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Chair: Mr. Kováčik (Vice-Chair) (Slovakia)

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The meeting was called to order at 10.05 a.m.

Agenda item 74: Promotion and protection of human rights (*continued*) (A/73/40, A/73/44, A/73/48 and A/73/56)

- (a) **Implementation of human rights instruments** (*continued*) (A/73/140, A/73/207, A/73/264, A/73/281, A/73/282 and A/73/309)
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- (c) **Human rights situations and reports of special rapporteurs and representatives** (*continued*) (A/73/299, A/73/308, A/73/330, A/73/332, A/73/363, A/73/380, A/73/386, A/73/397, A/73/398 and A/73/404)
- (d) **Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (*continued*) (A/73/36 and A/73/399)

1. **Ms. Tripathi** (India) said that Indian social activist Hansa Mehta was responsible for the gender neutral wording of the first article of the Universal Declaration of Human Rights, whose principles were enshrined in the Indian Constitution. By placing economic, social and cultural rights on the same level as civil and political rights, the Vienna Declaration and Programme of Action had laid the foundation for future international development agendas, including the 2030 Agenda for Sustainable Development. Development priorities and societal contexts would continue to define national paths to the realization of human rights. In that process, it was vital to strike a balance between the right to development and civil and political rights.

2. The United Nations was witnessing an erosion of faith in its ability to achieve equality and dignity for all. Indeed, its overly aggressive, intrusive attempts to impose human rights had often proved counterproductive. It would be better served by an approach based on dialogue, consultation and

cooperation and guided by the principles of non-selectivity and transparency, as demonstrated by the success of the universal periodic review. Given the proliferation of human rights mechanisms, the Member States should give careful attention to streamlining the human rights system. They should also ensure transparent funding and a balanced geographical distribution of treaty body staff.

3. India was a democratic, pluralistic State with a secular polity, an autonomous judiciary, a vibrant civil society, a free media and independent human rights institutions. It had presented numerous universal periodic reviews as well as a voluntary national review. Respect for the rights of individuals and communities informed all aspects of its development strategies.

4. **Mr. González Behmaras** (Cuba) said that his Government stood ready to cooperate with all United Nations bodies and institutions that promoted universal human rights in a non-discriminatory manner and would do so on the basis of General Assembly resolution 68/268, with the understanding that no new mechanisms would be established beyond its scope. Cuba reaffirmed its openness to dialogue based on mutual respect, acceptance of sovereign equality and recognition of the right of peoples to choose their political systems and institutions.

5. The treaty bodies should not create obligations beyond those contained in the treaties, and their chairs should refrain from adopting polarizing or divisive guidelines that lent themselves to subjective, biased or selective application. To function effectively and objectively, they should have geographically diverse membership.

6. Cuba reaffirmed the validity of the Vienna Declaration and Programme of Action. In promoting human rights, his Government would continue to defend the principles of mutual respect, truth, justice, universality, impartiality and non-selectivity and to advocate higher priority for the problems of extreme poverty, illiteracy and lack of access to health care, education and food, which were characteristic of the unjust international economic order.

7. Cuba would continue to promote international cooperation in the field of human rights. Its exemplary record in international cooperation gave the lie to the statement delivered by the representative of the United States of America, whose arrogant and confrontational approach did nothing to advance human rights. The United States lacked the moral authority to teach human rights lessons, given its pattern of systematic human rights violations, including torture, arbitrary detention, the murder and maltreatment of African-Americans, the

killing of civilians during interventions and occupations, the detention of child migrants and the promotion of supremacist, racially discriminatory and xenophobic ideas.

8. Cuba continued to oppose the politically motivated targeting of selected developing countries, which was inspired by the hegemonic interests of certain powers. It considered the universal periodic review to be the appropriate instrument for addressing the human rights situation in all countries without distinction or politicization. It opposed the unilateral blacklisting of countries alleged to have committed human rights violations, which was contrary to the Charter of the United Nations and only served to justify aggression and unilateral coercive measures against developing countries.

9. The United States was responsible for heinous human rights violations, from the bombing of Hiroshima and Nagasaki to wars of aggression and conquest, secret prisons, kidnappings, torture in concentration camps and drone-executed extrajudicial executions. His Government strongly condemned aggression of any kind, including the illegal economic, commercial and financial embargo that the United States had maintained against Cuba for more than 50 years. The realization of all human rights and respect for different cultures, religions, beliefs and political, economic and social systems should form the cornerstone of United Nations action.

