Third Committee

Summary record of the 44th meeting
Held at Headquarters, New York, on Tuesday, 15 November 2011, at 10 a.m.

Chair: Mr. Haniff .................................................... (Malaysia)

Contents

Agenda item 27: Social development (continued)
(c) Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (continued)

Agenda item 28: Advancement of women (continued)
(a) Advancement of women (continued)

Agenda item 64: Report of the Human Rights Council (continued)

Agenda item 69: Promotion and protection of human rights (continued)
(a) Implementation of human rights instruments (continued)
(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued)
The meeting was called to order at 10.10 a.m.

Agenda item 27: Social development (continued)
(c) Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (continued) (A/C.3/66/L.13/Rev.1)


1. The Chair invited the Committee to take action on draft resolution A/C.3/66/L.13/Add.1. The draft resolution contained no programme-budget implications.

2. Mr. Cesa (Argentina), speaking on behalf of the Group of 77 and China, said that since the introduction of the draft resolution, Austria, Belgium, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Greece, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, New Zealand, Norway, Portugal, Romania, Slovakia, Slovenia, Spain, Ukraine and the United States of America had joined the sponsors.

3. The open-ended working group on ageing established under General Assembly resolution 65/182 was not a permanent forum on the issue but would continue to function within its current mandate and existing resources until the end of that mandate, unless an explicit agreement was reached at a later stage by consensus. Its meetings would be held at times that would not conflict with those of other major meetings and only on the basis of available resources. Interpretation would be provided on an as available basis.

4. Mr. Gustafik (Secretary of the Committee) announced that Albania, Andorra, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Monaco, Montenegro, the Republic of Korea, the Republic of Moldova, San Marino, Serbia, Sweden, the former Yugoslav Republic of Macedonia, Turkey and Uzbekistan had become sponsors.


Agenda item 28: Advancement of women (continued)
(a) Advancement of women (continued) (A/C.3/66/L.19/Rev.1)

Draft resolution A/C.3/66/L.19/Rev.1: Improvement of the situation of women in rural areas

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

7. Ms. Ochir (Mongolia), after briefly explaining the major revisions made to the draft resolution in informal consultations, said that since the introduction of the draft resolution, Argentina, Belize, Chile, China, Costa Rica, Greece, India, Israel, Luxembourg, Mexico, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sweden, Switzerland, Thailand, Turkey and the United States of America had joined the sponsors.

8. Mr. Gustafik (Secretary of the Committee) announced that Antigua and Barbuda, Australia, Bangladesh, Bhutan, Botswana, Brazil, Burkina Faso, Cameroon, Colombia, Côte d’Ivoire, Cyprus, the Democratic Republic of the Congo, Denmark, Ecuador, Egypt, Finland, Ghana, Guinea-Bissau, Guyana, Honduras, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lebanon, Lesotho, Malaysia, Mozambique, Namibia, Nicaragua, Panama, Paraguay, the Philippines, Portugal, Senegal, Serbia, Sierra Leone, Spain, Sri Lanka, the Sudan, Suriname, Swaziland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, the United Republic of Tanzania, Uruguay, Vanuatu, Zambia and Zimbabwe had become sponsors.


10. Mr. El Mkhantar (Morocco), introducing draft resolution A/C.3/66/L.65 on behalf of the sponsors, said that the draft resolution, purely procedural in nature, marked the adoption by the Human Rights Council of resolution 16/1 on the United Nations Declaration on Human Rights Education and Training. Announcing that Japan, Jordan, Monaco, Paraguay, the Plurinational State of Bolivia, Spain and Uruguay had joined the sponsors, he thanked all countries who had sponsored the draft resolution for their support and invited those that had not yet done so to become sponsors. Since its 2007 launch, the initiative had received great support from Member States, non-governmental organizations and experts who had helped draft the declaration, which was now considered a key reference document.
11. **Mr. Gustafik** (Secretary of the Committee) said that the Dominican Republic, Ecuador, Malaysia, the Republic of Korea and the Republic of Moldova had become sponsors.


12. The Chair said that the draft resolution contained no programme-budget implications.

13. **Ms. Maduhu** (United Republic of Tanzania), speaking on behalf of the Group of African States, said that the Human Rights Council’s constructive, cooperative approach, its avoidance of selectivity and double standards, and its provision of advice and support to Governments were making it possible to progressively overcome obstacles to consolidating universal respect for human rights and fundamental freedoms. The report of the Human Rights Council contained recommendations that were of the utmost importance to the Group, regarding, inter alia, trafficking in persons, combating contemporary forms of slavery and the right to development. In view of the fact that some recommendations continued to be submitted to a vote despite their significance, and that others — of great significance to the Group and to developing countries — continued to be undermined, the draft resolution had been revised in a spirit of constructive engagement. Accordingly, the words “some of” in paragraph 1 had been deleted.

