a prerequisite for the Council to establish a mandate. More than a dozen mandates fell under that category, some of which had been established by resolutions adopted by a vote. The oral revision to paragraph 2 that had been introduced by the African Group did not modify the paragraph’s objective, which was to defer action on the decision of the Human Rights Council.

17. **Mr. Khane** said that Bosnia and Herzegovina, Georgia, Honduras, Hungary, Poland, Romania, Serbia, the former Yugoslav Republic of Macedonia and Ukraine had joined the sponsors of the proposed amendment.

18. **Mr. Ntwaagae** (Botswana), speaking on behalf of the African Group, said that the African Group, in the draft resolution that it had tabled, had called for the deferral of consideration of and action on Human Rights Council resolution 32/2 in order to allow time for further consultations. In doing so, the Group had been guided by the principles of international law and the Charter of the United Nations. The African Group did not seek to question the authority and mandate of the Human Rights Council to appoint special procedures but felt it important to highlight the rights of the General Assembly as stated in its

resolution [60/251](#) on the Human Rights Council, which had established the Council as a subsidiary body of the General Assembly. Furthermore, according to the Charter of the United Nations, the General Assembly was empowered to discuss the powers and functions of any organs provided for in the Charter. It was therefore absurd to claim that the decision of the General Assembly to review the decision of a subsidiary body was an attempt to question its mandate and authority.

19. It had been argued that the General Assembly had never previously challenged a resolution of the Human Rights Council and that a decision to do so would create a dangerous precedent. In 2006, however, in resolution [61/178](#), the General Assembly had decided to defer consideration of and action on the United Nations Declaration on the rights of indigenous peoples, adopted in Human Rights Council resolution 1/2 of 2006, in order to allow for further consultations.

20. In an earlier meeting on the right to peace, some delegations had said that there was no recognized international agreement on the right to peace, and thus had refused to join in the adoption of that draft resolution. The African Group therefore wondered which international legal instrument defined the concept of sexual orientation and gender identity, which was the concept at the basis of the support for the amendment. Those notions were not enshrined in any international human rights instrument. With no definition in any international law instrument, the African Group was of the view that the mandate of the Independent Expert lacked the necessary specificity, in light of Human Rights Council resolution 5/1, which stated that mandates should be as clear and specific as possible. If the international community wished to promote solidarity and human rights, it should abandon such double standards. All Member States had the sovereign right to make the decisions they deemed fit, and no State or group of States should seek to impose values on others. The African Group did not support any form of violence or discrimination against any group of people, but instead subscribed to the universality of all human rights as enshrined in the Charter and the Universal Declaration of Human Rights, and would therefore vote against the proposed amendment.

21. **The Chair** said that a recorded vote had been requested on the proposed amendment.

22. **Mr. Ružička** (Slovakia), speaking on behalf of the European Union and its member States, said that those States were extremely concerned by attempts to reopen debate on a resolution that was clearly within the remit of the Council. Any attempt to question, defer or reopen the resolutions of the Council was to question the institutional relationship between the Council and the General Assembly. If States were to begin using the General Assembly to object to the Council's decisions, that would undermine the ability of the Council to function.

23. In other cases, certain United Nations delegations had argued that the Human Rights Council did not have the authority to mandate a position beyond its realm of competence, but that was not the case with respect to the draft resolution under consideration. Human Rights Council resolution [32/2](#) had been adopted by majority vote in June and the Independent Expert had been appointed in September, and any dissenting views could have been put on the record at the time. The special procedures mechanism was well within the competence of the Human Rights Council, and there was no need for the General Assembly to reopen the matter. Opposition to the subject matter of a specific mandate was not a valid reason to compromise the effectiveness of the Council as a whole.

24. The mandate was being challenged not on valid legal or procedural grounds, but because certain States wanted to curtail consideration of the subject matter. No one should face violence or discrimination simply because of who they were. The member States of the European Union understood that gender identity was a delicate issue, but non-discrimination was crucial to the mandate of the United Nations and therefore the member States of the European Union would vote in support of the proposed amendment.

25. **Ms. Mendelson** (United States of America) said that her delegation supported the proposed amendment. Any draft resolution taking note of the report of the Human Rights Council should take note of the entirety of the report and not undermine the Council by attempting to re-litigate a mandate. Many mandates created by the Council had been opposed by various countries, but none had sought to re-litigate those mandates in the Committee after the mandate holder had begun work. The mandate created in Human Rights Council resolution [32/2](#) was consistent with

international human rights law and well within the mandate of the Human Rights Council, and had been adopted with cross-regional support. The lack of consultation with all regional groups in the preparation of the draft resolution was inconsistent with the working methods of the Committee and contrary to the spirit of international cooperation.

