



# General Assembly

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Sixty-seventh General Assembly  
Third Committee  
34<sup>th</sup> & 35<sup>th</sup> Meetings (AM & PM)

### **'THERE ARE NO FIRST-CLASS OR SECOND-CLASS RIGHTS,' AS ALL HUMAN RIGHTS,**

### **FREEDOMS INTERDEPENDENT, INDIVISIBLE, THIRD COMMITTEE TOLD**

#### **More than 40 Speakers Describe National Efforts to Meet Human Rights Obligations**

All human rights and freedoms were inter-dependent and indivisible, Member States told the Third Committee (Social, Humanitarian and Cultural) today, as it completed its debate on the promotion and protection of human rights.

"There are no first-class or second-class rights," said the representative of Chile, one of many delegates who argued for the universality and interdependence of all rights, and said that economic, social and cultural rights were of equal value with civil and political rights. Similarly, Pakistan's delegate told the Committee that the strong link among those rights must be preserved, and that without ensuring human rights, there could be no real peace — a prerequisite for development.

Throughout the day-long debate, more than 40 speakers outlined their States' efforts to give equal weight to all rights and fundamental freedoms, encouraging other nations to enforce core treaties and participate in the review mechanism of the Human Rights Council.

"Our collective efforts will not achieve their intended results if some countries continue to disregard their international obligations and do not undertake serious efforts to bring about much needed changes," said Canada's representative, in a statement that strongly condemned widespread human rights violations and violence in several Member States.

Swaziland's representative said greater importance should be attached to the right to development, so that everyone could enjoy the benefits of globalization, with more attention paid to such rights as the right to life, the right to food and the right to safe drinking water, with international cooperation and developed countries doing more to honour commitments to development assistance, technology transfer, debt reduction and market access.

The representative of the Philippines said advancement of full human rights required domestic, bilateral, regional and global cooperation on such issues as financial regulatory reform, migration, food security, climate change and trade. She called for more rigorous scientific, empirical, sociological and legal research to inform States about environmental migration, as well as a multifaceted approach to tackle trafficking in persons.

A number of delegates spoke about the implications of the controversial internet video by a United States citizen that sparked global protests, particularly in Islamic countries, in September. China's representative opposed any action that offended the religious sensitivities of Muslims, saying States must enforce a "zero tolerance" policy on racism and not acquiesce to it under the pretext of freedom of expression.

Norway's representative called it a "crude and tasteless film". Despite some violent protests, most were peaceful and sent a message of tolerance and religious freedom, he said. He endorsed freedom of speech, but warned that it was not a licence to incite or commit violence.

The representative of Iran called the film “a repugnant act” representing the irresponsible use of freedoms under international human rights law, part of an ongoing anti-Muslim movement normalizing growing intolerance. The controversy required action on international human rights through the United Nations machinery, and it was imperative to renew the commitment to dialogue and understanding, he said.

A number of delegates also highlighted measures their States had taken to ensure rule of law. The Republic of Moldova’s representative said the independence of the judiciary was the primary condition for public trust, order and human rights, as well as a precondition for foreign direct investment and sustainable economic development.

Switzerland’s delegate said the worldwide abolition of the death penalty was an important priority in her country’s foreign policy on human rights. “The death penalty violates the right to live and is an affront to human dignity and the right not to be subjected to torture or any other cruel, inhumane or degrading treatment,” she said, expressing hope that the new resolution calling for a global moratorium on the practice, which would be presented once again this year at the General Assembly, would benefit from reinforced support from Member States.

Also speaking in the general discussion on the promotion and protection of human rights were the representatives of United Arab Emirates, Brazil, Cuba, Albania, Greece, Belarus, Mexico, India, Tunisia, Kazakhstan, Syria, Kuwait, Indonesia, Ethiopia, Cyprus, Democratic People’s Republic of Korea, Iran, New Zealand, Botswana, Serbia, Sri Lanka, Eritrea, Colombia, Singapore, Viet Nam and Nepal.

Representatives of the Permanent Observer Mission of Palestine, the Holy See and the International Organization for Migration also spoke.

Speaking in exercise of the right of reply were the representatives of Syria, Turkey, Israel, Cyprus, Japan and the Democratic People’s Republic of Korea.

Introducing draft texts on social development and human rights were the representatives of Algeria (on behalf of the Group of 77 and China), Netherlands, Uruguay, Bolivia, Pakistan, Sweden (also on behalf of Mexico and New Zealand), Denmark, Qatar, Morocco and Uganda.

The Committee will reconvene at 10 a.m. Tuesday, 13 November, to take action on various draft resolutions.

### Background

The Third Committee (Social, Humanitarian and Cultural) met today to continue its consideration of the promotion and protection of human rights. It also was expected to hear the introduction of 12 draft resolutions related to social development. For more information, please see Press Release [GA/SHC/4052](#).

### Statements

NAJLA ISMAIL ALRAEES ( [United Arab Emirates](#) ) said her country’s constitution outlined that everyone, regardless of belief or social status, was equal before the law. The Government followed a policy based on justice and balance concerning universal issues. Five million people from countries around the world were working in the United Arab Emirates. Her Government respected the freedom of speech, calling for tolerance and respect for all religions and cultures. The United Arab Emirates’ achievements in the field of human rights included its ranking for human development – at number 30 - among Arab countries. It ranked first among Arab countries in the human rights fields, and first among Arab countries and Middle East countries in terms of justice. Indeed, there was transparency in the judicial system.

As regards gender equality, she said the United Arab Emirates prioritized the provision of education, social and health services for women. Women constituted 60 per cent of those working in the country. They participated in the highest levels of decision making in the country. The United Arab Emirates also contributed to international efforts to ensure women’s equality and was represented in UN-Women. In other areas, she said the Government had developed laws and regulations regarding the sale of persons and for ensuring protections for victims. In the labour field, an action plan protected workers’ rights and improved working conditions. Respect for human rights was a mainstay of international peace and stability, and in 2011, the United Arab Emirates allocated 0.22 per cent of its national income for assistance and grants to developing countries.

MARIA LUIZA RIBEIRO VIOTTI ( [Brazil](#) ) said her country remained committed to supporting and strengthening international cooperation on human rights, in line with significant experience it had acquired

in fields such as promotion of children's rights, rights of disabled people, universal access to birth records, human rights education and combat against domestic violence. The country was ready to maintain a transparent and constructive dialogue with international human rights mechanisms, and had maintained an open invitation to all mandate holders since 2001. It also reaffirmed its commitment to support the Office of the United Nations High Commissioner for Human Rights (OHCHR) and to provide the resources necessary for effective performance of its functions, and reiterated the importance of the Inter-American Human Rights System and would remain engaged in ongoing dialogue in that regard.

Brazil would also continue to participate in current discussion within the Organization of American States on strengthening the Inter-American System of Human Rights, and would seek to stimulate political cooperation and dialogue on human rights within the framework of the Union of South American Nations, she said. Another priority for Brazil had been promotion and protection of the rights of children and adolescents; significant progress had been achieved reducing infant mortality and child labour, securing universal access to primary education and guaranteeing a minimal income for vulnerable families. The consolidation of Brazilian democracy combined respect for civil and political rights with the progressive realization of economic, social and cultural rights, in a process of social inclusion, which consecrated the indivisibility of human rights.

LISANDRA ASTIASARÁN ARIAS ( Cuba ) said major challenges focused on the need to promote dialogue on the obstacles to exercising human rights, as there were great imbalances. For example, there had been insufficient emphasis placed on the right to development. Without that, democracy would remain a fiction. There must be a focus on the governance of sustainable development. Many human rights did not enjoy transparency, and the persistence of extreme poverty and lack of access to basic services, such as education, was unacceptable. In debates, no one referred to the rhetoric of Western powers. Also absent from debates were the principles of objectivity and impartiality.

Moreover, some countries continued to manipulate policies against the developing countries, she said. Their hypocrisy was on display when they said they were "humanitarian" in their approaches, yet they hid their manipulation of human rights. They wanted sovereignty with conditions. They wanted a free hand when it came to acting with aggression and promoting interference in State affairs. They launched campaigns against countries based on lies and stalling tactics. Also, she wanted to stress that diversity among cultures, religions and economic and social systems was a great source of wealth. Any imposition of models constituted a human right violation. Cuba had always rejected selective approaches to countries. Human rights could only be promoted through respect for the Charter of the United Nations. She argued for a non-selective approach to human rights.