14. **Ms. Kolontai** (Belarus) said that her delegation could not accept politicized resolutions that resulted from the Human Rights Council’s lack of objectivity in assessing human rights situations. It was unfortunate that the Council was making the same mistakes that had led to the demise of the discredited Commission on Human Rights. She decisively condemned the Council’s politicized resolution on her country and pointed out that the lack of consensus among the members of the Council regarding the resolution showed that it did not reflect the opinion of the international community. Such politicization on the part of certain States devalued the role and function of the universal periodic review mechanism.

15. Moreover, the adoption of the resolution on Belarus undermined the institution-building package that the Council had established and that provided for the removal of the so-called Belarus question from the Council’s agenda. In that connection, and taking into account the fact that the report of the Human Rights Council contained decisions that went against the bases of international cooperation and friendly relations among States enshrined in the Charter of the United Nations, her delegation was forced to request that a recorded vote be taken on the draft resolution, which it would vote against.

16. **Mr. Adi** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that it was unfortunate that the report of the Human Rights Council (A/66/53) contained resolutions S-16/1 and S-17/1 on the situation of human rights in the Syrian Arab Republic, as they were based on misleading media information and used language that was unprecedented in its hostility, sending a strong message of support for acts of terrorism and violence committed by armed terrorist groups.

17. Given the violations of human rights that such acts constituted, the Council’s non-objective stance was mystifying. Interference in his country’s internal affairs aimed at carrying out the political and military schemes of Western countries that were its enemies. Billions of dollars had been smuggled into the Syrian Arab Republic in recent months and distributed among extremists, arms smugglers and traders and armed terrorist groups supported by the United States of America and other countries, which his delegation would identify in due course in the context of their financing of terrorist activities.

18. **Mr. Sammis** (United States of America), speaking on a point of order, said that he wished to remind the delegation of the Syrian Arab Republic to act in accordance with the appropriate Committee decorum. His delegation strongly objected to the reference made to his country by the representative of the Syrian Arab Republic.

19. **Mr. Adi** (Syrian Arab Republic) said that many criminals had confessed to killing demonstrators, planting explosives in crowded public places, burning and destroying public and private establishments, in addition to harassing citizens unwilling to partake of their crimes. Meanwhile, television stations in the employ of foreign powers continued to fabricate information and incite people without interruption. The High Commissioner for Human Rights had refused to mention those realities in her report, despite the fact that his country had provided information on the events and on measures that it was taking to address them. For
those reasons, his delegation would vote against the resolution.

20. That decision, however, did not change his country’s firm, principled position on the recommendations contained in the Council’s report on human rights violations committed by Israel in the occupied Syrian Golan and Palestine, an issue that merited the support of all Member States. His delegation also reiterated its principled position against interference by any country in the internal affairs of any other, using the defence of human rights as a pretext, and categorically rejected the Council’s country-specific resolutions on the Islamic Republic of Iran, Belarus, the Democratic People’s Republic of Korea and Myanmar.

21. Mr. Lukiyantsev (Russian Federation) said that, while his delegation supported the draft resolution, it was concerned about a number of decisions adopted by the Human Rights Council, a body initially established to pursue constructive dialogue and cooperation on human rights issues. Noting the disturbing trend towards divisiveness in its work in recent years, he pointed out that his delegation did not support the Human Rights Council’s resolutions on human rights situations in Belarus, the Islamic Republic of Iran and the Syrian Arab Republic or on so-called sexual-orientation issues.

22. Mr. Herczyński (Poland), speaking in explanation of vote before voting on behalf of the European Union; the candidate countries Croatia, Iceland, Montenegro, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia; and, in addition, Armenia, Azerbaijan, Georgia, Liechtenstein, Norway, the Republic of Moldova and Ukraine, said that the European Union’s concerns were largely procedural. Since countries could follow up on recommendations made by the Human Rights Council individually, it was not necessary to note Council resolutions in a generic manner.

23. By asking the Committee to take note of the Council’s report in its entirety, the draft resolution ignored the existing arrangement agreed to, whereby the Committee would only consider and, when necessary, take action on individual recommendations. Expressing disappointment that the draft resolution continued to disregard that understanding and noting the questions that many Member States still had about the initiative taken by the Group of African States, he regretted that it had not been possible to discuss procedural and other aspects of the text in an open meeting. For that reason, the member States of the European Union would abstain from voting on the draft resolution as orally revised.

24. At the request of the representative of Belarus, a recorded vote was taken on draft resolution A/C.3/66/L.64/Rev.1.

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Chile, China, Comoros, Congo, Côte d’Ivoire, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Fiji, Grenada, Guatemala, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen.