26. **Ms. Oh Youngju** (Republic of Korea) said that paragraph 2 of the draft resolution represented an unprecedented attempt to reopen and overturn a decision that had already been adopted and implemented by the Human Rights Council following extensive discussion. Similar action on other issues could have ramifications for the whole of the United Nations system. Ten years earlier, a collective commitment had been made to strengthen the human rights machinery through the creation of the Human Rights Council, and its institutional basis must not be undermined. Her delegation supported the proposed amendment.

27. **Mr. Gómez Camacho** (Mexico) said that, regarding the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, it was very difficult for Mexico to understand how anyone could question the right to non-discrimination. Mexico understood that sexual orientation and gender identity were sensitive subjects that might generate differences of opinion, as shown by the fact that it had not been possible to agree on the right to a sexual orientation during recent discussions in the Human Rights Council. However, the right to non-discrimination had been undisputed.

28. **Mr. Mori** (Japan) said that the mandate of the Human Rights Council had been handed down by the General Assembly, which therefore had an obligation to respect its decisions. Allowing delegations to pick and choose among the outcomes and block those they deemed unfavourable would undermine the decisions of the Council and set a dangerous precedent. Japan could not support such a move. His delegation would support the proposed amendment.

29. **Mr. Moussa** (Egypt), speaking on behalf of the Organization of Islamic Cooperation (OIC), with the exception of Albania, said that the organization condemned violence and discrimination in all its forms and on any grounds. However, it was disturbed by the introduction of concepts in the United Nations that had

no foundation in international human rights law and were not universally agreed. They represented a very particular set of values and lifestyles that directly impinged on the social, cultural and religious sensitivities of a large number of countries and threatened to polarize and undermine the work of the United Nations.

30. General Assembly resolution [60/251](#) clearly established the Human Rights Council as a subsidiary body of the General Assembly. It was factually incorrect to say that the General Assembly had never challenged its resolutions and to do so in no way set a dangerous precedent of selectivity. Human Rights Council resolution [32/2](#) had been adopted by a smaller majority than resolution [27/32](#) in 2014, an indication of a powerful and persistent objection that would only grow stronger.

31. He wished to recall that several key principles had been included in the final text of Council resolution [32/2](#) on the basis of amendments proposed by OIC. They included the need to maintain joint ownership of the international human rights agenda, and to consider human rights issues in an objective and non-confrontational manner; the importance of respecting regional, cultural and religious value systems as well as particularities in considering human rights issues; the fundamental importance of respecting relevant domestic debates on matters associated with historical, cultural, social and religious sensitivities; deploring the use of external pressure and coercive measures against States, particularly developing countries, with the aim of influencing the relevant domestic debates and decision-making processes at the national level; and concerns regarding any attempt to undermine the international human rights system by seeking to impose concepts or notions pertaining to social matters, including private individual conduct that fell outside the internationally agreed human rights legal framework. He urged all States to vote against the proposed amendment and to defer consideration of and action on Human Rights Council resolution [32/2](#) to allow time for further consultations. Failure to do so would ensure that OIC would continue to boycott the Independent Expert and would not be in a position to cooperate with that expert.

32. **Ms. Chartsuwan** (Thailand) said that, while her delegation respected the right of Member States to

debate any subject, it attached great importance to the work of the Human Rights Council and any mandates it had established, including that of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. Since Human Rights Council resolution 32/2 was consistent with the Council's rules of procedure, Thailand did not agree with deferring its consideration. The Independent Expert had already been formally endorsed by the Human Rights Council and had started work. Thailand was confident that the expert would carry out his work in an objective and non-confrontational manner and would therefore vote in favour of the proposed amendment.

33. **Ms. Nguete Makoulet** (Congo) said that the authors of the proposed amendment had chosen to ignore the legitimate concerns of the African Group on a subject whose legal foundations were questionable. The matter had divided and continued to divide the Human Rights Council: only 23 of 47 members of the Human Rights Council had voted in favour of resolution 32/2, while 18 had voted against, including Congo, and 6 had abstained. In other words, a simple majority of members had opposed the resolution or expressed doubts regarding an issue that should be decided by consensus. In light of the deep divide over the concepts of sexual orientation and gender identity, the draft resolution called for more substantive consultations, since a rushed decision could not be taken on an issue whose legal basis had yet to be determined; the expert would be unable to discharge his duties or rely on the cooperation of all Member States. Her delegation was not questioning the authority of the Human Rights Council, rather the legal nature of the matters the expert's mandate would cover. The General Assembly had the right to consider all issues relating to the mandate and responsibilities of its subsidiary bodies, and was the main deliberative and representative body of the United Nations. Congo would vote against the proposed amendment and urged other delegations to do likewise, so that a consensus could be sought and a fully informed decision be taken at the seventy-second session of the General Assembly.