GEIR O. PEDERSEN ( Norway ) talked about the case of Malala Yousafzai, whose attempted murder led to immense global support for her fight for equal rights for girls and boys, and about the wave of protests in response to what he called a "crude and tasteless film". Despite some violent protests, most were peaceful and sent a message of tolerance and religious freedom. He endorsed freedom of speech, but warned that it was not a licence to incite or commit violence. On Syria, he said the United Nations needed to strengthen engagement to help find a political solution to the crisis, and in Iran he said repression of political dissent, unlawful detentions, torture, discrimination and use of the death penalty were widespread. The deterioration of human rights in Belarus also concerned him, while at the same time there were positive developments in Myanmar, where political prisoners had been released, press freedoms increased and a human rights commission established. That marked a "monumental leap forward" and the international community needed to engage in capacity-building to preserve the gains and to address other human rights issues.

He called for strengthened rule of law protection for religious minorities, non-believers and humanists through dialogue with multilateral mechanisms, such as the universal periodic review. On the death penalty, he said it was wrong in all circumstances and he urged States to introduce an official moratorium on executions, citing the death penalty's incompatibility with human dignity and humane treatment, its limited deterrent value and the deaths of innocent people. Concerning business activity and human rights, the United Nations Guiding Principles on Business and Human Rights gave concrete guidance to businesses and States on preventing and addressing the risks of adverse human rights impacts. It was still an emerging field and a major task, he said, underlining the importance of the engagement of all stakeholders. He stressed the importance of allowing the Office of the United Nations High Commissioner for Human Rights to fulfil its mandate, pointing to a growing number of requests for its support and an unprecedented number of new and expanded mandates from the Human Rights Council. The challenges of the Office were increased by its reliance on voluntary contributions and he supported the High Commissioner's call for sustainable funding. Coordinated efforts were needed to ensure substantial strengthening of its regular budget.

ERVIN NINA ( Albania ), aligning with the statement of the European Union, said that over the past year there had been global improvements in the exercise of democracy, human rights and the participation of women in public and social life. For centuries, he said, Albanians had shared the

Mediterranean with the peoples of North Africa, trading and sharing expertise with countries that were now part of the Arab Spring. In addition, during Albania's Chairmanship of the Council of Europe, particular focus was placed on strengthening cooperation and coordination with those countries to consolidate democratic institutions, the rule of law, protection for human rights and fundamental freedoms. Their successful transition was vital to the stability and prosperity of the whole Mediterranean.

Noting the "appalling human rights situations linked to several ongoing conflicts" around the world, he called upon the United Nations to "act without delay" to uphold the rule of law and protect human rights.

ANASTASSIS MITSIALIS ( Greece) said that his country had always aimed to effectively implement the Universal Declaration of Human Rights and applicable rules and provisions. Respect for human rights was the basis for human co-existence and could not be attained without the sustained efforts of States, international and regional organizations and interaction with civil society. Stressing regional and international cooperation as indispensable to addressing widespread human rights abuses, he said that the United Nations played a vital role in dealing with such violations and recalled that Greece had presented its candidature to the Human Rights Council for the 2013 – 2015 period.

He also recalled the winds of change that had blown through his region during the last two years, as well as the legitimate aspirations for freedom and democracy that had brought down authoritarian regimes. The Arab awakening had the potential to advance human rights, and those countries involved should be encouraged in their efforts to engage in democratic nation-building. Despite those advances, full enjoyment of human rights could be gravely affected by the ongoing economic crisis. Greece had sought to eradicate increasing inequalities and social exclusion, and the country's former Minister of Foreign Affairs, Stavros Lambrinidis, had been appointed the first-ever European Union Special Representative for Human Rights.

SIMONE WYSS ( Switzerland) said the worldwide abolition of the death penalty was an important priority in her country's foreign policy on human rights. "The death penalty violates the right to live and is an affront to human dignity and the right not to be subjected to torture or any other cruel, inhumane or degrading treatment," she said. "Whereas it is sometimes practiced on a discriminatory basis, its irreversible nature makes it impossible to revise a judgement, leading, in some cases, to the execution of innocent people. This fact alone divests it of any legitimacy." Switzerland was actively involved in the Task Force for drafting the new resolution calling for a global moratorium, which would be presented once again this year at the General Assembly, and strongly hoped the resolution would benefit from reinforced support from Member States.

Discrimination against women continued to be a major concern; it was incumbent upon the world community to promote their empowerment, she said. To achieve the objective, the education of girls was indispensable, as was their right to decide what to do with their own bodies -- their reproductive rights must be guaranteed. Switzerland was also concerned that numerous States failed to guarantee the right to peacefully express one's opinion and their right to peacefully protest. Appropriate legal frameworks and adequate training of forces were necessary to hold peaceful protests without unnecessary and useless obstruction. Switzerland, together with Costa Rica and Turkey, initiated Human Rights Council Resolution 19/35 on the promotion and protection of human rights in the context of peaceful protests, which was adopted by consensus. "We are convinced that we must pursue dialogue on peaceful protests by initially focusing on State obligations in this regard," she said.

OCTAVIO ERRÁZURIZ ( Chile) said his country attached importance to the universality and interdependence of all human rights, as it showed that civil and political rights, as well as economic, social and cultural rights were of equal value. "There are no first-class or second-class rights", he said. The Office of the United Nations High Commissioner for Human rights had acquired political relevance and was a strong operational presence. The Human Rights Council had contributed to the development of international human rights law, and Chile encouraged countries to submit voluntary mid-term reports, as Chile had done last March, to its universal periodic review to improve second-cycle reporting. The Council could not do its work without the Office of the High Commissioner's contributions.

Given that, Chile was concerned about the Office's financial situation, he said, as only 3 per cent of the United Nations' budget was devoted to human rights, including for the Office, Council, treaty bodies and the 48 special procedures. The shortfall for 2012-2013 would amount to almost \$70 million. It was essential to coordinate efforts in the Fifth Committee to increase the regular budget for human rights. Chile promoted the Guiding Principles on Extreme Poverty and Human Rights. Chile would soon submit its initial report under the International Convention for the Protection of All Persons from Enforced Disappearance. Chile also recently enacted a law promulgating measures to combat discrimination.

EVGENY LAZAREV ( Belarus) said his country was cooperating with the Human Rights Council, and had invited eight mandate holders to visit. Concerning inequalities, it was paying attention to special

procedures and implementing recommendations in line with the special procedures. Belarus, however, was concerned by western policies, particularly in countries of the European Union, Canada and the United States, where suppression was applied to peaceful demonstrators, such as tear gas and other harsh measures. Belarus considered the special procedures should immediately respond to the force used by these countries during protest actions, since they had violated rights. Across Europe, there were more steps to limit the freedom of journalists, and violations of migrant rights. Special Rapporteurs should pay attention to the European Union, in light of those violations of rights by unilateral, forceful measures.

Belarus was immediately and successfully implementing measures to combat human trafficking, in cooperation with the Special Rapporteurs and procedures. With the upcoming presentation of the global report on human trafficking, Belarus expected a document that for the first time would present a clear picture of the situations on the ground. Today, unfortunately, the topic was being monopolized by the United States Department of State. While Belarus valued the United States efforts, its report lacked objectivity.

ANA MARIE HERNANDO ( Philippines ) said human rights promotion and advancement was a national priority. The 2012-2017 National Human Rights Action Plan, based on the President's 16-point social contract with the Filipino people, served as a blueprint for national implementation of international human rights treaties to which the Philippines was a party. The National Magna Carta for Persons with Disabilities supplemented the Convention on the Rights of Persons with Disabilities. An act prohibiting the death penalty was passed into law after the Philippines signed the Optional Protocol to the Convention on Civil and Political Rights. In 2009, the Magna Carta of Women, a comprehensive law that strengthened national legal and institutional framework, in line with the Convention against Torture, was adopted. In December 2009, the Philippines began incorporating the Rome Statute into domestic law; in August 2011 it ratified the Statute. The 2011-2016 Philippine Development Plan put into operation President Aquino's social contract through key strategies focused on inclusive growth, poverty reduction and job creation.

Full human rights advancement required domestic, bilateral, regional and global cooperation on such issues as financial regulatory reform, migration, food security, climate change and trade, she said. The Special Rapporteur on Migrant's report on climate change's impact on migration was relevant to the Philippines, which was prone to volcanic eruptions and earthquakes. She called for more rigorous scientific, empirical, sociological and legal research to inform States about environmental migration and a multifaceted approach to tackle trafficking in persons. She urged Member States and companies to honour their commitment to mitigate trafficking risks in the supply chain. She encouraged Member States to ratify and enforce relevant human rights instruments and to implement the Global Plan of Action to Combat Trafficking in Persons.