Against:

Belarus, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Syrian Arab Republic.

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Haiti, Honduras, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan,
Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

25. Draft resolution A/C.3/66/L.64/Rev.1, as orally revised, was adopted by 95 votes to 4, with 60 abstentions.*

26. **Mr. Sammis** (United States of America) said that his delegation had abstained in the vote as it did not see the benefit of the draft resolution. While the United States remained concerned about the Council’s disproportionate focus on Israel, the Council’s ability to serve as a multilateral forum for promoting and protecting human rights had notably improved in the past year, as evident, inter alia, through its historic resolution 17/19 on human rights, sexual orientation and gender identity, resolution 16/18 promoting religious tolerance, and the establishment of commissions of inquiry on the Syrian Arab Republic and the Democratic Republic of the Congo.

27. **Mr. Mohammad Pour Ferami** (Islamic Republic of Iran) said that his delegation had abstained in the vote because the report of the Human Rights Council included resolutions and recommendations that were of grave concern and mainly pursued politicized objectives extending well beyond human rights causes. The adoption of country-specific resolutions, including the one on his country, was futile and reflected the same double standards that had led to the demise of the Commission on Human Rights.

28. **Ms. Burgess** (Canada) said that her delegation had abstained in the vote because the report of the Human Rights Council included resolutions and recommendations that were of grave concern and mainly pursued politicized objectives extending well beyond human rights causes. The adoption of country-specific resolutions, including the one on his country, was futile and reflected the same double standards that had led to the demise of the Commission on Human Rights.

29. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her country had voted in favour of the draft resolution in the light of the importance that it attached to most of the topics contained in the report. Nevertheless, it did not support the Council’s resolutions which entailed selective initiatives against developing countries, especially those clearly based on political motivations, such as the resolutions on Belarus, the Islamic Republic of Iran and the Syrian Arab Republic. Her country supported the impartial, objective and constructive work of the Council, but would oppose any attempt to adopt such selective, country-specific resolutions, since that approach had led to the failure of the Commission on Human Rights.

30. **Mr. Tagle** (Chile) said that his delegation had voted in favour of the draft resolution, as his Government supported the actions and decisions of the Council, which had always abided by the principle of non-selectivity, and appreciated the independence of the human rights mechanisms and special procedures. Nevertheless, it had doubts regarding procedure, since the Council’s report should have been voted on in the plenary of the General Assembly. It was hoped that the following year’s draft resolution on the report would be open to consultations involving the entire membership.

31. **Ms. Furman** (Israel) said that the Council’s report provided a comprehensive picture of its work, and Israel welcomed some of the Council’s actions, in particular resolution 17/19 on human rights, sexual orientation and gender identity, its special sessions on the human rights situation in the Syrian Arab Republic and the appointment of a special rapporteur on the situation of human rights in the Islamic Republic of Iran under resolution 16/9. Nevertheless, the report and the resolutions that it contained against Israel reflected the Council’s continued bias against it. Agenda item 7 of the Human Rights Council and the resolutions adopted under it undermined the Council’s integrity and credibility, and it was regrettable that the Council’s recent review had not corrected that fundamental flaw. That systematic institutional discrimination tainted the Council’s ability to promote and protect human rights in the world. Her country had thus abstained in the vote.

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* The delegations of the Democratic Republic of the Congo and Iraq subsequently informed the Committee that they intended to abstain.
32. **Mr. Butt** (Pakistan) said that his country had voted in favour of the draft resolution, despite disagreement on some issues, in the light of the Council’s efforts to reach an understanding on various issues of mutual interest and the consensus reached on controversial issues, including on combating intolerance based on religion or belief. Nevertheless, it was a matter of concern that some Council resolutions, such as that on sexual orientation and gender identity, were not in line with human rights standards or laws. Also of concern was the adoption of selective and politicized country-specific resolutions. Pakistan looked forward to strengthening the work of the Council in addressing the human rights of all persons in all countries in a non-selective and impartial manner in the future.

33. **Ms. Astiasarán Arias** (Cuba) said that her country had voted in favour of the draft resolution, as in previous years. Nevertheless, Cuba was concerned about the negative trend of political manipulation and double standards in the consideration of human rights issues in the Committee and the Council, especially the latter’s selective and discriminatory criticism of developing countries while overlooking the situations in developed countries, an approach which was reminiscent of that of the Commission on Human Rights.

34. **Ms. Medal** (Nicaragua) said that her country had voted in favour of the draft resolution, recognizing the Council as a legitimate body for the equitable consideration of human rights issues and the universal periodic review as an effective tool for assessing human rights situations in different countries. Nevertheless, Nicaragua rejected the adoption of country-specific resolutions, which led to politicization, selectivity and double standards.