34. **Mr. Gafoor** (Singapore), reaffirming his country's strong commitment to the Human Rights Council, said that his delegation had made its decision after very careful consideration. According to General Assembly resolutions 60/251 and 65/281, the Human

Rights Council was a subsidiary body of the General Assembly, while the Charter of the United Nations clearly stated that the General Assembly could discuss any matters falling within the scope of the Charter. The General Assembly therefore had the right and responsibility to pronounce on the work of the Human Rights Council, including on the work of special mandate holders. Furthermore, as the only United Nations body with universal membership, the General Assembly had an important role to play in promoting dialogue and building consensus. Singapore had never served on the Human Rights Council and it was increasingly difficult for smaller States to secure a seat; accordingly, it strongly believed that the General Assembly had a responsibility to discuss important issues relating to the work of the Human Rights Council, especially when concerns had been raised by a large number of States.

35. His delegation would vote against the proposed amendment. Deletion of paragraph 2 would prevent discussion among the wider United Nations membership, and legally and institutionally, it would imply that the General Assembly's oversight role was purely symbolic. Paragraph 2 did not question the mandate for the creation of the special procedure; rather, it sought more information and dialogue on the issue of sexual orientation and gender identity. The inclusion of paragraph 2 would not prejudice the outcome of those discussions, and the integrity and the legitimacy of the human rights system would be strengthened, not weakened, by further dialogue.

36. However, his delegation's decision to vote in favour of the retention of paragraph 2 was in no way a reflection of its position on sexual orientation and gender identity. His Government did not condone discrimination against any group and the lesbian, gay, bisexual, transgender and intersex (LGBTI) community was an integral part of Singaporean society. Singapore strongly opposed violence and discrimination against LGBTI individuals and laws had been enacted to protect them that were strictly enforced. In its view, the rights of the LGBTI community were best addressed at the national level.

37. **Ms. Shilo** (Israel) said that the Vienna Declaration and Programme of Action of 1993 recognized and affirmed that all human rights derived from the dignity and worth inherent in the human

person, while in the 2030 Agenda for Sustainable Development, States had reaffirmed their commitment to fight inequality and promote inclusiveness. However, the LGBT community still suffered violence and discrimination in many parts of the world. The Secretary-General had described the fight against homophobia and transphobia as one of the great neglected human rights challenges of current times. The aim was not to confer new rights on new groups, but rather to guarantee everyone the same rights, and the entire international community should be involved in its pursuit. As a member of the United Nations LGBT Core Group and of the Equal Rights Coalition, which was launched in July 2016 at the Global LGBTI Human Rights Conference, Israel was at the forefront of the struggle to end violence and discrimination against individuals based on their sexual orientation and gender identity and had sponsored the relevant Human Rights Council resolutions, including resolution 32/2. The international community must stand firm and must continue to protect the human rights of all persons, including LGBT individuals. Israel strongly objected to any attempts to undermine that effort and would thus vote in favour of the proposed amendment.

38. **Mr. Rattray** (Jamaica) said that the issue at hand was complex and neither the draft resolution nor the proposed amendment enjoyed consensus. His delegation would therefore vote against the amendment, in support of the view that additional time was required to allow for more in-depth deliberations.

39. **Mr. Al-Kumaim** (Yemen) said that all individuals were entitled to protection against violence, and underscored his Government's determination to uphold the principles of non-violence and non-discrimination enshrined in international human rights instruments.

40. Pursuant to Article 10 of the Charter of the United Nations, the General Assembly was authorized to review the mandates of its subsidiary bodies, including the Human Rights Council, to ensure that they were in conformity with international human rights law and the purposes and principles of the Organization. Deferring consideration of and action on Human Rights Council resolution 32/2 would allow time for further consultations to determine the legal basis for the mandate of the Independent Expert to be

appointed pursuant to that resolution. His delegation noted, however, that no existing international instrument or provision of international humanitarian law provided a legal definition of sexual orientation or gender identity, and warned that, without international consensus on the legal definition of those terms, it would not be possible to establish a clear mandate for the Independent Expert. An ambiguous mandate would, in turn, impede the Independent Expert's work and undermine the credibility of any reports submitted pursuant to that mandate to the Human Rights Council and the General Assembly. His delegation would therefore vote against the draft amendment contained in document [A/C.3/71/L.52](#).

41. **Ms. Mballa Eyenga** (Cameroon), reaffirming her country's commitment to the promotion and protection of human rights, said that the Human Rights Council had been created to promote universal respect for human rights and fundamental freedoms without distinction, and, in her view, not to establish an elite of any kind. On the basis of General Assembly resolutions 60/251 and 65/281, the authority of the General Assembly over the Human Rights Council was indisputable, and it therefore fell within its remit to review the work of the Council when necessary.