LUIS-ALFONSO DE ALBA ( Mexico ) said his country, in order to continue to ensure a culture of human rights, had made changes to its national legislative framework. Among those changes, a new migration law decriminalized all aspects of migration and recognized the rights of access to justice, education, health and acts of civil registration for migrants and their families, independently of their migratory status. The Act for the Protection of Human Right Defenders and Journalists had been entered into force. Its Supreme Court had established criteria so that elements of the armed forces that committed human rights violations were tried in the civil jurisdiction. Also, Constitutional reforms had been undertaken in order to recognize the right to food, a healthy environment, and to water access, provision and sanitation.

In the international arena, he said Mexico had continued to contribute to the establishment of international standards for the promotion and protection of human rights, as well as for the strengthening of mandates and resources for the human rights mechanisms. As vice-president of the Economic and Social Council, it had presented a resolution to allow the Committee on Economic, Social and Cultural Rights additional time to address the backlog in the consideration of States' reports. As for the Human Rights Council, Mexico and Turkey had presented an initiative regarding birth certificate registration and the right of everyone to recognition as a person before the law, which was an essential element to the full enjoyment of other rights. Focused on the protection of migrants and their families, his country had presented a draft resolution to address some related issues. Concluding, he said Mexico's earlier experience as a Council member and the successful initiatives it had presented, among others, offered support for its aspiration to become a member of the Council for the 2014-2016 term. He asked Member States' support for his country's candidacy.

MANJEEV SINGH PURI ( India ) attached great importance to the work of the Human Rights Council, highlighting such key mechanisms as the universal periodic review and special procedures. The universal periodic review provided a platform for sharing national experience and good practices and the enthusiastic participation by Member States in that innovative process attested its success. The Review was open to duly accredited non-governmental organizations, civil society and the media, with live webcast publicly available. India recently went through its second Review, whose outcome was adopted in the 21<sup>st</sup> session of the Human Rights Council. He also welcomed the ongoing inter-governmental

consultations on the strengthening of the human rights treaty bodies. As independent and impartial experts, special procedures should ensure that their conclusions and recommendations on a particular State be shared first with the concerned Government, with adequate time to respond. In their public statements concerning allegations of human rights violation, Special Rapporteurs must indicate fairly the responses given by the concerned States.

Describing the financial status of the Office of the United Nations High Commissioner for Human Rights as "a critical situation" and expressing concern that only a third of the Office's funding came from the regular budget, he stressed the need to allocate adequate resources to the Office to ensure its independence. He recalled that the Vienna Declaration, adopted nearly 20 years ago, had reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental rights, and noted that at Rio+20 the international community had renewed its commitment to sustainable development. "Development policy must recognize that the human being is the central object of the development process and should therefore make the human being the main participant and beneficiary of development," he said. As a State Party to the principle covenants on human rights and to practically all other human rights instruments, India had made important strides over the last two decades, establishing an independent National Human Rights Commission in 1993 and enacting the Right to Information Act in 2005. Under an innovative mechanism of the judiciary, even the most vulnerable sections of society, who might not be able to approach courts otherwise, could seek justice via a public-spirited person or organization, he said.

NADYA RASHEED, observer for Palestine, reiterated deep regret that the occupying Power continued to obstruct the efforts of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. That non-cooperation should produce a concerted effort by the General Assembly, Security Council and the Secretary-General to ensure that Israel abided by its obligations. The situation in the Occupied Palestinian Territory, including East Jerusalem, was critical as a result of Israel's aggression and illegal policies against Palestinians. Its policies and practices breached Israel's obligations under the Fourth Geneva Convention, among other instruments.

Israel's activities included an illegal settlement campaign, the wall, confiscation of Palestinian land, home demolition and revocation of Palestinian residency rights. Terrorist acts by extremist Israeli settlers were widespread. Pointing to international legal developments concerning businesses and human rights, she called on all companies that operated, conducted business or profited from Israeli settlements in the Occupied Palestinian Territory to respect international humanitarian law. She echoed calls made for a boycott of all companies that failed to do so, as long as they did not meet international human rights standards. If Israel continued to not be held accountable, the world community would be even further from helping the Palestinians realize their human rights. She called on the international community to meet its responsibilities in that regard.

MASOOD KHAN ( Pakistan ) said that without ensuring human rights, there could be no real peace, which was a prerequisite for development. He urged creating safeguards against new and contemporary manifestations of discrimination and injustice. Progress had been made in building the normative framework of human rights law, but implementation of human rights instruments remained a difficult task. Millions of people continued to endure conflicts around the world, especially in developing countries where they were often sparked by scarcity, greed and exploitation. The strong link between – and equal status of - civil and political rights, and economic, social and cultural rights must be preserved.

He said racism, racial and religious discrimination threatened the multi-cultural fabric of many societies. Recent incidents of Islamophobia highlighted the need to collectively combat stereotyping, and incitement to hatred and violence based on one's religion or faith. Pakistan was proud to be a founding member of the Human Rights Council, and attached importance to the work of the Office of the United Nations High Commissioner. It would further its engagement with them, taking a mutually respectable and cooperative approach. At the national level, the constitution guaranteed fundamental rights and freedoms, including social, economic and political justice, and the freedoms of thought, expression, religion and association. Pakistan was party to seven human rights instruments. It monitored human rights violations, while its independent judiciary had taken wide ranging steps to guarantee the protection of all citizens' constitutional rights.

OTHMAN JERANDI ( Tunisia ) said his country had initiated a series of legal and institutional reforms for establishing a democratic and pluralist State. Tunisia had committed to a system founded on justice and equality, focusing on general amnesty and the creation of national bodies to defend human rights, notably the ministry of human rights and transitional justice. Tunisia had established relationships with treaty bodies and had extended a permanent invitation to all mandate holders. Tunisia also had acceded to the Optional Protocol to the International Covenant on Civil and Political Rights, efforts that showed its will to break with past practices and take its rightful place among nations.

She said the absence of democracy was being replaced with political changes, allowing Tunisia to open its society. The Government had been working for democracy, plurality, respect for human rights and freedoms, and an end to repressive practices. Tunisia also was working to create the foundation for gender equality and guaranteeing women's participation in social and political life. The Government had launched public safety reforms, efforts that would not have succeeded without unity among all national forces to ensure a harmonious and economically stable society. The Government was determined to live up to the hopes of the Tunisian revolution. It aimed to break its ties with the past. The new Tunisia was challenged by social and economic difficulties, and partnerships would be vital in its work to build lasting democracy.

BYRGANYM AITIMOVA ( Kazakhstan) said the world was facing dramatic upheavals in the Middle East and North Africa, driven by people's efforts to realize human rights. That direction demanded that much be done to ensure implementation of the United Nations agenda for promoting and protecting human rights. Democratic transformations were successfully moving forward in Kazakhstan towards a free and open society. However, like every emerging country, it faced occasional social instability. Last December, Kazakhstan witnessed demonstrations fuelled by protesters in the city of Zhanaozen. "Disagreements over working conditions and wages resulted in a social unrest in the western part of Kazakhstan. All precautionary measures were taken to maintain the necessary facilities and services, together with guaranteeing decent employment to the displaced workers," she said, adding that investigations into causes for "this temporary dissent" were conducted in a transparent manner.

As a candidate to the Human Rights Council for 2013 – 2015, Kazakhstan would spare no effort in enhancing the mandate and effectiveness of the Council, and would highly appreciate the support of Member States at the forthcoming election. Since its independence, Kazakhstan had aimed to be part of multilateral efforts and global processes, especially those that sought to promote inalienable rights and freedoms, she said, highlighting key comprehensive legal reforms such as its National Human Rights Action Plan. Those strategic activities were meant to establish more effective, consistent and coordinated policies, incorporating recommendations by Special Rapporteurs and treaty bodies on human rights.

MONIA ALSALEH ( Syria) said her country had recently experienced terrorist acts supported by Arab countries, as well as regional and international forces. Such acts had been accompanied by misleading media campaigns targeting Syria, and enforcement of unilateral measures taken outside of international legitimacy. Syria had carried out a series of reforms aiming to realize a better future, especially political reforms that related to "the new face of Syria", and aimed to create peaceful change based on comprehensive dialogue. Syria had accepted Kofi Annan's six-point plan and "the Geneva document" through its open door policy to find a peaceful solution to the crisis, away from foreign intervention. Syria would carry out its reforms to build a democratic society - "a Syrian experience built by Syrians themselves".

