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THIRD COMMITTEE APPROVES DRAFT RESOLUTION EXPRESSING SERIOUS CONCERN

ABOUT HUMAN RIGHTS SITUATION IN IRAN

Drafts Also Approved on Refugees in Africa, Poverty, Central African Human Rights Centre, Protection of Migrants, Human Rights Regional Arrangements

The General Assembly would express serious concern at the continuing harassment, intimidation and persecution of human rights defenders, political opponents, ethnic and religious minorities and other groups in Iran, as well as the country's persistent failure to comply fully with international standards in the administration of justice, by the terms of a draft resolution approved today by the Third Committee (Social, Humanitarian, and Cultural).

The draft would have the Assembly call upon the Government of Iran to ensure full respect for the rights to freedom of assembly, opinion and expression and to eliminate the use of torture and other cruel forms of punishment, as well as discrimination based on religious, ethnic, linguistic and gender grounds.

The draft, one of six measures approved by the Committee today, passed by a vote of 70 in favour to 48 opposed, with 55 abstentions (See annex II).

In other business, the Committee approved by consensus draft resolutions on assistance to refugees, returnees and displaced persons in Africa; human rights and extreme poverty; the Subregional Centre for Human Rights and Democracy in Central Africa; protection of migrants; and regional arrangements for the promotion and protection of human rights.

Prior to the vote on the Iran draft, the representative of Iran tabled a motion of no action on the draft. That motion was rejected by a vote of 75 in favour to 77 against, with 24 abstentions. (See annex I).

The representative of Iran called the draft a politically motivated exercise which proved that United Nations human rights mechanisms had been abused and manipulated to address the political interests of a few. Iran did not oppose the scrutiny of Member States by relevant bodies of the United Nations. It had held four rounds of human rights dialogue with the European Union since 2002. Adoption of the draft, however, could diminish prospects for cooperation and understanding on human rights, including that dialogue.

The representative of Finland, on behalf of the European Union, said that the international community could not be silent in situations where the violation of human rights was continuous, grave and widespread and where countries did not show a willingness to address those issues and engage in meaningful dialogue. The situation in Iran met those criteria. He added that the European Union would vote against any motion to close the debate on an item under discussion in the Third Committee, as such motions aimed at denying Member States their sovereign right to bring before the Assembly any concern they deemed worthy of its attention.

The representative of Canada, which sponsored the draft, said that he supported a cooperative

approach, but when a country did not engage its own citizens, cooperate with the international community or address serious situations, then the international community had no choice but to express its views. Procedural manoeuvres should not be allowed to thwart the Third Committee's efforts to engage in debate.

Speaking in explanation of vote, the representative of the Sudan said that he had voted against the draft because country-specific resolutions were aimed at settling scores and had nothing to do with protecting human rights. Defamation was the main concern of the sponsors of such drafts, which targeted developing and Muslim countries. The current draft took aim at Iran despite the spirit of cooperation and openness that it had shown by sending invitations to all individuals responsible for examining human rights issues to visit the country.

Several delegations argued that human rights issues should be dealt with by periodic reviews of the Human Rights Council, since all countries were subject to them. The representative of Brazil said that she favoured that mechanism, which would eliminate selectivity and politicization from the process of examining human rights. Country-specific resolutions were only appropriate in cases of such gravity that they required the international community's attention. Despite several human rights concerns, that was not the case with Iran since it had worked with United Nations human rights mechanisms and other agencies. For that reason, she had abstained on the draft.

Also today, the Committee postponed action on drafts on the new international humanitarian order; the rights of the child; and global efforts for the total elimination of racism, racial discrimination, and xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.

Statements were made today by the representatives of Jordan, Namibia, Uruguay, South Africa, Peru, the United States, Rwanda, Venezuela, Cuba, Mexico, Belgium, Pakistan, Indonesia, Australia, Switzerland (also on behalf of Liechtenstein), Morocco, Azerbaijan (on behalf of the Organization of the Islamic Conference), Panama, Belarus, Egypt, Zimbabwe, China, Myanmar, Syria, Uzbekistan, Barbados, Libya, Costa Rica, and Algeria.

The Committee will meet next at 10 a.m. on Wednesday, 22 November, to take further action on draft resolutions.