35. **Ms. Li Xiaomei** (China) said that her delegation had voted in favour of the draft resolution, recognizing the Council as a legitimate body for the equitable consideration of human rights issues and the universal periodic review as an effective tool for assessing human rights situations in different countries. Nevertheless, Nicaragua rejected the adoption of country-specific resolutions, which led to politicization, selectivity and double standards.

36. **Mr. Vigny** (Switzerland), speaking also on behalf of Norway, said that, while both countries strongly supported the Council’s work, they had abstained in the vote for procedural reasons, as the consideration of the Council’s report fell under the purview of the General Assembly, not the Committee.

37. **Ms. Murillo** (Costa Rica) said that her country fully supported the work of the Council and its resolutions and recommendations and had in the past supported texts similar to the draft resolutions in the report. Nevertheless, Costa Rica was concerned about the motives for which the recorded vote had been requested. It welcomed the oral revision made by the African Group, but had abstained in the vote because the Council was the highest authority for addressing human rights and its report should be submitted for consideration by the plenary General Assembly, not the Committee.

38. **Mr. Frick** (Liechtenstein) said that his country was an active and strong supporter of the work of the Human Rights Council and welcomed the recommendations that the Council had transmitted to the General Assembly for further action, particularly on the third Optional Protocol to the Convention on the Rights of the Child and the Declaration on Human Rights Education and Training. As agreed during the review of the Council, there was no need for the Committee to note the Council’s recommendations. Should the Committee decide not to follow a recommendation, it could do so by not acting on it. Also, it was regrettable that the draft resolution disregarded the understanding that had been reached on the division of work between the Committee and the plenary General Assembly in dealing with the Council’s report. It was for the General Assembly, not the Committee, to take action on the report.

39. **Mr. Jang Il Hun** (Democratic People’s Republic of Korea) said that his country had voted against the draft resolution, not because it took issue with the Council’s report as a whole, but because the country-specific draft resolutions that it contained, including the one on his country, ran counter to the principles of objectivity and non-selectivity that should govern the consideration of human rights issues and the universal periodic review. His Government would continue to oppose all such resolutions because they reflected politicization, selectivity and double standards.

40. **Mr. Ruiz** (Colombia) said that, although his delegation strongly supported the Council’s work, like others, it was concerned about the procedural issue of the Council’s report being submitted for consideration by the Committee. It had thus abstained in the vote.
41. Ms. Alp (Turkey) said that her country had voted in favour of the draft resolution in the belief that the recommendations of the Council must be noted in a non-selective manner. Follow-up to the report of the independent international fact-finding mission on the incident of the humanitarian flotilla under resolutions 16/20 and 17/10 must be diligently pursued.


42. Mr. Gustafik (Secretary of the Committee) read out a statement, in accordance with rule 153 of the rules of procedure of the General Assembly, on the programme budget implications of paragraphs 1 and 2 of the draft resolution. It was anticipated that, based on the assumption that the Optional Protocol would enter into force in late 2013 or early 2014, no programme budget implications would arise for the biennium 2012-2013. It was also estimated that the additional requirements of $2.190 million, including $1.582 million, under section 2, General Assembly and Economic and Social Council affairs and conference management; $580,100 under section 24, Human Rights; and $28,000 under section 29 E, Administration, Geneva, would arise for the biennium 2014-2015 and would be taken into consideration in the context of preparation of the proposed programme budget for the biennium 2014-2015.

43. Should the General Assembly adopt the draft resolution, it was anticipated that no additional resources would be required either under the programme budget for the biennium 2010-2011 or under the proposed programme budget for the biennium 2012-2013. He recalled that, during the introduction of the draft resolution, the main sponsor had orally revised the wording of the preambular paragraph. Lastly, he said that Bangladesh, Côte d’Ivoire, the Dominican Republic, Japan, Kazakhstan, Mali, Morocco, Poland, Turkey and the United States of America had joined the sponsors of the draft resolution.

44. Draft resolution A/C.3/66/L.66, as orally revised, was adopted.

45. Mr. Faizal (Maldives), speaking also on behalf of Austria, Chile, Germany, Slovakia, Slovenia, Thailand and Uruguay, said that, while those main sponsors would have preferred maintaining the wording of the draft resolution as recommended by the Human Rights Council, they welcomed the spirit of compromise that had prevailed during negotiations and its adoption by consensus. He encouraged all States to consider signing and ratifying the Optional Protocol as soon as possible once it would be open for signature in 2012.

Agenda item 69: Promotion and protection of human rights (continued)


46. The Chair drew the Committee’s attention to the statement of the programme budget implications of the draft resolution in document A/C.3/66/L.58.