Attempting to deny Syria the fruits of its gains, some European Union and Arab countries and the United States, had imposed unilateral economic measures outside of international legitimacy, she said, which had forced thousands of companies into bankruptcy and driven thousands of Syrians into unemployment. The Vienna Programme of Action called for monitoring the implementation of human rights measures vis-à-vis those living under foreign occupation. She urged paying priority to crimes of foreign occupation and outlined activities against Syrians in the Occupied Syrian Golan in that regard. As regards the United States' statement yesterday, she said that country's delegate should wake up from his deep political coma and refrain from extremist preaching. Syrians had fled because that country was funding terrorism in Syria.

BEN YOUSIF ( Kuwait) said he welcomed the hope that the Assembly could achieve its objectives to strengthen the path to peace and denounce conflicts, regardless of peoples' ethnic or religious background. Recent attacks by racist groups that had malicious and hateful ideas were impeding economic advancement, and the attacks against religious symbols and beliefs were clear violations of international instruments. One of the principles of the United Nations was promotion and protection of human rights and fundamental freedoms regardless of origins or beliefs, and Kuwait supported efforts in that regard, encouraging dialogue between civilization through media and educational programmes. Kuwait was not content to simply write human rights into its legislation, it had also implemented human rights into its school and cultural programmes.

Kuwait had condemned provocations aimed at Muslim peoples through media that was blasphemous against the Prophet; the film "The Innocence of Muslims" and acts like it must be combated as acts of hatred. The gravity of those events must be combated as rapidly as possible, as they could lead to increasing differences among people. The United Nations Educational, Scientific and Cultural Organization (UNESCO) executive board adopted during an October meeting a text submitted by Kuwait, which established its indignation on blasphemy aimed at Islamic regions. Meanwhile, the practices and policies of Israel violating the human rights of the Palestinian people, as well as restrictions on Palestinian

movements through territories and lands and construction of Israeli settlements, were contrary to international law, the Geneva Convention and United Nations texts and resolutions.

GUILLERMO RISHCHYNSKI ( [Canada](#) ) was deeply troubled by Iran's continued failure to fulfil its domestic and international human rights obligations. Iranian authorities continued to violate the rights of members of religious minorities such as the Beha'i, Christian, Zoroastrian and Sufi communities and he would continue urging Iran to respect its people's rights and dignity. He strongly condemned the widespread human rights violations and violence committed by the Assad regime against the Syrian people, and was particularly concerned by reports of the Syrian army's targeting of civilians. All parties to the conflict must respect international law and ensure civilian protection. Canada had imposed tough sanctions on the Assad regime and he called on the Council and the global community to do the same, as well as cooperate with the Joint Special Representative. Concerning the Democratic People's Republic of Korea, he said it must end immediately its abysmal human rights record, particularly arbitrary detentions. Also, he was concerned by Belarus' measures to limit political and civil rights, including restrictions on media freedom, politically motivated prosecution of the opposition and suppression of peaceful protests. He called on that country to respect human rights, democracy and the rule of law.

"Our collective efforts will not achieve their intended results if some countries continue to disregard their international obligations and do not undertake serious efforts to bring about much needed changes," he said. His Government was concerned by restrictions on freedom of religion worldwide. It recently co-hosted a high-level General Assembly side event titled "Freedom of Religion or Belief: An Individual's Choice". Canada's Foreign Minister had given high priority to advocating for women's full participation in society. But, girls and women continued to be at greater risk for violence than boys and men. Canada would continue to work with others to end the practice of early and forced marriage. Also, too many countries had regressive, punitive legislation that criminalized homosexuality. He encouraged all States to decriminalize homosexuality and confront crimes and violence against people based on their sexuality.

AHMAD ARIEF ADNAN ( [Indonesia](#) ) said his country was "an archipelago of peace", as the world's third-largest democracy, and was proud of its diversity. Indonesia had taken steps to mainstream human rights values into its cooperation with the Association of South-East Asian Nations (ASEAN), including through the ASEAN Commission on the Promotion and Protection of the Rights of Women. More broadly, "We encourage one another to make progress," he said, supporting changes being made in Myanmar. The Bali Democracy Forum would hold its fifth annual session this week.

He said Indonesia celebrated its diversity of culture and religions, and as such, fervently called for respecting peoples of different faiths. His Government was disheartened by growing instances of intolerance that could breed hatred. He also underlined the importance of strengthening the treaty body system, saying Indonesia would contribute to dialogue and negotiations to consolidate the capacity of that system to fulfil its tasks under the relevant international treaties and help States to fulfil their obligations. Such efforts reflected Indonesia's commitment to human rights and democracy.

SEMUNGUS HABTEGIYORGIS ( [Ethiopia](#) ) said that the essential provisions related to human rights and fundamental freedoms constituted the bedrock of Ethiopia's constitution. To fully realise human rights nationally, Ethiopia had set up a National Steering Committee entrusted with devising a national action plan. That plan was to ensure human rights were upheld and that all citizens had access to education and health. It was also designed to promote democracy, good governance and human rights, which constituted a major component of the country's Five Year Growth and Transformation Plan.

In fulfilling the obligations of human rights treaties, he said Ethiopia had submitted national reports under those instruments and had specifically presented its national human rights report under the universal periodic review of the Human Rights Council. From that review, Ethiopia had accepted most of the Council's recommendations related to the different human rights treaties to which it was party. Further, Ethiopia's plan to run for election to the Council for the 2013 – 2016 term was a concrete expression of the country's commitment to human rights. The Government of Ethiopia had also extended its full cooperation to the chairs of human rights treaty bodies to hold their twenty-fourth meeting last June in Addis Ababa. During their stay, they had held constructive discussions about Ethiopia's activities under human rights treaties with ministers and senior government officials. Such a dialogue would help to enhance cooperation between the relevant government organs dealing with human rights.

NICHOLAS EMILIOU ( [Cyprus](#) ) said his remarks would focus on grave violations of human rights in the occupied part of his country. Since the Turkish military invasion of 1974, the United Nations had responded with numerous resolutions, yet 38 years later, Turkey's mass violations of human rights and fundamental freedoms continued. Regrettably, three quarters of the population continued to be internally displaced persons – the highest rate in the world. Relevant resolutions had called for full restoration of human rights and fundamental freedoms for the population of Cyprus. The continued violations by Turkey were too numerous to address in the given time. The most worrying developments over the past year



included poor living conditions of those in occupied areas, who were submitted to constant harassment and lack of freedom of movement.

The policy of confiscations of homes had intensified in 2011, while enclaves and displaced persons also experienced violations of their fundamental right to religion and numerous observers had found freedom of movement totally restricted in the so-called military zones, he said. One of the most pertinent issues from the invasion was that of missing persons, which had extended the suffering of the families forced to live in pain and suffering without their beloved ones. The issue ascertaining their fate went beyond the Committee of Missing Persons; a more forthcoming approach allowing access to military areas in the north was needed. Moreover, he said, the continuous arrival of settlers from Turkey violated the Geneva Convention, as they attempted to alter the demographics of Cyprus. The continuing occupation of more than a third of its territory had been denying the Cypriot people their rights for too long. The Government of Cyprus was ready to immediately resume negotiations.

RI TONG IL (Democratic People's Republic of Korea) said respect for national sovereignty should be strictly observed. Aggression against sovereign States and interference in their internal affairs were grave human rights violations. Yet, Western countries invaded other countries under the cloak of protecting human rights. Politicization, selectivity and double standards should be rejected. Western countries criticized human rights in countries with different political ideas and social systems, behaving as human rights judges. Country specific resolutions were the most striking example.

He said past human rights violations should be resolved, noting that Japan had not recognized responsibility vis-à-vis its military occupation during the last century. Even today, Japan committed discrimination and human rights violations against Koreans in Japan. He urged Japan to clearly settle with the past. His Government held the people-centred idea of "Juche" as its guiding principle and adhered to a policy of continuously promoting and protecting fundamental freedoms and human rights.

Mr. RAHMAN ( Iran ) said the pursuit of cultural supremacy was taking new and complex forms, which tarnished other systems in favour of their own values. That caused a major setback to the promotion of human rights and the cultural enrichment of humankind. Every day the world community heard of new challenges hindering the realization of human rights and lack of respect for other's traditions. In the course of recent years, the steady trend had emanated with malicious intentions towards other religious sanctities. Regretfully, some had recently insulted Muslim sanctities by releasing on the internet a film - a repugnant act that represented an irresponsible use of freedoms under international human rights law.