42. The Council must create unambiguous, specific mandates. While the principle of protection against violence and discrimination was a clear concept that was understood by all, that did not apply to the terms "sexual orientation" and "gender identity", which remained undefined in international law. The Human Rights Council needed to take into account all the views expressed by Member States, particularly in the General Assembly, in light of its universal membership. An appeal had been made some time ago to reach a common understanding of those terms and, in seeking to defer consideration of resolution 32/2, the African Group was once again calling for a frank, ongoing discussion on the matter. Some States were trying to use the Human Rights Council to advance their own agendas and it was important for the Council to resist those attempts in order to preserve its credibility. Human Rights Council resolution 32/2 had been extremely divisive; it would have far-reaching implications for many States and must not be imposed. For that reason, it was essential to reopen the dialogue, which was the thrust of the draft resolution presented by the African Group. The authors of the proposed

amendment had referred to the incorporation of a number of amendments to resolution 32/2, which they believed could address the concerns of both sides; however, she recalled that those amendments had been proposed in the Human Rights Council, but had been categorically rejected by those same delegations. In other words, their incorporation would not change the overall spirit of the resolution or its aim. Cameroon called for dialogue and cooperation based on respect for national sovereignty and diversity, which was the main strength of the United Nations. Her delegation would vote against the amendment.

43. **Ms. Mozolina** (Russian Federation) said that many of the delegations which had indicated that they would vote for the draft resolution were employing double standards: they had passionately defended the need to respect the mandates and independence of subsidiary bodies such as the Human Rights Council and yet had themselves reviewed the decisions of the Committee on Non-Governmental Organizations, which was no less important a subsidiary body. Her delegation would vote against the amendment, since it seemed justified to defer consideration of the draft resolution until the legal basis of the mandate of the Special Expert could be determined and it was no different to the general practice used in relationships with United Nations subsidiary bodies.

44. **Mr. Matjila** (South Africa) said that his country's position was determined by its constitution. The question of discrimination was close to its heart: after more than 350 years of painful struggles, during which many people had lost their lives or had been imprisoned, the people of South Africa, black and white, straight and not straight had come together to bury discrimination once and for all. The nation's Bill of Rights made it very clear what type of South Africa they had fought for: a country without discrimination. South Africans did not want to see anyone suffer discrimination for any reason whatsoever and would fight it every time.

45. No one should be discriminated against because of their lifestyle or sexual orientation. On that issue, it was no secret that South Africa had a difference of opinion with most of the other countries on the African continent. South Africa would fight discrimination even if it had to do so alone. It was still healing deep wounds caused by racial discrimination and did not

wish to add fresh wounds. It would vote in accordance with its constitutional imperative.

46. **Mr. Shingiro** (Burundi), reaffirming his country's commitment to the principle of non-discrimination and to the Human Rights Council, said that the amendment would force through a resolution that was politically weak, since it would lack the legitimacy of General Assembly support. The African Group was asking to defer action for one year only in order to consult further and draft a robust, legitimate resolution that reflected the will of the General Assembly. International law served to protect weaker States and there were irrefutable legal arguments that supported the position of the African Group. First, the Human Rights Council was a subsidiary body and all its decisions should be reviewed by the General Assembly. Second, there were favourable precedents in jurisprudence. Third, the mandate proposed by the Human Rights Council had no legal basis. More time was needed to agree on a universal definition that was acceptable to all so that a resolution could be adopted in 2017 that was supported by a majority of the members. The proposed amendment risked dividing the General Assembly into two blocs, one that upheld the law and one that did not. For all those reasons, his delegation would vote against the proposed amendment.

47. **Mr. Ajayi** (Nigeria) said that it was the responsibility of all Member States to protect the integrity of the Charter of the United Nations and the Universal Declaration of Human Rights. Furthermore, the General Assembly had an implicit right to regulate the work of the Human Rights Council. At issue was the subject of sexual orientation and gender identity, on which wider consultation was needed; it was not a matter of commitment to human rights or discrimination, as had been suggested by some delegations. Nigeria had been in the vanguard of efforts to promote and protect human rights and would continue to do so to the best of its abilities. However, the mandate should be consensus-based. His delegation would therefore vote against the proposed amendment to allow for comprehensive discussion and to protect the integrity of the General Assembly and the United Nations as a whole. Lastly, he wished to emphasize that Nigeria had a strong record on combating racial discrimination.

48. *A recorded vote was taken on the proposed amendment to draft resolution A/C.3/71/L.46 contained in document A/C.3/71/L.52.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela Bolivarian Republic of, Viet Nam.

Against:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, China, Comoros, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Gabon, Gambia (Islamic Republic of the), Ghana, Guinea, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Namibia, Nauru, Nicaragua, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Uganda, United Arab

Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia, Zimbabwe.

Abstaining:

Armenia, Barbados, Bhutan, Ecuador, Guinea-Bissau, Haiti, India, Kazakhstan, Liberia, Myanmar, Nepal, Papua New Guinea, Paraguay, Philippines, Rwanda, Somalia, Trinidad and Tobago.

49. *The proposed amendment to draft resolution A/C.3/71/L.46 contained in document A/C.3/71/L.52 was adopted by 84 votes to 77, with 17 abstentions.*

50. **Mr. Pedersen** (Norway), speaking also on behalf of Australia, Canada, Iceland, Liechtenstein, New Zealand and Switzerland, said that a treaty-based definition was not needed for a valid mandate. In fact, an independent expert or special rapporteur could help to develop a better understanding of a particular concept, as had been seen in practice. Over a dozen other current mandates could be deemed to fall into the same category of having no prior treaty-based definition. Some of those mandates had been adopted by a vote, and none had been reopened by the Third Committee on the grounds that more time was needed to consider their basis in international law. Those delegations were therefore very pleased with the results of the vote and looked forward to continuing to work with all countries on that important issue.