10. **Ms. Ahmed** (Bahrain) said that her country's commitment to the promotion and protection of human rights was enshrined in its laws and Constitution. Bahrain believed that no one must be allowed to operate above the law and its courts guaranteed fair trials in accordance with international standards.

11. The Government of Bahrain had adopted laws to strengthen the rights of migrant workers in the country, who, inter alia, enjoyed the rights to change employer, to strike, and to freedom of assembly and association. Bahrain had, moreover, been upgraded to Tier 1 status in the 2018 Trafficking in Persons Report, issued by the State Department of the United States of America, in recognition of its longstanding commitment to combating human trafficking. Bahrain was also striving to promote gender equality and uphold the rights of women, including their political, economic, social and cultural rights, in accordance with the Constitution, national laws and the provisions of Islamic sharia. Bahraini women participated in numerous international forums and bodies concerned with women's rights and, in 2017, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the

Bahraini Supreme Council for Women had launched the Princess Sabika Bint Ibrahim Al Khalifa Global Award for Women's Empowerment to highlight outstanding efforts to that end by individuals, organizations, companies and States. UN-Women had, moreover, established a programme office in Bahrain in 2017, which was providing additional support to national efforts to promote the interests of women.

12. Bahrain served as an example of how States could successfully foster religious tolerance and peaceful coexistence. His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain has had established the King Hamad Global Centre for Peaceful Coexistence, while the Kingdom of Bahrain Declaration called for collaborative efforts among all relevant stakeholders to strengthen freedom of thought and belief worldwide. The King had also established the King Hamad Chair in Interfaith Dialogue and Peaceful Coexistence at Sapienza University in Rome, Italy to promote dialogue, peace and interreligious understanding.

13. **Mr. Mikayilli** (Azerbaijan) said that his country had acceded to almost all of the core human rights treaties, was up to date in its treaty body reporting and continued to work to bring its legislation into compliance with the treaties. A founding member of the Human Rights Council, Azerbaijan contributed actively to the Council's work. It strongly supported the universal periodic review, which examined human rights in all States on an equal footing. It had submitted voluntary midterm reports and had presented its universal periodic review for the third reporting cycle. In September 2018, a working group of relevant deputy ministers had been established to prepare periodic reports for presentation to the treaty bodies and the Human Rights Council and to oversee the implementation of recommendations. Azerbaijan had extended a standing invitation to the special procedures mandate holders and was one of 19 countries that had hosted at least five visits in the past five years.

14. **Ms. Singh** (Singapore) said that her Government considered securing the social and economic development of its people essential for realizing their human rights. In Singapore, multiple ethnic and religious communities lived peacefully side by side, thanks to a consistent focus on social integration and an impartial and independent judicial system. Every citizen was equal before the law, which strictly penalized expressions of racial or religious intolerance or hatred. In the view of Singapore, freedom of expression carried responsibilities, and fine-tuning the balance between individual rights and social responsibilities was an ongoing exercise. Its approach had had tangible benefits. Singapore ranked ninth in the 2017 human

development index of the United Nations Development Programme and among the top three countries in the Asia and Pacific Region in the 2017–2018 Rule of Law Index of the World Justice Project. Nevertheless, its approach might not work for others, and no one country or grouping should attempt to impose its views on another. Progress on human rights could be achieved only through dialogue, constructive engagement and mutual respect.

15. **Ms. Rasheed** (Observer for the State of Palestine) said that Israel continued to violate the rights of the Palestinian people with impunity on a daily basis. The past year had seen confiscations of land, non-stop demolition of Palestinian homes, expansion and construction of settlements, extension of the wall, intimidation, settler terror and violence, attacks on holy sites, arrests, detentions and military raids, some resulting in death or injury. The occupying Power also inflicted collective punishment, including the 10-year illegal blockade of the Gaza Strip, which had created a health and humanitarian crisis. Those policies and practices constituted clear violations of international law and in some cases war crimes or crimes against humanity. After decades of impunity, it was evident that the only way to stop Israeli colonization and human rights violations was to implement a two-State solution based on the 1967 lines.