Clearly, the film was part of an ongoing anti-Muslim movement aimed at giving rise to intolerance and incitement to religious hatred and violence, normalizing growing intolerance towards Muslims and imposing religious discrimination. It affirmed once more that States needed to uphold their obligations under international human rights law on incitement to religious hatred, and required action on international human rights through the United Nations machinery. Those acts eroded the position of various Government and intergovernmental initiatives, including those aimed at a dialogue among cultures and civilizations. It was, therefore, imperative to renew the commitment to dialogue and understanding, he said.

FRANCIS ASSISI CHULLIKATT, Permanent Observer for the Holy See, said religious freedom was the pinnacle of all other freedoms, and included the freedom to follow one's conscience in religious matters, to worship and to manifest one's beliefs in public. There was alarming data on patterns of gross violations of the right to freedom of religion worldwide. Christians were not the only victims, but were the most persecuted. Violent attacks against places of worship and Christian communities at prayer this year alone had killed hundreds of people in various countries. He urged a more effective response by Governments in terms of public awareness and preventive action.

He said healthy secularity supported freedom of religion. The basis of a constructive relationship between politics and religion was a sound understanding of human nature and full respect for inalienable human rights. He expressed concern about fundamentalism, which was born from a defective understanding of religion, flourished in economic and political instability and was characterized by its readiness to manipulate others. It could afflict all faith communities and sought to gain power – for political reasons – over religion itself. "This is not religion at all", he said. It contradicted the very essence of religion. The essential message of religion was diametrically opposed to violence.

Taking the floor a second time to address a different agenda sub-item, DIMITRIS CARAMITSOS TZIRAS (Greece) said for well over 38 years, the human rights and fundamental freedoms of the people of Cyprus had continued to be violated, as a result of the 1974 Turkish military invasion and occupation of 37 per cent of the territory of the Republic of Cyprus. Regrettably, that deplorable situation had yet to be adequately addressed, despite the large number of relevant Security Council and General Assembly Resolutions. The issue of missing persons was of particular significance, and of high sensitivity to

Greece, since 64 of its citizens were included among the missing. Greece had high expectations and was looking forward to the progress of the bi-communal Committee on Missing Persons, but the issue could not be dealt with through the Committee alone. The European Court of Human Rights ruled in 2001 that Turkey had failed to investigate effectively Greek Cypriot missing persons, and called for it to provide all available information.

To this day, Turkey needed to address that humanitarian issue. Almost 200,000 Greek Cypriots also continued to live as displaced persons, as Turkey prevented them from returning to ancestral homes and exercising property rights. The massive, illegal sale of Greek Cypriot properties had exacerbated the problem and the influx of Turkish settlers into the occupied area aimed to change the demographic composition of Cyprus, violating the Geneva Conventions. Another issue of grave concern remained - widespread looting and destruction of the cultural and religious heritage of Cyprus in the occupied area affecting more than 500 Greek Orthodox Churches and many monasteries. Inter-communal negotiations under the auspices of the Good Offices Mission of the UN Secretary-General were the only way to achieve a mutually acceptable, comprehensive, viable, functional and just settlement of the Cyprus problem. Turkey held the key to such a settlement, he said, expressing hope that it would decide to face its responsibilities by terminating its illegal occupation and demonstrating true willingness to redress its hitherto unacceptable attitude and record of human rights respect in Cyprus.

#### Introduction of Texts on Social Development

The Committee turned its attention to the introduction of 12 draft resolutions submitted under its agenda item on social development.

On behalf of the "Group of 77" developing countries and China, Algeria's delegate introduced a draft resolution on "Implementation of the outcome of the World Summit for Social development and of the twenty-fourth special session of the General Assembly" (document A/C.3/67/L.11), saying that the text acknowledged that more must be done to achieve the three goals of poverty eradication, promotion of full employment and decent work, and social integration.

He said the text also underlined the importance of international support for national capacity-building in social development. International efforts should be enhanced to create enabling conditions for social development, notably towards a solution to the external debt problem. It also included new references to the United Nations Conference on Sustainable Development — "Rio+20". It also referred to a text adopted during the high-level segment of the Economic and Social Council's 2012 substantive session.

Next, Algeria's delegate, on behalf of the Group of 77 and China, introduced the draft resolution on "Preparations for the observance of the twentieth anniversary of the International Year of the Family" (A/C.3/67/L.12), saying that the occasion provided a good opportunity to revitalize the Year's objectives and draw attention to the need for a people-centric approach to development issues. The Group had ensured that no contentious elements were contained in the draft. It was based on the Assembly's last resolution on that issue, document A/66/126, with new paragraphs included from the 2012 session of the Economic and Social Council.

Algeria's delegate, on behalf of the Group of 77 and China, then introduced the draft resolution entitled "Follow-up to the Second World Assembly on Ageing" (document A/C.3/67/L.13), which he said acknowledged urgent action was needed to speed implementation of action plans. It encouraged the international community, including donors, to support national efforts to eradicate poverty, while bearing in mind that states had primary responsibility for their own economic and social development. The text took note of the Open-ended Working Group on Ageing and requested the Secretary-General to provide support to that Working Group in 2013. He looked forward to its adoption by consensus.

Following those introductions, the Netherlands' representative introduced a draft resolution on "Intensification of efforts to eliminate all forms of violence against women" (document A/C.3/67/L.19), saying that violence against women was an issue that crossed all barriers, impeding the ability of women and girls to enjoy their rights. Estimates were that 17 to 38 per cent of women around the world had suffered from violence, mostly at home. It was high time for States to take action to end such abuse and ensure justice for women who had been victims. He said both France and the Netherlands hoped that negotiations on the text would be fruitful. Indeed, inclusiveness was important, in that broad support was a building block for a strong negotiating basis next year.

On the issue of children, Uruguay's delegate next introduced a draft resolution on "Rights of the child" (document A/C.3/67/L.23), saying that the text would be enriched by ongoing consultations on that issue. In the text, emphasis had been placed on challenges to the full enjoyment, such as discrimination, poverty, rights to education, health, food, a life without violence, and sexual exploitation. It also considered the special needs of children living in difficult situations and in situations of armed conflict. He

requested the support of all delegations in ongoing consultations. He hoped the text would see a high level of co-sponsorship.

Turning to indigenous issues, Bolivia's delegate introduced the draft resolution on Rights of Indigenous Peoples (document A/C.3/67/L.24). He said the United Nations Declaration on the Rights of Indigenous Peoples was a landmark in the Organization's history and for the more than 370 million indigenous inhabitants of the world. The preambular part of the text contained agreed language, referring to a 2012 General Assembly resolution on the organization of a high-level plenary meeting — the "World Conference on Indigenous Peoples" — on 22-23 September 2014. It called on the Secretary-General to prepare a report on the achievement of the goals and objectives of the Second International Decade of the World's Indigenous People (2005-2014). He called on all delegations to co-sponsor the draft.

Next, Pakistan's delegate introduced the draft resolution entitled Universal realization of the right of peoples to self-determination (document A/C.3/67/L.29). He said realization of that right was sine qua non for enjoyment of all other rights. The 1993 Conference on Human Rights in Vienna, among others, affirmed all peoples' right to self-determination in situations of foreign occupation. The text was similar to the consensus text adopted during the Assembly's sixty-sixth session, except for a few technical considerations. It had traditionally been a consensus resolution and he hoped it would be again this year.

Sweden's delegate, also on behalf of Mexico and New Zealand, introduced the draft resolution on Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (document A/C.3/67/L.25). He said the Convention had 126 States Parties, with Afghanistan as the newest. "This is a fantastic development", she said. Last year, through a resolution in the Third Committee, the Committee on the Rights of Persons with Disabilities was granted one additional week of meeting time. Last year's resolution was adopted by consensus with a large number of co-sponsors.

Had the Third Committee not granted an additional week, she said the waiting time to have an initial report considered would have been 15 years. Thus, she asked support for today's text, which requested the granting of two extra weeks of meeting time and two weeks of pre-sessional time for the Committee on the Rights of Persons with Disabilities.