51. **Mr. Scappini Ricciardi** (Paraguay) said that his delegation had abstained during the voting. Although Paraguay fully supported the mandate of the Human Rights Council, had voted in favour of resolution 32/2 and was convinced that the resolution would contribute to international efforts to eradicate violence and discrimination, it understood that the draft resolution introduced by the African Group was not intended to challenge the competence of the Human Rights Council but simply to ask for more time to determine the legal framework of the expert's work. He nevertheless reaffirmed the commitment of Paraguay to the protection of human rights and fundamental freedoms and to combating all forms of violence and discrimination.

52. **Mr. Onn** (Malaysia) said that the Government of Malaysia continued to promote and protect human rights as laid down by its constitution and laws, taking into account the unique characteristics of the country,

including its diverse social and cultural values, religions and domestic sensitivities. The cultural and religious beliefs of a society had a direct influence on the moral ethos of the community and on questions of law regarding sexual behaviour. In democratic societies where the overwhelming majority of citizens did not accept same-sex practices, such acts were prohibited by legislation. Malaysia was concerned about the introduction of concepts that had no legal condition in any international human rights instruments, including the Universal Declaration of Human Rights, which also had the unfortunate effect of polarizing and undermining the work of the United Nations in the field of human rights. His delegation had therefore voted against the proposed amendment.

53. **Mr. Barros Melet** (Chile), speaking also on behalf of Argentina, Brazil, Colombia, Costa Rica, El Salvador, Mexico and Uruguay, said that the results of the vote on the amendment were of paramount importance. Member States had reaffirmed the integrity, the effectiveness, the role and powers of the Human Rights Council in a year that marked the tenth anniversary of its creation, and in which the promotion and protection of human rights and human dignity had proved to be more important than ever. It was vital to close any gaps that could undermine its mission or allow abuses to go unpunished.

54. **Mr. Khane** (Secretary of the Committee) said that, in the light of the adoption of the amendment contained in document [A/C.3/71/L.52](#), any financial implications emanating from the resolutions and decisions contained in the annual report of the Council would be brought to the attention of the General Assembly during its seventy-first session in the context of the annual report of the Secretary-General's on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council, in accordance with General Assembly resolution [65/281](#).

55. **Ms. Mozolina** (Russian Federation) said that the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity was unclear because the concepts of sexual orientation and gender identity were not enshrined in international law. Until those concepts had been clarified, any special procedure actions created under Human Rights Council resolution [32/2](#) would have no legal basis and therefore the Russian

Federation would not cooperate with or recognize the mandate-holder. The Russian Federation had supported the draft resolution but now wished to abstain.

56. **Mr. Ntwaagae** (Botswana), speaking on behalf of the African Group, said that the voting on the adoption of the amendment contained in document [A/C.3/71/L.52](#) had been as tightly contested as that on Human Rights Council resolution [32/2](#) in June 2016. The African Group disassociated itself from the adopted amendment as it completely changed the complexion of the draft resolution.

57. **Mr. Gone** (Egypt), speaking on behalf of all Member States of the Organization of Islamic Cooperation (OIC) except Albania, said that his delegation strongly opposed the draft resolution, which was highly divisive and would impose a set of values that did not enjoy international consensus. OIC unequivocally rejected the establishment of a mandate for the Independent Expert through the resolution and would not be in a position to cooperate or engage with the mandate-holder.

58. **Mr. Ajayi** (Nigeria) said that Nigeria was committed to the sovereign right of States to define their own national objectives and priorities and had consistently rejected the adoption in the Third Committee of norms lacking international consensus. Since Human Rights Council resolution [32/2](#) had not enjoyed consensus, his delegation therefore objected to the mandate of the Independent Expert, which had no legal basis in international law and would conflict with the Constitution, legislation, political system, religious beliefs and juridical tenets of the vast majority of African countries. Nigeria would support any mandate that derived its legitimacy from the Charter of the United Nations, international law and general agreed norms of the Universal Declaration of Human Rights.

59. **Ms. Shilo** (Israel) said that June 2016 marked the tenth anniversary of the Human Rights Council and of its bias against Israel. Although the Council was mandated to follow the principles of universality, impartiality, objectivity and non-selectivity, and to work in a constructive, unbiased, transparent and non-politicized manner, all of those principles seemed to vanish whenever it dealt with Israel. Its true attitude towards Israel was borne out by the figures: the Council had introduced a permanent item on Israel to the agenda; 7 out of a total of 25 of its special sessions

had been on Israel; 66 resolutions, amounting to a third of all country-specific resolutions, had focused on Israel; and the Council had appointed a Special Rapporteur with a biased and unlimited mandate and issued countless reports targeting Israel.