47. Mr. Gomez (Sweden), speaking also on behalf of Mexico and New Zealand, introduced draft resolution A/C.3/66/L.29/Rev.1. Austria, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Colombia, the Czech Republic, Egypt, Estonia, the Federated States of Micronesia, France, Germany, Greece, Iceland, India, Ireland, Israel, Italy, Lithuania, Malta, Montenegro, the Netherlands, Papua New Guinea, the Philippines, Poland, the Republic of Korea, Romania, Samoa, Senegal, Serbia, Slovenia, the Sudan, the former Yugoslav Republic of Macedonia, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland, and Vanuatu had joined the sponsors of the draft resolution. Lastly, he underscored the rapid rate of ratification of the Convention on the Rights of Persons with Disabilities, a trend which would likely continue, and hoped that States would be committed to its implementation.

48. Mr. Gustafik (Secretary of the Committee) said that Albania, Armenia, Azerbaijan, Belize, Burkina Faso, Cameroon, the Dominican Republic, Ethiopia, Guinea-Bissau, Kyrgyzstan, Lebanon, Lesotho, Liberia, Malaysia, Mali, Myanmar, Namibia, Niger, Panama, Paraguay, the Republic of Moldova, the
Russian Federation, San Marino, South Africa, Suriname, Swaziland, Tunisia, Turkey, the United States of America and Uruguay had also joined the sponsors of the draft resolution.

49. Draft resolution A/C.3/66/L.29/Rev.1 was adopted.

50. **Mr. Kimura** (Japan) said that his country had joined the consensus to adopt the draft resolution in the light of the urgent need to tackle the backlog faced by the Committee on the Rights of Persons with Disabilities and the need to take into consideration the issue of reasonable accommodation. It must nevertheless be borne in mind that the programme budget implications of the decision to extend the Committee’s working schedule would be absorbed by the regular budget of the United Nations, which was not unlimited, especially in the context of the difficult economic times. That Committee must continue to enhance its working methods and effectiveness.

Draft resolution A/C.3/66/L.33: Promotion of equitable geographical distribution in the membership of the human rights treaty bodies

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

52. **Ms. Astiasarán Arias** (Cuba), speaking on behalf of the Non-Aligned Movement, said that China had joined the sponsors of the draft resolution.

53. **Mr. Herczyński** (Poland), speaking in explanation of vote before voting on behalf of the European Union; the candidate countries Croatia, Iceland, Montenegro, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia; and, in addition, Armenia, Azerbaijan, Georgia, Liechtenstein, Norway, the Republic of Moldova and Ukraine, said that while the European Union fully recognized the importance of the principle of equitable geographical distribution in the composition of human rights treaty bodies, it opposed the draft resolution on several grounds. Human rights treaties already contained provisions that prescribed the composition of treaty bodies through elections of State party nationals. Though some treaties did explicitly state that consideration would be given to geographical distribution and the representation of different legal systems, it was not up to the General Assembly to modify the provisions on the composition of treaty bodies, nor should it seek to induce States parties to do so.

54. The draft resolution was particularly prescriptive in its proposal of a quota system and its inappropriate request for chairs of treaty bodies to make recommendations on equitable geographic distribution, both of which the European Union strongly objected to. Such matters, if considered at all, should be discussed by the States parties concerned. It was regrettable that the delegation of Cuba had not incorporated more constructive suggestions on how to achieve a better balance in treaty bodies without resorting to quotas. The member States of the European Union would therefore vote against the draft resolution.

55. At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/66/L.33.

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu,
Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:
Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:
Chile, Nigeria.

56. Draft resolution A/C.3/66/L.33 was adopted by 119 votes to 52, with 2 abstentions.

57. Mr. Argüello (Argentina) said that his Government supported the principle of equitable geographical distribution in contexts where it was in conformity with applicable international law. His delegation had voted in favour of the draft resolution on the understanding that its recommendations must be interpreted in accordance with international law, without prejudice to the full independence of human rights treaty bodies, which functioned according to the conventions under which they had been established. Each convention established the obligations of States parties and the principles governing the selection of treaty body experts.

Draft resolution A/C.3/66/L.36: Human rights and unilateral coercive measures

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

59. Ms. Astiasarán Arias (Cuba) said that the Non-Aligned Movement had expressed on various occasions its opposition to the use of unilateral coercive measures as tools for exerting political pressure against any country, especially developing countries, which must not be deprived of the means of development. Since the introduction of the draft resolution, China had become a sponsor. The current version of the draft resolution, which was introduced on an annual basis, contained technical updates and new references to ageing persons and persons with disabilities.