16. **Mr. Al-Dobhany** (Yemen) said that his country was committed to upholding all international human rights instruments. All Yemeni Governments since 2003 had included a minister with a human rights portfolio and an independent national committee had been established in 2012 to investigate all allegations of human rights abuses, in line with relevant General Assembly and Human Rights Council resolutions concerning national institutions for the promotion and protection of human rights. Yemen warmly welcomed the adoption in September 2017 of Human Rights Council resolution 36/31, concerning human rights, technical assistance and capacity-building in Yemen, and was providing all necessary assistance to the Group of Eminent International and Regional Experts, established pursuant to that resolution, to facilitate the fulfilment of its mandate. The Yemeni Government continued to work closely with international human rights organizations and humanitarian actors operating in the country and had simplified bureaucratic procedures for foreign journalists who wished to visit and report on the situation in Yemen.

17. Since September 2014, the people of Yemen had suffered grave violations of their human rights at the hands of extremist Houthi movement militias, which continued to exploit human rights issues to further their

political agenda. The Houthi movement had tortured and killed women and children, journalists, university students and even members of the country's Jewish and Baha'i minorities. Houthi forces had also planted more than 2 million land mines, which had killed and maimed thousands of Yemeni civilians, and they had recruited some 20,000 children, including destitute orphans, to fight against the Government. Over 1300 of those children had been killed and thousands more seriously injured.

18. The Houthi militias had also impeded the delivery of humanitarian assistance, including by preventing ships carrying humanitarian relief supplies and oil from docking in Yemeni ports. They had launched attacks on ships in the Red Sea, attacked and kidnapped aid convoy lorry drivers and seized much of the aid delivered to Yemen so that they could sell it illegally on the black market. They had also prevented the delivery of emergency humanitarian relief to Yemeni civilians who refused to take up arms against their Government and, in September 2018, had even attacked warehouses belonging to the World Food Programme in the Yemeni port of Hudaydah.

19. **Ms. Ivanovic** (Serbia) said that as a multi-ethnic society, Serbia promoted and protected the rights of national minorities. Education was provided in 14 minority languages through university level, and 11 minority languages were in use in 42 self-governing communities. Her Government expected Serbian minorities in other countries in the region to receive similar protection, especially with regard to the use of Serbian languages and the Cyrillic script.

20. After almost 20 years, respect for the human rights of non-Albanians in Kosovo and Metohija remained unsatisfactory, and the conditions necessary for their sustainable return had not been established. In the past year, there had been some 90 ethnically motivated incidents, including the stoning of vehicles and health clinics, graffiti attacks, physical attacks and injury, the arrest of returnees on trumped-up charges, the mistreatment of clergymen and the desecration of graveyards. For non-Albanians south of the Ibar River, the threats were more intense and included violations of freedom of movement, religion and access to information. The 'Kosovo Police' continued to refuse her country's assistance in its stalled investigation into the January 2018 murder of Serbian politician Oliver Ivanović, and in March 2018, the agency had arrested the Director of the Serbian Office for Kosovo and Metohija, brutally injuring 32 other people in the process. Belgrade had initiated and continued to pursue dialogue with Pristina and remained committed to a peaceful solution.

21. **Ms. Oropeza Acosta** (Plurinational State of Bolivia), reviewing the situation of human rights, said that another world was both possible and necessary. In view of the systemic nature of violence against women, the Government of Bolivia considered gender equity in the drafting of all policies, plans and programmes. Bolivian electoral law established parity and alternation between men and women on candidate lists, and thanks to Government efforts, women had achieved near parity in property ownership. With respect to the lesbian, gay, bisexual, transgender and intersex (LGBTI) community, the Constitution had been amended in 2009 to prohibit and penalize discrimination based on sexual orientation or gender identity, and a 2016 law allowed transgender and transsexual persons to change their name and gender officially. The rights of indigenous peoples to their resources, land and territories were being restored in consultation with them, and persons with seriously disabled family members were guaranteed employment and a monthly subsidy.

22. Bolivia had led the negotiations on the Human Rights Council resolution adopting the United Nations declaration on the rights of peasants and other people working in rural areas ([A/HRC/RES/39/12](#)), which represented a major step towards the recognition of the rights, needs and contributions of peasants.