60. It was not as if there were no other challenges in the world. The High Commissioner for Human Rights himself had recently said that the world was suffering from more atrocities, humanitarian crises and cases of xenophobia, racism and prejudice than at any time since the end of the Second World War. Instead of focusing on pressing human rights situations around the globe and devoting its time, personnel and resources in direct proportion to the severity of crises, the Council had preferred to neglect the vulnerable people who really needed urgent assistance.

61. The Council's bias against Israel was widespread and needed to stop. The most urgent change required was to immediately cut off resources allocated to the infamous agenda item 7, which singled out Israel. If it removed that agenda item, the Council could start addressing the immediate concerns of the international community. The Human Rights Council also severely damaged its own credibility by showing prejudice to only one Member State in its report. For those reasons, Israel would vote against the adoption of the report of the Human Rights Council and called on other Member States to do the same.

62. **Ms. Nescher-Stuetzel** (Liechtenstein), speaking also on behalf of Australia, Canada, Iceland, New Zealand, Norway and Switzerland, welcomed the decision to delete paragraph 2 of resolution [A/C.3/71/L.46](#). Any other outcome would have gravely undermined the mandate of the Human Rights Council and the institutional relationship between the General Assembly and the Council.

63. Her delegation strongly supported the appointment of an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, as part of Member States' commitment to non-discrimination, to the prevention of violence and to ensuring that all people were entitled to and granted the same rights, irrespective of gender, race, religious and political background, or indeed sexual orientation and gender identity. Those rights were already enshrined in numerous human rights treaties, including the

International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. She called on all countries to cooperate with Human Rights Council special procedures, including by issuing standing invitations, and to enable them to work independently and without interference.

64. Her delegation supported the Human Rights Council but was once again compelled to abstain from the voting because of procedural concerns. In accordance with the outcome of the review of the work and functioning of the Human Rights Council contained in General Assembly resolution [65/281](#), it was the responsibility of the General Assembly plenary to take action on the report of the Council. For its part, the Third Committee should consider only the Council's recommendations. It was regrettable that the draft resolution continued to disregard the understanding contained in the General Assembly resolution by supporting consideration of the Council's report in the Third Committee.

65. *A recorded vote was taken on draft resolution [A/C.3/71/L.46](#).*

In favour:

Afghanistan, Algeria, Angola, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia (Islamic Republic of the), Ghana, Guinea, Honduras, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Mexico, Morocco, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Seychelles, Singapore, South Africa, Sri Lanka, Sudan, Swaziland, Thailand, Timor-Leste, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic

of Tanzania, Uruguay, Venezuela Bolivarian Republic of, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Belarus, Israel, Mauritius.

Abstaining:

Albania, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Barbados, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Italy, Japan, Kazakhstan, Kiribati, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Monaco, Mongolia, Montenegro, Myanmar, Netherlands, New Zealand, Norway, Palau, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Vanuatu.

66. *Draft resolution A/C.3/71/L.46 was adopted by 94 votes to 3, with 80 abstentions.*

67. **Mr. Ružička** (Slovakia), speaking on behalf of the European Union, said that the European Union welcomed the deletion of paragraph 2 of draft resolution [A/C.3/71/L.46](#), but had abstained from the vote, as it considered that the General Assembly had no need to take note of the Report of the Human Rights Council. Nevertheless, his delegation was concerned by attempts to unbalance the institutional relationship between the Human Rights Council and the General Assembly, which were in nobody's interest, particularly at a time when the resources of the two bodies should be devoted to preventing the appalling human rights abuses committed around the world. The European Union looked forward to working with the Independent Expert and hoped that all Member States, especially those elected to the Council, would cooperate with him and with other Human Rights

Council special procedures, as a way of improving the protection and promotion of human rights.

68. **Mr. Mendoza-García** (Costa Rica) said that Costa Rica fully supported the work of the Human Rights Council, its resolutions and recommendations. As a country committed to human rights and the mechanisms of the Organization that promoted and protected those rights, Costa Rica believed that it was vital to preserve the work and decisions of the Human Rights Council. Nevertheless, his delegation had abstained from voting for procedural reasons. It was her country's position that the report of the Human Rights Council should be considered and adopted in the General Assembly plenary, and only the recommendations contained in the report should be considered by the Third Committee, in accordance with subparagraph 5 (j) of General Assembly resolution [60/251](#) and paragraph 6 of General Assembly resolution [65/281](#).

69. **Mr. Shearman** (United Kingdom) said that his country renewed its pledge to cooperate with the Independent Expert. He encouraged other Member States to work with the Independent Expert just as they would with other special procedures mandate-holders of the Human Rights Council. With regard to the independence of the Human Rights Council, although delegations had the right to criticize or debate the outcome of its actions and work, mandates generated in Geneva in the appropriate fashion should not be reopened for discussion in New York.