60. Mr. Sammis (United States of America), speaking in explanation of vote before voting, said that his delegation had called for a vote because it believed that the draft resolution had no basis in international law and did not serve the cause of promoting and protecting human rights, a responsibility that fell to States. The text of the draft resolution was a direct challenge to the right of sovereign States to freely conduct their economic relations and protect legitimate national interests, including taking actions in response to national security concerns. It also attempted to undermine the international community’s ability to respond to acts that were offensive to international norms. Unilateral and multilateral sanctions were a legitimate means to achieve foreign policy, security and other legitimate national and international objectives, a view that his country was not alone in holding or putting into practice.

61. At the request of the delegation of the United States of America, a recorded vote was taken on draft resolution A/C.3/66/L.36.

In favour:
Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People’s Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda,
Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:
Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:
Democratic Republic of the Congo.

62. Draft resolution A/C.3/66/L.36 was adopted by 121 votes to 52, with 1 abstention.


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

64. Mr. Argüello (Argentina), speaking also on behalf of France and Morocco, said that since the introduction of the draft resolution, Belize, Cameroon, the Comoros, Grenada, Honduras, India, Mali, Senegal, Serbia, Tunisia and Ukraine had joined the sponsors. Five years after its adoption by the General Assembly, the International Convention for the Protection of All Persons from Enforced Disappearance had entered into force in December 2010 and currently had 90 signatures and 30 ratifications. The Convention was the first universal, legally binding instrument to recognize that enforced disappearance could constitute a crime against humanity and to reaffirm the right of victims to reparation, justice and truth.

65. Efforts must be made to achieve the universal ratification and implementation of the Convention, as it would be naive to imagine that history would not repeat itself. Enforced disappearance, secret detentions and extrajudicial executions on State orders continued to occur, and few of those responsible were brought to justice over them. His own country’s recent tragic history attested to that fact.

66. Mr. Gustafik (Secretary of the Committee) said that Nicaragua, the Niger and Nigeria had joined the sponsors.

67. Draft resolution A/C.3/66/L.40 was adopted.

Draft resolution A/C.3/66/L.41: Globalization and its impact on the full enjoyment of all human rights

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

69. Mr. Selim (Egypt) said that, since the introduction of the draft resolution, over 91 Member States had joined the sponsors, proving that the international community acknowledged the challenges and opportunities that globalization presented. The unequal distribution of its benefits and the impact of its challenges were unfavourable for developing countries and in turn affected their ability to promote and protect human rights and fundamental freedoms. It was unfortunate that certain delegations had refused to engage in a constructive dialogue to resolve their fundamental problems with the concept set forth in the text, despite the sponsors’ willingness to do so.

70. Mr. Gustafik (Secretary of the Committee) announced that Antigua and Barbuda, Jamaica and Saint Kitts and Nevis had become sponsors.

71. Mr. Herczyński (Poland), speaking in explanation of vote before voting on behalf of the European Union; the candidate countries Croatia, Iceland, Montenegro, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia; and, in addition, Armenia, Azerbaijan, Georgia, Liechtenstein, Norway, the Republic of Moldova and Ukraine, said that the European Union could not support the draft resolution, which, regrettably, remained the same as the previous
year’s draft. Dealing with the effects of globalization — a multidimensional phenomenon — was high on the agenda of the European Union. While the challenges faced in the world were increasingly of a global nature, globalization could also offer means to tackle some of the most acute problems as well as great opportunities for stimulating growth and prosperity worldwide, thus contributing to the promotion and protection of human rights.

72. The European Union acknowledged that globalization could have an impact on the full enjoyment of human rights; however, the draft resolution inaccurately stated that globalization adversely affected the full enjoyment of all human rights, a generalization that the European Union could not subscribe to. The relationship between human rights and globalization — which in certain instances could be a positive one — must be assessed on a case-by-case basis.

73. At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/66/L.41.

In favour:
Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:
Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:
None.

74. Draft resolution A/C.3/66/L.41 was adopted by 125 votes to 52.

75. Mr. Tagle (Chile) said that his delegation had voted in favour of the draft resolution on the understanding that globalization presented both benefits, which his country, with its open economy, had certainly reaped, and challenges, which must be addressed in solidarity by all Member States.


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

77. Mr. Gustafik (Secretary of the Committee) said that Panama had become a sponsor of the draft resolution.

78. Ms. Ploder (Austria) said that, since the introduction of the draft resolution, Brazil, Greece, Haiti, Japan, Lithuania, the Netherlands, the Niger and San Marino had joined the sponsors. She read out
revisions to the text. In the third preambular paragraph, the words “involving them” had been replaced by the phrase “involving the rights of persons belonging to national or ethnic, religious and linguistic minorities”. Paragraph 4 had been reworded to read “Calls upon States to give special attention to the situation and specific needs of women and children belonging to minorities, while promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities”. Paragraph 15 had been deleted. In paragraph 21, the words “together with” had been replaced with “as well as”, the word “further” had been inserted before “encourages States” and the word “parties” had been inserted after “States”. The last phrase of that paragraph thus read “and further encourages States parties to give serious consideration to the follow-up to treaty body recommendations on the matter;”.