23. **Ms. Coutou** (Observer for the International Committee of the Red Cross (ICRC)) said that, to address the “crisis of the missing”, ICRC worked with the families of missing persons and with authorities in over 40 countries affected by past or ongoing armed conflict and chaired five bodies coordinating efforts to resolve cases of missing persons. It was currently looking for more than 100,000 people: the highest number ever, and only the tip of the iceberg. Many cases of missing persons dated back decades, hampering the prospects for lasting peace. Locating missing persons was complicated by the transnational nature of migration and modern wars.

24. States could help to resolve the crisis. First, they should prevent people from going missing by registering all persons deprived of liberty; enabling detainees and other persons separated from their families to contact them; registering and centralizing information on missing persons; recording and protecting gravesites, and ensuring the identification and dignified management of human remains in accordance with the rules of international humanitarian law. Second, they should investigate cases of missing persons impartially, in order not to distort the humanitarian purpose or to create or exacerbate grievances. Third, they should exchange good practices and leverage existing expertise. ICRC had launched a four-year project jointly

with global stakeholders to review collective expertise, distil common recommendations and standards and find new ways to address the nature and scale of the crisis, and she encouraged Member States to join in that effort.

25. **Mr. Gorman-Best** (International Organization for Migration (IOM)), noting the surge in global migration, said that all members of the human family had the same fundamental rights, regardless of migration status. Migrants faced human rights violations, ranging from racial discrimination and xenophobia to abuse. Because migration laws criminalized irregular migration, irregular migrants were often afraid to file complaints and, thus, were particularly vulnerable. To reach the Sustainable Development Goal target on orderly, safe, and responsible migration, it was critical to guarantee safe and equal access to justice for all migrants, regardless of status, and to ensure that migration policies, legislation and programming addressed their welfare, safety, dignity and security. In that respect, the Global Compact for Safe, Orderly and Regular Migration represented a milestone.

26. IOM was helping States to promote rights-based migration policies at the local, regional and global levels and was working with States, international organizations and civil society to develop and implement national laws that protected the rights of all migrants. It also maintained a global database of victims of human trafficking and provided direct assistance to vulnerable migrants who had been trafficked, abused or exploited. It had been working closely with the Office of the United Nations High Commissioner for Human Rights and United Nations agencies to implement programmes in the field and had contributed to a number of joint reports. It was vital to improve mechanisms for identifying and protecting the most vulnerable migrants in order to hold States accountable.

27. **Ms. Alzouman** (Kuwait) said that her Government stressed the need to develop mechanisms that ensured respect for human rights while allowing for cultural and religious differences among countries. Kuwait protected all of the fundamental rights and freedoms without discrimination. Laws had been adopted to protect the rights of foreigners, and agreements had been established on foreign labour and the rights of foreigner workers, who were considered partners in development. Kuwait was a party to most of the human rights treaties and had established a national office of human rights. It participated in human rights forums and made substantial voluntary contributions to United Nations bodies.

28. Her Government called on Myanmar to end its heinous practices against the Rohingya and urged the

parties to the Syrian conflict to allow humanitarian aid convoys to distribute aid without interference. Persons who had committed crimes in Syria should be brought to justice.

29. **Ms. Engonga Esono** (Equatorial Guinea) said that following the adoption of constitutional reforms, her President had appointed a national ombudsman and a third vice prime minister charged with human rights. The national development plan aimed to improve, inter alia, urbanization, housing, electrification and sanitation and had already led to the construction of rural access roads and the establishment of programmes to boost agricultural production and marketing. While her country had achieved the Millennium Development Goals on maternal and child mortality, the plan also included measures to improve maternal and child health in rural areas. Equatorial Guinea had organized the fourth Africa-Arab Summit and the fifth Congress of African Economists, whose agendas had included development and equality issues, and it was working with the United Nations Development Programme to strengthen the human rights capacities of the Subregional Centre for Human Rights and Democracy in Central Africa, its own institutions and civil society.

30. **Ms. Carey** (Bahamas), noting her country's recent election to the Human Rights Council, said that as an English-speaking small island State in the Caribbean, her country would bring diversity to the Council, and it looked forward to sharing its unique experiences and lessons learned. While the Bahamas was not considering a moratorium on the death penalty, it had been 17 years since the last execution, there were no inmates on death row, and the death penalty continued to be debated in the media and academia. The Bahamas was pursuing initiatives to empower women and girls and raise awareness of the right to equal opportunities, and through its representation on the Committee on the Elimination of Discrimination against Women, it consistently participated in local, regional and international conferences. In that connection, her Government welcomed the outcome of the constructive dialogue with the Committee that week.