Denmark's delegate introduced the draft resolution on Torture and other cruel, inhuman or degrading treatment or punishment (document A/C.3/67/L.26), noting that negotiations on the text were ongoing. The right to life without torture was a non-derogable right. In the fight against torture, the role of national and international bodies was acknowledged in the text. Cooperation with States was crucial, especially in ensuring follow-up to recommendations. The text also underlined the importance of investigations, and highlighted the importance of States becoming parties to the Optional Protocol of the Convention. She expressed hope the text would be adopted with the Committee's strong support.

On broader human rights issues, Qatar's delegate introduced the draft resolution on United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region (document A/C.3/67/L.27). He said the Centre conducted its work in line with international human rights standards. Since its creation, the Centre conducted consultations on trafficking in persons, information and human rights monitoring. It had taken on increased importance because of regional developments. The host country had provided various kinds of support to the Centre, and there was now a need for United Nations support. He hoped the text would be adopted by consensus.

Morocco's delegate introduced a draft resolution on The Role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights (document A/C.3/67/L.28). He said the text followed the Secretary-General's report on those matters, which took stock of national and international measures in the implementation of General Assembly resolution 65/207 (2010). It called on States to set up an ombudsman, mediator and other national institutions to promote the protection of human rights. It also encouraged States to endow those bodies with a legislative framework and appropriate resources so they could legitimately discharge their duties. It did not compel States to take those actions, but rather recognize the importance of doing so.

Rounding out the introductions, Uganda's delegate introduced the draft text on United Nations Institute on the Prevention of Crime and the Treatment of Offenders (document A/C.3/67/L.17 Rev.1), which updated the previous resolution on that matter. The Institute promoted cooperation among African States, academia and non-governmental organizations in the field of justice and crime prevention. Amendments to the text reflected new information from the Secretary-General's report. It introduced a new paragraph to recognize the growing shift in focus from punitive to correctional measures. It called for use of alternative remedial measures, using local traditions, counselling and other measures, such as community service and mandatory vocational training.

#### Statements

ZWELETHU MNISI ( Swaziland) said that his country's constitution guaranteed human rights drawn from the Universal Declaration and a range of other international instruments. The latest such instruments to be ratified included, in September 2012, the disabilities Convention and its Optional Protocol and the optional protocols to the children's rights convention on trafficking in children and their involvement in armed conflict, respectively. Freedom of expression was exercised by all in grass-roots consultations, called *Sibaya*, such as the week-long one that was held recently on issues of national development. He added that human rights were understood in a moral framework rooted in the dignity of the human person, and they were expected to be exercised in a way that did not impinge on the rights of others. For example, freedom of expression was guaranteed provided it was not coupled with defamation of persons, cultures and religions.

Greater importance, he said, should be attached to the right to development, so that everyone could enjoy the benefits of globalization, with more attention paid to such rights as the right to life, the right to food and the right to safe drinking water, with international cooperation promoted in that context and developed countries doing more to honour their commitments in terms of development assistance, technology transfer, debt reduction and market access. In that regard, true development necessarily involved respect for human life and dignity. He reaffirmed his Government's commitment to the full respect for all universal, indivisible and interrelated human rights, international law and all the principles outlined in the Charter of the United Nations.

WANG MIN ( China) said serious discrimination still existed, as did double standards and politicization of human rights endeavours. Incidents of religious-based terrorism were on the rise. Some countries were keen on criticizing developing countries and interfering in their internal affairs by using human rights as a pretext. That deeply concerned China. To tackle such challenges, all countries must abide by the Charter, particularly respect for sovereignty and territorial integrity and non-interference in internal affairs. They must also reject politicization and double standards. Some countries always pressured developing countries about human rights issues, while turning a blind eye to human rights violations at home. "China is firmly opposed to such practices and urges those countries to reflect more on their own record and stop their self-righteous lecturing and finger pointing," he said, calling for equality, respect and a spirit of openness and common ground.

Developed countries should demonstrate political will, honour their development assistance commitments and increase financial and technical support for developing countries, instead of criticizing their human rights' situations, he said. He was concerned by the recent video defaming Muslims that provoked widespread protests and opposed any action that offended the religious sensitivities of Muslims. States must enforce a "zero tolerance" policy on racism and not acquiesce to it under the pretext of freedom of expression. Vulnerable groups must be protected to ensure equality and dignity. The Secretariat should, in line with the principle of equitable geographical distribution, increase developing countries' representation in United Nations human rights bodies. The Office of the High Commissioner should enhance objectivity, equitability and transparency and accept the Human Rights Council's supervision. Special procedures and human rights treaty bodies should strictly abide by the Code of Conduct and comply with their respective mandates.

JIM MCLAY ( New Zealand) said that as political change swept across much of North Africa and the Middle East, clear lessons had emerged for Governments and citizens. The first one was that, once it was unleashed, the demand for human rights and human dignity was virtually an unstoppable force. Countries with the most success in navigating those upheavals were those with Governments that had met the demands through a meaningful and inclusive political process. The international community had to extend its full support to assist the process. During last year's debate, New Zealand was one of many delegates that stressed that Governments that applied military solutions to political and social crises risked pushing their countries to the very edge of disaster.

That was exactly what has been seen in Syria, where the plight of ordinary citizens had deteriorated daily and the civil war had destabilized the region. "Within Syria, it was producing wounds which could take generations to heal," he said. While supporting the ongoing efforts of Special Envoy Brahimi, a broad and inclusive political settlement was necessary and had to include a meaningful transition of power. On the issue of women's empowerment, he said no society, local or global, could reach its full potential when it denied basic rights and full participation to more than half its population. Too many women and girls around the world still faced multiple barriers that prevented them from gaining an education, owning property or holding political office. They experienced horrific violence and abuse, particularly if they challenged their state of affairs. Tackling these challenges, and the deeply ingrained attitudes underneath them, was essential, he said.

VLADIMIR LUPAN ( Republic of Moldova) said in the current meeting delegations were witnessing a robust commitment, accompanied by a variety of approaches, demonstrating it was an inexhaustible, complex and multidimensional matter that was a permanent "work in progress". Social and political movements in many parts of the world had revealed the obvious link between fair protection of

human rights and civic participation, on the one hand, and political stability and economic prosperity on the other. "In other words, a sound economy could, but not necessarily is, a good premise for the enjoyment of human rights by all," he said. "The respect for democratic principles, rights to education, freedom of expression, non-discrimination, and so forth, represent the necessary incentives for a true democratic development." The Republic of Moldova passed through turbulent times, and had witnessed the development of increasingly better practices, particularly in the rule of law.

The independence of the judiciary was the primary condition for public trust, order and human rights, as well as a precondition for foreign direct investment and sustainable economic development. The Government was also concerned about the situation of human rights in the Transnistrian region of the Republic of Moldova, where a separatist regime had shown disrespect to people's freedoms. The European Court of Human Rights jurisprudence confirming human rights violations in administration of schools in that region reminded the international community on the existence of breakaway regions, like the one on the left bank of the Nistru River. "These regions represent black spots on the map of human rights and fertile zones for impunity, requiring our utmost attention," he said, adding that the negotiations with the Transnistrian administration offered a favourable platform to address violations and other relevant humanitarian questions.

NKOLOI NKOLOI ( [Botswana](#)) said his State had made significant strides in the promotion and protection of the rights women and children. In 2008, the National Assembly had adopted the Domestic Violence Act, a milestone achievement toward eradicating violence against those vulnerable groups. The Children's Act of 2009 incorporated fully the provisions of the Convention on the Rights of the Child, as well as those of the African Charter on the Rights and Welfare of the Child. The law would not only protect the rights of children, but also promote their physical, emotional, intellectual and social development and their well-being. Recognizing that much more remained to be done, he expressed his Government's commitment to doing all in its power to ensure the full enjoyment of human rights and fundamental freedoms by all of its people. Botswana was preparing for its second cycle of the universal periodic review in January, he added.

While noting that the review mechanism had been a success story and the same could be said for special procedure mandate holders, he warned against "a worrisome trend by some mandate holders to extrapolate their clear mandates to achieve a narrow and sometimes personal agenda." The resolution on a moratorium on the use of the death penalty was "an unacceptable attempt to impose certain norms and values on others," he said. As a party to several human rights instruments, including the International Covenant on Civil and Political Rights, his delegation understood that those instruments did not prohibit the death penalty. Article 6 of the Covenant did not place an obligation on States to abolish that punishment; instead, it only imposed limitations on its application by States that had retained it. The death penalty was not imposed arbitrarily in Botswana, whose people still believed that it was proportionate to the most serious of crimes, and that it still worked as a deterrent. "We are not yet at the stage where we can commit ourselves to a moratorium on the death penalty or its total abolition," he said.