79. **Mr. Gustafik** (Secretary of the Committee) said that Latvia, the Russian Federation and Uruguay had joined the sponsors.

80. **Draft resolution A/C.3/66/L.46, as orally revised, was adopted.**

Draft resolution A/C.3/66/L.47/Rev.1: Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

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

82. **Mr. Al-Yafei** (United Arab Emirates), speaking on behalf of the member States of the Organization of Islamic Cooperation (OIC), said that Australia, Brazil, Senegal and Thailand had joined the sponsors.

83. **Mr. Herczyński** (Poland), speaking on behalf of the European Union; the candidate countries Croatia, Iceland, Montenegro, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia; and, in addition, Armenia, Azerbaijan, Georgia, Liechtenstein, Norway, the Republic of Moldova and Ukraine, said that ongoing dialogue about the important issues of tolerance, non-discrimination, freedom of expression and of thought, conscience and religion or belief was the only way to overcome existing divergences and misperceptions. The European Union welcomed the positive atmosphere in which those issues had been discussed.

84. He noted, however, that, rather than refer to religious and cultural diversity specifically, the draft resolution should use the more inclusive concept of diversity in general, since individuals had multiple sources of identity. To effectively combat intolerance, all aspects of diversity must be taken into account, and, as in the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization, no one might invoke cultural diversity to infringe upon human rights guaranteed by international law, nor limit their scope. The European Union understood that religious hatred was primarily a threat to individual freedoms at the local and national levels. Viewing the world as composed of monolithic cultural and religious blocks was of concern as that could divert attention away from the responsibility of national and local authorities to safeguard individual rights, especially those of minority communities or groups.

85. The European Union condemned attacks on religious sites, but emphasized that the Committee should focus on individuals and the protection of their rights and noted that all States must fulfil their obligations under existing international human rights treaties to protect individuals against discrimination and violence on the basis of their religion or belief. In particular, all persons belonging to religious communities and minorities should be able to practise their religion and worship freely without fear of intolerance or attacks. Also, the draft resolution under consideration explicitly mentioned the establishment of one centre for interreligious and intercultural dialogue, whereas there were numerous such centres around the world and all comparable initiatives should be acknowledged. Despite those issues, European Union members, in a spirit of cooperation, were in a position to join consensus.

86. **Mr. Sammis** (United States of America) said that his country was pleased to join the consensus on the draft resolution, which it hoped would be a blueprint for further action. For some years, his country had shared the stated concerns of the sponsors and others about intolerance, discrimination and violence directed against persons on the basis of their religion and belief. It was a serious concern that such problems persisted in the world.
87. In the past, the United States had not been able to support the sponsors’ efforts to address those problems because of their excessive reliance on seeking to restrict expression as a means to combat intolerance, discrimination and violence based on religion or belief. That was counterproductive and exacerbated the very problems that the draft resolutions sought to address. In various parts of the world, laws that criminalized offensive expression had been misused by Governments to persecute political opponents and minorities. In some cases, those who had engaged in violence or murder on grounds of religion had pointed to such laws as justification for their actions.

88. However, in line with Human Rights Council resolution 16/18, the draft resolution provided for the criminalization of expression in only one circumstance: incitement to imminent violence. The draft resolution recognized that the only solution to offensive expression was more expression, not laws that restricted expression in the name of tolerance. His country welcomed any initiative that upheld respect for universal human rights and recommended measures such as education or awareness-building to promote interfaith harmony in combating discrimination against individuals on the basis of religion or belief.

89. Such initiatives could promote respect for religious diversity in a manner that respected universal human rights. Each Member State must endeavour to implement the recommendations in the draft resolution, and all Governments must take assertive measures to uphold international obligations and promote awareness and understanding of the issues that it addressed. Member States must provide updates on their efforts to that end as part of ongoing reporting to the Office of the United Nations High Commissioner for Human Rights.

90. Draft resolution A/C.3/66/L.47/Rev.1 was adopted.

91. Mr. Quinlan (Australia) said that the draft resolution was important to Australia, which was vastly diverse and where any violence on the basis of religion, ethnicity or cultural belief was a direct threat to the health of its society as a whole. His Government was endeavouring to ensure that all persons could celebrate and practise their religion or belief free from discrimination, including through its multicultural and multilingual public broadcasting service, as the media could play an important role in helping to promote and celebrate the multicultural nature of society. It had also recently launched a new multicultural policy, involving community-led strategies to encourage tolerance. Australia had participated in interfaith dialogue and was negotiating a practical joint programme with the Organization of Islamic Cooperation, which it commended for its historic achievement.