31. **Ms. Pierce** (United Kingdom) said that it was incumbent on the Member States to advocate for those whose rights were the most vulnerable or the least respected – for those who were detained, tortured or killed for exercising freedom of expression, religion or belief; for modern day slaves; for people who were denied the right to marry or form a family because of their sexual orientation or gender identity; for people fleeing their country to escape sexual violence, slaughter or ethnic cleansing; for people poisoned in foreign countries for political reasons; for people

sentenced to death for minor crimes or in mass trials; for people who were mistreated, arrested, disappeared or killed for defending the human rights of others; for people who were denied the right to vote or jailed for demanding democracy and for girls denied the right to equal education and control over their assets, income or bodies – not only because it was a moral duty, but also because societies that respected the rule of law provided the best conditions for development, economic growth, peace and stability, and the happiness of their people.

32. **Ms. Lodhi** (Pakistan), noting that the challenge was no longer creating a human rights framework but enforcing it, said immediate action was needed to end the ruthless denial by India of the right of the people of Jammu and Kashmir to self-determination. Given the importance of economic, social and cultural rights for the realization of civil and political rights, action should be taken to promote the right to development and environmental rights. Pakistan supported the mandates of the special rapporteurs, who should work independently, impartially, transparently and non-selectively within their given mandates.

33. Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace was more urgent than ever in view of the rise in discrimination, xenophobia and Islamophobia. The new Government of Pakistan was committed to the consolidation of democratic institutions, the rule of law, human rights and good governance and had launched a new framework for social change focusing on education, health, women, youth and minorities.

34. **Ms. Mucavi** (Food and Agriculture Organization of the United Nations (FAO)) said that world hunger had risen for the third year in a row. Already amongst the most likely to experience hunger, agricultural workers were becoming more food insecure as a result of migration and climate extremes, which were sometimes also a cause of migration. FAO welcomed the proposed declaration of the open-ended intergovernmental working group on a United Nations declaration on the rights of peasants and other people working in rural areas.

35. Small-scale farmers, who produced 70 per cent of the world's food, were the primary focus of FAO activities. One of its priorities was improving recognition and protection for their land rights, which would contribute to their food security. The United Nations Decade of Action on Nutrition and the United Nations Decade of Family Farming offered an opportunity to draw attention to the vital role of peasants, pastoralists, nomadic peoples, fishers and indigenous peoples in maintaining food systems and to

the need to protect their rights through existing United Nations declarations and conventions. In closing, she reaffirmed the support of FAO for the proposed declaration, which reflected the most relevant principles and guidelines of the Committee on World Food Security and the FAO bodies.

36. **Mr. Moussa** (Egypt), speaking in exercise of the right of reply, said that year after year, his delegation refuted the same inaccurate European Union allegations based on erroneous information propagated by certain well-known groups. The Egyptian Constitution of 2014 guaranteed the right to freedom of assembly and association, and Egyptian law provided fair trial safeguards. All of the accused had been tried by an impartial and independent judiciary and had had access to an appeals process in which many had been acquitted. Some had even had received a presidential pardon. Ironically, in the European Union, civil space was shrinking, and the freedoms of association, assembly, opinion and expression were under attack. In Germany, the Federal Parliament had extended police powers to conduct surveillance measures and impose administrative measures on individuals identified as ‘potential attackers’, and more than a thousand criminal offences against refugees and asylum-seekers had been reported in the first nine months of 2018. In the United Kingdom, the Special Rapporteur on the rights to freedom of peaceful assembly and of association had warned in May that the Government’s approach to non-violent extremism risked violating both freedoms, and in August, the Committee on the Rights of Persons with Disabilities had strongly criticized the country for failing to protect the rights of disabled people.

37. **Mr. Yesod** (Israel), speaking in exercise of the right of reply, said that since the same false accusations and half-truths about his country would undoubtedly be repeated at the next meeting, in order not to waste the Committee’s time, he would exercise his right of reply at a future time of his choosing.

The meeting rose at 11.30 a.m.