FEODOR STARČEVIĆ ( [Serbia](#)), describing a range of human rights issues that directly or indirectly affect the enjoyment of human rights by individuals worldwide, said it was important not to turn a blind eye to violations of fundamental rights that had been going on in some situations for years. In that regard, he pointed to what he called the grim and difficult human rights situation of Serbs and other non-Albanians in the southern Serbian province of Kosovo and Metohija, over which Serbia had no control since 1999. In particular, he noted the low return rate of Serbs and other non-Albanians who left the area in 1999, and said that the Serbian community that remained had been denied right to life, freedom of movement, property rights, access to public institutions and free use of their mother tongue, among other rights.

He said that attacks on cultural sites of non-Albanians continued unabated, and the minorities remained vulnerable to looting, stoning of vehicles and personal attacks. Restitution of property, he added, remained one of the key unresolved issues, with a high level of property destruction and insufficiently transparent and efficient mechanisms for restitution, which affected many returnees. In addition, there were serious human rights violations described in the Council of Europe's report on illicit trafficking in human organs in Kosovo, which alleged that victims were selected for forced surgery before being murdered, with their organs sold on the black market. His country expected that the ongoing investigation team of the European Union Rule of Law Unit would be conducted professionally, impartially and effectively. Uncovering the truth must remain a top priority. Serbia remained committed to resolving all outstanding issues related to Kosovo in a spirit of compromise and in a manner that led to full respect for, and protection of, the human rights of all inhabitants of Kosovo and Metohija, he stressed.

PALITHA T. B. KOHONA ( [Sri Lanka](#)) said that following the defeat of terrorism in Sri Lanka, his Government had adopted far-reaching measures to consolidate the hard-won peace by further strengthening its democratic institutions and processes, proactively seeking reconciliation and promoting human rights. An outcome of Sri Lanka's engagement with the universal periodic review in 2008 had

been the formulation of a national plan of action for promoting and protecting human rights in line with the 1993 Vienna Declaration and the Programme of Action. It addressed eight thematic areas — civil and political rights, economic, social and cultural rights, children's rights, labour rights, migrant workers' rights, prevention of torture, women's rights and the rights of internally displaced persons. Sri Lanka had already begun implementing that time-bound action plan.

Sri Lanka was of the view that the promotion and protection of human rights could not be accomplished in a "vacuum" and that without improving social, economic and cultural rights, human rights would remain much less meaningful. Sri Lanka's post-conflict challenges included supporting 300,000 internally displaced persons and ensuring their resettlements and restoring security, among others. Tremendous progress had been made in some key areas. The last welfare centre for internally displaced persons had been closed in September after resettling almost 300,000 internally displaced persons in their own towns and villages. A database of all detainees had been established. The United Nations Working Group on Enforced and Involuntary Disappearances had engaged with successive Governments to clear the longstanding backlog of 5,679 cases. Of the roughly 12,000 former Liberation Tigers of Tamil Eelam combatants who had surrendered or had been taken into custody, 10,981, including 594 children, had been rehabilitated and reintegrated with their families and communities. In April, the Government had invited the High Commissioner for Human Rights to visit Sri Lanka. A preparatory team from the Office of the High Commissioner had visited that country in September and was given unfettered access to all locations, including a field visit to the former conflict-affected northern province. In conclusion, he called for constructive, fair, non-selective and objective assessments of its post-conflict situation based on the ground realities.

ARAYA DESTA ( [Eritrea](#) ) said Eritrea had been engaged in the last two decades in healing the wounds of war. Ensuring peace and security, expediting development and preserving people's dignity were among the country's top priorities. It was working to achieve that through economic growth, creation of income-earning opportunities for the poor, enhanced access to essential social services and creation of an enabling environment for human rights and fundamental freedoms. Eritrea had signed and ratified core global human rights instruments, and it had incorporated their provisions into national law and draft law, including laws that criminalized female genital mutilation. Between 1993 and 2010, the Government had promulgated 163 proclamations and 118 legal notices or regulations. National draft codes were in the final stages of translation into local languages. In 2010, the Ministry of Justice set forth a strategic framework for an open, objective and accountable justice system. In the past few years, the Government had made significant progress in guaranteeing the right to food, education and health, reducing maternal and infant mortality and the need for external food aid.

The Constitution and transitional codes guaranteed the inviolability of the inherent dignity of all persons, he said. The transitional penal codes made it a crime to subject persons to torture or cruel, human or degrading treatment or punishment. Violators were severely punished, and had no impunity. The right to religious freedom was protected by law. He rejected any attempt to use human rights instruments as a tool to exert political pressure, as was the case in Geneva last July and September when Eritrea was targeted with sweeping accusations and outdated information. Such an approach had discredited the Human Rights Commission. He hoped the Human Rights Council would not be compromised in the same way. Eritrea took its obligations seriously and was engaged with the Council, including through the universal periodic review. In 2009, several States reviewed Eritrea's human rights situation and his country was working to implement their recommendations. It was scheduled to be reviewed again in 2014.

FOROUZANDEH VADIATI ( [Iran](#) ) said countries claiming to be human rights champions were manipulating human rights issues to serve their biased goals. Canada denied the freedom of expression by cracking down on peaceful protests. She was also concerned at the situation of women, indigenous peoples, Muslims and other minorities. She urged Canada to live up to its obligations under international human rights law.

She said the United Kingdom equipped armed terrorists in the Middle East and North Africa. The European Union had been unwilling tackle human rights abuses at home, including against the Roma. Extremism remained strong around that region. She expressed concern at the United States' prosecution of the "occupied Wall Street" movement. In Australia, she was concerned at the breach of human rights through detentions and the restricting of public speech.

MIGUEL CAMILO RUIZ ( [Colombia](#) ) described his country's efforts to move towards a comprehensive policy to promote and protect human rights and international humanitarian rights, notably through the national plan for 2010-2014 — "Prosperity for All". The national human rights system included a human rights commission, which addressed such issues as citizenship, culture and education, human rights, civil and political rights, international humanitarian law and armed conflict, justice and equality, non-discrimination and respect for identity. There was also a national system for the care and compensation for victims, which dovetailed with the international human rights system.

She went on to say that in December, a national conference on human rights would be held, with participation from State bodies and civil society. Colombia had created a national board and a strategy for strengthening dialogue aimed at forging agreement on the protection and investigation aspects of defending human rights. In 2011, Colombia had created a national agency for protecting judges, human rights defenders, displaced persons and journalists, among others, who were at extraordinary risk. Also, Colombia had taken measures to implement a strategy preventing the use of children and adolescents by illegal armed groups. In December, Colombia would have eight prevention plans for immediate implementation. The challenges were great, but the Government had achieved structural and legal progress to tackle them resolutely.

GILBERT OH ( Singapore ) said it has not been difficult to conclude from the Committee's discussion that the international consensus on human rights had remained fragile. While the idea of human rights had enjoyed universal support, the Committee could not deny that views behind human rights remained highly diverse in a pluralistic world. The diversity of the United Nations membership had to be acknowledged and the Organization's work towards finding common ground on the protection of human rights had to respect the historical and cultural differences of various nations.

As a young city-state with a multi-racial, multi-religious and multi-lingual population, Singapore strongly backed the rule of law to ensure stability, equality and social justice. It believed in balance between the exercise of rights and the bearing of responsibilities. No country or group had the right to impose its position on the rest of the world, he said. "Doing so will only further divide, rather than unite Member States and impede our efforts in finding common ground," he added. But specific national circumstances and aspirations should not be used as an excuse to commit gross violations of human rights. A key purpose of the Committee was to work for mankind's general welfare. "It will be regrettable if the Committee ends up with resolutions that we merely pay lip service to," he added, and urged Member States to be open to the views of other nations and respect their unique circumstances.

LE HOAI TRUNG ( Viet Nam ) said there had been positive developments since last year's General Assembly, including substantive discussions on the strengthening of the treaty body system and endorsement of the human rights policy in all United Nations peace operations and political missions. At the same time, people worldwide felt even more acutely the negative impact of the global financial and economic crisis on their enjoyment of rights to decent work, development, health care, education, basic social services and others. New difficulties arose in reduction of poverty — one of the greatest challenges of our times — leading to policies and practices of discrimination. "The recent release of an insulting video related to Islam is another intolerable indication of the abuse of the right to freedom of expression and freedom of the press to incite religious and ethnic hatred or to cause public disorder," he said. International human rights law and national legislatures must establish and require a balance between rights and duties.