92. Ms. Calcinari Van Der Velde (Bolivarian Republic of Venezuela) said that her country wished to become a sponsor of the draft resolution.

Draft resolution A/C.3/66/L.48/Rev.1: Elimination of all forms of intolerance and of discrimination based on religion or belief

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

94. Mr. Herczyński (Poland) said that Costa Rica, New Zealand, Thailand and Ukraine had become sponsors of the draft resolution.

95. Mr. Gustafik (Secretary of the Committee) said that Benin, Ecuador, the Dominican Republic, the Philippines, the Plurinational State of Bolivia, the United Republic of Tanzania and Uruguay had joined the sponsors.

96. Draft resolution A/C.3/66/L.48/Rev.1 was adopted.


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

98. Ms. Dias (Mexico) said that Bangladesh, Belize, Burkina Faso, Colombia, Costa Rica, Egypt, Indonesia and Portugal had joined the sponsors of the draft resolution.

99. Mr. Gustafik (Secretary of the Committee) said that Cote d’Ivoire, Ethiopia, Guinea-Bissau, Mali, Morocco, Niger, Senegal, Tunisia and Turkey had also joined the sponsors.

100. Draft resolution A/C.3/66/L.52/Rev.1 was adopted.

101. Mr. Herczyński (Poland), speaking on behalf of the European Union, said that the Union had joined the consensus on the draft resolution and remained firmly committed to protecting migrants’ rights by taking a
balanced approach and applying the rule of law. The human rights of migrant children, particularly those who were unaccompanied, was paramount.

102. The European Union respected and upheld the human rights of migrants regardless of their status, and while some migrants were not automatically granted the right to reside in European Union member States, their rights were respected.

103. It was a priority of the Union to combat certain migration flows, especially those of human trafficking networks, and a number of its member States had introduced criminal penalties in that regard. Drawing attention to the concern referred to in paragraph 3 (b) about legislative measures and practices that might restrict the human rights and fundamental freedoms of migrants, he noted that the application of criminal sanctions for those migrants who breached national criminal law did not affect their rights to a fair trial.

104. Mr. Sammis (United States of America) said that his delegation had joined the consensus on the draft resolution. The principle in international law that all States had the sovereign right to control admission to their territory and regulate the admission and expulsion of foreign nationals was implicit in any discussion of migration. At the same time, States must respect the human rights of migrants consistent with their obligations under international law, including international human rights law. His Government took that responsibility seriously and provided substantial protections under its Constitution and other laws to aliens within its territory regardless of their immigration status. In addressing migration on a global scale, it was inappropriate to refer to a bilateral legal matter in the draft resolution, such as in the ninth preambular paragraph, as that diverted attention from the multilateral reflection and action required and did not help to advance the protection of the human rights of migrants.

105. His country had a long history of welcoming immigrants and refugees and valued legal, orderly and humane migration. It urged all its citizens to respect the relevant local and national laws when living or working in another country. His country welcomed legal immigrants and properly-documented temporary visitors, including workers and students and was committed to protecting the human rights of migrants within its borders as well as to ending racism and racial discrimination, upholding the human rights of all people and combating xenophobia, intolerance and bigotry. Lastly, paragraph 3(a) should not be misinterpreted to inhibit freedom of expression or to express policy views or even hateful attitudes or philosophies, but must be interpreted in the light of robust international legal protections for freedom of expression.

Draft resolution A/C.3/66/L.53/Rev.1: Follow-up to the International Year of Human Rights Learning

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

107. Mr. Gustafik (Secretary of the Committee) said that Brazil, the Republic of Korea and Saint Vincent and the Grenadines had joined the sponsors.

108. Mr. Babadoudou (Benin), speaking on behalf of the African Group and other sponsors, said that Australia, Austria, Belgium, Belize, Bhutan, Brazil, Bulgaria, Canada, Costa Rica, Cyprus, France, Germany, Greece, Guinea, Hungary, Ireland, Israel, Italy, Luxembourg, the Plurinational State of Bolivia, Poland, Portugal, the Republic of Korea, Romania, Saint Vincent and the Grenadines, Slovenia, Spain, Thailand and Turkey had joined in sponsoring the draft resolution.

109. Mr. Gustafik (Secretary of the Committee) said that Albania, Armenia, Azerbaijan, Barbados, Belarus, Bosnia and Herzegovina, Chile, Colombia, Ecuador, Grenada, Guatemala, Guinea, Haiti, Honduras, Kazakhstan, Latvia, Lithuania, Mali, Mexico, Montenegro, Nicaragua, the Philippines, the Republic of Moldova, the Russian Federation, Serbia, Switzerland and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

110. Draft resolution A/C.3/66/L.53/Rev.1 was adopted.

The meeting rose at 1 p.m.