70. **Ms. Nauni** (Nauru) said that her delegation disassociated itself from Human Rights Council resolution [32/2](#) and refused to recognize the authority of the Independent Expert appointed therein. Discrimination on the basis of sexual orientation or gender identity had never been defined in international law and Member States' views diverged considerably on the matter. It was therefore unclear what basis the Independent Expert would use to determine whether national laws were discriminatory. The lack of a clear definition of the Independent Expert's mandate was also inconsistent with Human Rights Council resolution 5/1 on institutions of the Human Rights Council.

71. **Ms. Ali** (Singapore) said that the decision to delete paragraph 2 of the draft resolution was a missed opportunity, as it undermined the potential to seek

consensus on an important issue which divided Member States. Nevertheless, her delegation had voted in favour of the draft resolution, as it had in the past, because the Human Rights Council was a subsidiary body of the General Assembly and it was only appropriate for the General Assembly to take note of the reports of its subsidiary bodies.

72. **Ms. Belskaya** (Belarus) said that the Human Rights Council was an important and unique body, whose universal periodic review undeniably contributed to improving the human rights situation worldwide. Unfortunately, the work of the Council continued to be counterproductive and overly politicized, while almost none of its decisions enjoyed unanimous support. Belarus reiterated its principled position against country-specific mandates. Her delegation had voted against the draft resolution.

73. **Mr. Ntwaagae** (Botswana), speaking on behalf of the African Group, emphasized that, although his delegation welcomed the adoption of the draft resolution, it opposed the recent amendment which had been made to it. The African Group remained open to further engagement on the matter.

74. **Mr. Eleyatt** (Mauritania), supported by **Ms. Elhassan** (Sudan), said that his delegation disassociated itself from the mandate of the Independent Expert.

75. **Mr. Doucouré** (Mali) said that his delegation had intended to vote in favour of the draft resolution, in line with the African Group.

76. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that his delegation had supported the proposal to defer action on Human Rights Council resolution 32/2, since the mandate of the Independent Expert was inconsistent with internationally recognized human rights and could cause confrontation among Member States in place of dialogue and cooperation. Iran considered that all human rights should be respected, but would not cooperate with mandate-holders created by the Human Rights Council outside the sphere of internally recognized human rights.

77. His delegation had abstained from the voting on draft resolution [A/C.3/71/L.46](#) but specifically disassociated itself from the section of the Human Rights Council report on Iran. It was regrettable that certain countries carried on their well-worn policies of

confrontation and recriminations. If the Human Rights Council continued politicizing and polarizing human rights, including through the introduction of country-specific resolutions, it risked treading the same path as the former Commission on Human Rights.

78. **Mr. Rattray** (Jamaica) said that his delegation had continued its tradition of voting in favour of the draft resolution, which took note of the report of the Human Rights Council.

79. **Ms. Salim** (Libya) said that her Government remained committed to upholding all international human rights instruments to which it was a party. Her delegation deplored all forms of exclusion, discrimination and violence against individuals, groups and peoples, and underscored its firm support for all fundamental human rights, the principle of non-discrimination and all initiatives that promoted human dignity. It was deeply regrettable that certain parties had attempted to include controversial concepts in United Nations resolutions, including Human Rights Council resolution 32/2, when there was no international consensus on their definition and no legal basis for those concepts established in any international instrument. The inclusion of such concepts ignored the legislative, religious and social differences among societies and undermined the principle of respect for cultural diversity. Accordingly, the Libyan delegation disassociated itself from resolution 32/2, and would not cooperate with or support the mandate of the so-called Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

80. **Mr. Manano** (Uganda) said that the decision to appoint an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity polarized Member States because the concept behind those rights had no legal basis in international law. Since it would be difficult to work with an independent expert who had an undefined mandate, Uganda disassociated itself from the adoption of Human Rights Council resolution 32/2.

81. **Ms. Mballa Eyenga** (Cameroon) said that Member States should take seriously the proposal by the representative of the African Group to open further dialogue on the divisive issue. Cameroon was

committed to promoting and protecting all human rights, but disassociated itself from Human Rights Council resolution 32/2 because of the mandate which it conferred on the Independent Expert.

82. **Mr. Alkumaim** (Yemen) said that his delegation deeply regretted the adoption of the draft amendment contained in document A/C.3/71/L.52. He underscored, moreover, that the result of the vote revealed deep divisions among Member States regarding the mandate of the special procedure to be established pursuant to Human Rights Council resolution 32/2. That lack of consensus would, in turn, undermine the capacity of States to support implementation of that mandate, and some 50 per cent of Member States would find themselves unable to engage with the so-called Independent Expert. Yemen therefore disassociated itself from resolution 32/2, which it would not be in a position to implement.

83. **Ms. Maduhu** (United Republic of Tanzania) said that her delegation wished to disassociate itself from Human Rights Council resolution 32/2 and would not cooperate with the Independent Expert.