Viet Nam considered people the driving force and ultimate goal of national development; it had been a decisive factor for the country to overcome the enormous challenges, both in the struggle for national independence and ongoing comprehensive reforms. Over the last five years, Viet Nam's poverty rate had been reduced to 9.5 per cent, while there had been numerous policies on universal access to education and improvement of healthcare. The Vietnamese Government also gave high priority to legal, administrative and judiciary reform to better ensure people's rights, and had established dialogue mechanisms for cooperation with the United States, European Union, Australia, Norway and Switzerland. "Protection and promotion of human rights is a long and continuous process, requiring not only efforts of the Government, but also the participation of every citizen in society," he said.

SEWA LAMSAL ADHIKARI ( Nepal ) said her country valued promotion and protection of human rights, and had established the National Human Rights Commission as a watchdog, conducting inquiries and investigations into alleged violations and making recommendation for action against perpetrators. Nepal was also strengthening all national institutions related to human rights, including those related to indigenous peoples and women. The right to development was also central to Government efforts, she said, calling on the international community for concerted efforts to translate commitments in the Declaration on the Right to Development into reality, ensuring inclusive and participatory development for all peoples in the world.

Nepal's independent jury was another important institution to safeguard rights and fundamental freedoms, while independent media and civil society organizations had been playing an important role creating awareness about those issues. "As we live in an interconnected world, it is important that the international community make serious efforts to protect the rights of all migrant workers and members of their families," she said. "Growing incidents of xenophobia and intolerance tend to undermine human rights of migrant workers in various parts of the world."

MICHELE KLEIN SOLOMON, International Organization for Migration, said it was important to recognize that at all times and at all places in the world, migrants' rights were human rights. Today she wanted to make two points concerning the report of the Special Rapporteur. First, migration must be part of the response to climate change. Instead of being solely misperceived as a failure to adapt to a changing environment, it could be viewed as an important adaptation strategy to climate and environmental change. Second, recalling that States had the obligation to protect the human rights of all individuals under their jurisdiction, she said protection of migrants' human rights was essential to good migration management. It needed to be fully integrated into national legislation and policy, frameworks, and government officials needed to be properly trained in how to respect and protect migrants' human rights in practice.

She said the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families provided States with important guidance on how to make migrants' rights a reality. The majority of obligations under the Convention had constituted a consolidation of existing human rights obligations toward migrants and were, therefore, already binding on most States, whether or not they had ratified the Convention. Also, the particular vulnerabilities of migrant domestic workers must not be overlooked, she said, adding that many of them were trapped in difficult situations and faced problems in seeking redress in criminal justice systems due to their isolation in private homes and the lack of protection for them under labour laws. Further, it was essential to address the mega trends outlined in the report of the Special Rapporteur on the human rights of internally displaced persons, since those trends resulted in large-scale displacement. Noting the increase in the number of States who were incorporating the Guiding Principles on Internal Displacement in their national legislation, she said International Organization for Migration was committed to working with those Governments in their implementation efforts.

#### Right of Reply

Speaking in exercise of the right of reply, Syria's delegate said the culture of human rights had been infected with a serious disease when European Union countries introduced it as a product to export to others. They had forgotten their "far from honourable conduct" in respect of human rights, especially towards Roma and Muslim communities. Syria had not heard any apologies for its dark history. She was also surprised by Canada's call for protection of the freedom of religion when it had committed crimes against indigenous peoples in Canada, forcing indigenous children to wear Christian clothes. She also called for New Zealand to protect the Maori.

Turkey's delegate said Greece's delegate tried to convince the Committee that the years between 1963 and 1974 had never been lived. In those years, Turkish Cypriot communities were considered under a veritable siege, with 180,000 of them forced to live in enclaves that covered only 3 per cent of the island. In 1963, Turkish Cypriots had been ousted at gunpoint from the Government. An "ethnic cleansing plan" was put into effect, designed to deprive them of their constitutional safeguards. It aimed to hijack Cyprus.

Contrary to the Greek delegate's comments, he said the only occupation was a decades-long occupation of the Government by the Greek Cypriot side. Human rights violations continued today. In 2004, Turkish Cypriots had voted in favour of the United Nations settlement plan. But, despite the fact that they had voted for a solution, they still lived in unacceptable isolation, under inhumane restrictions. Efforts to end those restrictions did not contravene United Nations resolutions. He called for direct economic, commercial and social contacts without delay.

Israel's delegate said the Palestinian delegate had painted a one-sided picture of the conflict. One must keep in mind the threat from Hamas and Islamic Jihad, who fired rockets at Israeli civilians in gross violation of their human rights. Israel had erected a security fence, which had been effective in preventing Palestinian suicide bombers from entering Israeli cities. In the midst of those conditions, innocent civilians on both sides suffered.

Just as Palestinians had the right to free movement in Ramallah, Israeli children had the right to ride a bus in Tel Aviv without the threat of a suicide bomber. Israel had an open society in which such dilemmas were addressed daily by civil society, the media and one of the world's most impartial judicial systems. He called for negotiations without conditions. The road to a two-State solution ran through Jerusalem and Ramallah. "It does not run through New York," he said.

Cyprus's delegate said he regretted that Turkey's delegate had chosen to resort to false accusations to divert attention from the issues at hand. The answers to the points raised could be found in numerous United Nations resolutions. He addressed the myth of the so-called isolation of Turkish Cypriots. As full citizens of Cyprus, they enjoyed all the rights of Cypriot and European Union citizens. He said 95 per cent of Turkish Cypriots used Cypriot passports to move freely in Cyprus and the entire European Union. They enjoyed worldwide consular and diplomatic assistance.



As a unilateral confidence-building measure, he said Cyprus allowed Turkish Cypriots to receive free medical care. In the last few years, Turkish Cypriots also had benefitted from millions of Euros in economic assistance. "Actions speak louder than words," he said. Turkey continued to occupy a significant part of a sovereign country in flagrant violation of the United Nations core values. Its army denied Greek Cypriots their basic human rights. It should apply all United Nations resolutions, recall its troops from Cyprus and restore all rights.

Japan's delegate said remarks by the Democratic People's Republic of Korea on issues of the past were groundless. Japan had caused the suffering of people in many countries. Sincerely facing those facts, Japan had expressed deep remorse and issued an apology. Japan had maintained the principle of resolving all matters through peaceful means. As for property and claims, he pointed out that in the 2002 Pyongyang Declaration, Japan and the Democratic People's Republic of Korea had agreed that, once bilateral relations normalized, both sides would mutually waive all property and claims — and those of their nationals — arising before 15 August 1945, deciding instead to discuss property and claims in normalization talks.

As for the human rights of Koreans in Japan, he said it was unclear what the Democratic People's Republic of Korea was referring to: all persons in Japan, regardless of nationality, must observe Japanese laws. Japan's constitution guaranteed the equality of all people under the law. Japan had aimed to create a society without discrimination. Japan was committed to pursuing its basic policy to normalize relations, in line with the Pyongyang Declaration, and address abduction and nuclear issues, among others. He strongly urged the Democratic People's Republic of Korea to take concrete action.

The Democratic People's Republic of Korea's representative said his delegation strongly rejected the statement of Canada as groundless and part of the hostile policy of the United States against his country. It also strongly rejected remarks by the Japanese delegation as a clear attempt to divert the attention of the meeting and avoid responsibility for past crimes. Japan's policies were only lip service; an expression of apology without compensation had no effect. The Democratic People's Republic of Korea was willing to normalize relations with Japan, if it resolved its past and ended its hostile policies.

The representative of Japan said he would refrain from entering into a detailed rebuttal simply because he had already spoken clearly on his Government's position. However, he would like to repeat a statement he had made the day before yesterday: it was regrettable the Democratic People's Republic of Korea had not responded with concrete actions to the concerns by the international community — instead of merely exercising the right of reply.

The representative Democratic People's Republic of Korea strongly rejected the remarks of the Japanese delegation, which misled the meeting. The main purpose of that was to avoid State responsibility for past crimes, so he reminded the Committee of the 1996 report of the Special Rapporteur on violence against women, which emphasized that the Japanese Government should accept responsibility for its violations during the Second World War and pay compensation for sexual slavery, make a public apology to individual women and raise awareness of the issue through revising its education curriculum. Japan must recognize its crimes against humanity, he said.

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