84. **Mr. Labo** (Niger) said that his delegation rejected the mandate of the Independent Expert because the concept of sexual orientation and gender identity was not recognized in his country's laws and did not enjoy consensus within the United Nations.

Draft resolution A/C.3/71/L.49: Universal realization of the right of peoples to self-determination

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

86. **Mr. Khane** (Secretary of the Committee) said that Albania, Angola, Antigua and Barbuda, Belize, Benin, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Comoros, Congo, Ecuador, Egypt, Gambia, Ghana, Guyana, Honduras, Jamaica, Lesotho, Libya, Madagascar, Maldives, Nicaragua, Nigeria, Palau, Paraguay, Qatar, Rwanda, Senegal, Seychelles, Singapore, Somalia, South Africa, Swaziland, Syrian Arab Republic, Togo, Tunisia, Uganda, Venezuela, Yemen and Zambia had joined the sponsors.

87. **Ms. Diedricks** (South Africa) introducing the draft resolution, said that the inalienable and universal right to self-determination was a prerequisite for the exercise and enjoyment of all human rights and

fundamental freedoms, as demonstrated by the reaffirmation of its importance in core international human rights instruments. South Africa attached great importance, in particular, to decolonization and viewed foreign and military occupation, aggression, domination as serious violations of human rights.

88. South Africa would be unstinting in its efforts to address the persistent denial of the Saharawi people's inalienable right to self-determination. Little progress had been made in that regard, despite numerous General Assembly resolutions regarding the violation of their rights. The draft resolution should also resonate with the Palestinian people in their legitimate struggle to achieve the right to self-determination and statehood. The ongoing illegal occupation of the Occupied Palestinian Territory constituted a flagrant violation of the universal right to self-determination and resembled the brutal oppression in South Africa under apartheid.

89. The failure to implement various United Nations decisions pertaining to the right to self-determination of the Saharawi and Palestinian peoples and the inaction of the international community in that regard was a source of great concern to South Africa.

90. *Draft resolution A/C.3/71/L.49 was adopted.*

91. **Mr. Heredia** (Spain) said that, while his delegation fully supported the draft resolution, it recognized that there were situations in which the administering Power and authorities of the territory that it had colonized had established a political relationship in their own interest and denied any colonial link while still claiming a so-called right to self-determination. That was a distortion of the Charter of the United Nations and of the relevant resolutions.

92. The original population of Gibraltar had had to leave the territory whereas the current inhabitants were descendants of those installed by the occupying Power for military purposes. In such circumstances, Spain denied the existence of a right to self-determination protected under international law. The United Nations had deemed that the situation in Gibraltar compromised the territorial integrity of Spain and thus had repeatedly called for dialogue on the issue.

93. His country had recently submitted a proposal in the Fourth Committee to share sovereignty of Gibraltar with the United Kingdom. The co-sovereignty would

entail: a special status allowing residents of Gibraltar to opt for dual nationality; the maintenance of self-governing institutions in Gibraltar; the maintenance of a special tax regime insofar as it was compatible with European Union law; and the removal of border controls separating Gibraltar from the Iberian peninsula. Spain had submitted its proposal not only as a historical claim, but also for the sake of the socioeconomic well-being of the area, especially the thousands of workers in the region affected by the exit of the United Kingdom from the European Union. History had shown that decolonization was possible if an administering Power had the political will to undertake it. Spain therefore reiterated its invitation to the United Kingdom to join negotiations.

94. **Ms. Amadeo** (United States of America) said that the United States of America attached importance to the right of peoples to self-determination and had therefore joined consensus on the draft resolution. However, the text contained multiple misstatements of international law and was inconsistent with current State practices.

95. **Mr. Mazzeo** (Argentina) said that his Government fully supported the right of peoples to self-determination, a right that should be interpreted as applicable only to peoples subjected to alien subjugation, domination and exploitation, in accordance with the purposes and principles of the Charter of the United Nations and relevant resolutions. The draft resolution should be interpreted and applied in a manner consistent with the relevant resolutions of the General Assembly and the Special Political and Decolonization Committee.

96. **Mr. Sarufa** (Papua New Guinea) said that, 56 years since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples and four years since the declaration of the Third International Decade for the Eradication of Colonialism, the yoke of colonization continued to hinder the full enjoyment of the right to freedom of peoples under colonial administration. The Charter of the United Nations, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights were unequivocal on the right to self-determination, and yet 17 Non-Self Governing Territories remained subject to colonization, including many in the Pacific region.

97. Stronger political will was therefore needed to advance the decolonization process. Papua New Guinea was currently working closely with the Special Political and Decolonization Committee and the relevant administrative powers and welcomed the ongoing cooperative spirit shown by all parties in the lead-up to the new referendum in New Caledonia in 2018. The Special Committee on Decolonization and the Human Rights Committee could explore new ways in which to cooperate, not only to exchange information, but also to expedite the decolonization agenda.

The meeting rose at 1.05 p.m.