Background

The Third Committee (Social, Humanitarian and Cultural) met today to continue taking action on draft resolutions.

The Committee was to take action on a draft resolution on the new international humanitarian order (document A/C.3/61/L.54/Rev.1), which would have the General Assembly recognize the need to further strengthen national, regional and international efforts to solve humanitarian problems, and for the identification of those problems that could be solved before they created victims. It would invite Member States, the Office for the Coordination of Humanitarian Affairs of the Secretariat, relevant entities of the United Nations system, and intergovernmental and non-governmental organizations, including the Independent Bureau for Humanitarian Issues, to reinforce activities and cooperation so as to continue to develop an agenda for humanitarian action.

The draft resolution on assistance to refugees, returnees and displaced persons in Africa (document A/C.3/61/L.55) would have the Assembly note that the situation for such persons remains precarious. The draft reaffirms that host States have primary responsibility to ensure the civilian and humanitarian character of asylum, and condemns all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks. It deplores violence and insecurity that threatens the safety of staff members of the Office of the United Nations High Commissioner for Refugees (UNHCR), and urges States, parties to conflict and others to take all necessary measures to protect humanitarian assistance activities.

The draft further urges UNHCR and others to intensify their support to African Governments through capacity-building activities, and affirms that voluntary repatriation should not necessarily be conditioned on accomplishing political solutions in the country of origin. It appeals to the international

community to respond, in the spirit of solidarity and burden-sharing, to the third-country resettlement needs of African refugees. Within Africa, it calls upon States to take concrete action to pre-empt internal displacement.

A draft on the rights of the child (document A/C.3/61/L.16/Rev.1) would have the Assembly express profound concern that the situation of children in many parts of the world remains critical as a result of such factors as poverty, pandemics, natural disasters, armed conflict, trafficking, child prostitution, child sex tourism, racism, xenophobia and gender inequality. States that have not yet done so would be urged to become parties to the Convention on the Rights of the Child, and those that have, would be called upon to fully implement its provisions. All States would be called upon to abolish the death penalty and life imprisonment for under-18 offenders, and to ensure that no child in detention is sentenced to forced labour.

Under the draft's terms, States would also be expected to criminalize all forms of sexual exploitation of children, and to ensure the demobilization and rehabilitation of child soldiers. To eradicate poverty, Governments would be called upon to take an integrated and multifaceted approach based on the rights and well-being of children. The Secretary-General would be asked to report on the rights of the child to the sixty-second session of the Assembly, while his Special Representative for children and armed conflict would be asked to continue reporting to the Assembly and to the Human Rights Council.

A draft resolution on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (document A.3/61/L.53/Rev.1) would have the Assembly express deep concern at recent attempts to establish hierarchies among emerging and resurgent forms of racism, racial discrimination, xenophobia and related intolerance, and urge States to adopt measures to address these scourges. It stresses that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in purpose, or effect on grounds of race, colour, descent or national or ethnic origin, and it urges all States to rescind, or refrain from, all forms of racial profiling.

The draft would have the Assembly condemn the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred, and call upon States to take all necessary measures to combat this form of racism. Once the draft was adopted by the General Assembly, a Durban Review Conference would be convened in 2009 on the implementation of the Durban Declaration and Programme of Action, with the Human Rights Council being asked to act as a preparatory committee and to formulate, by 2007, a concrete plan for the review conference.

A draft on human rights and extreme poverty (document A/C.3/61/L.21/Rev.1) would have the Assembly reaffirm that widespread absolute poverty inhibited the full and effective enjoyment of human rights and rendered democracy and popular participation fragile. It would also reaffirm the commitments made in the United Nations Millennium Declaration and at the 2005 World Summit, notably to halve by 2015 the proportion of the world's people living on less than one United States dollar a day. It would further invite the United Nations High Commissioner for Human Rights to continue to give high priority to the relationship between extreme poverty and human rights.

Action was to be taken as well on a draft on the Subregional Centre for Human Rights and Democracy in Central Africa (document A/C.3/61/L.22), by which the Assembly would welcome the Centre's activities at Yaoundé and note, with satisfaction, the support being given by its host country. It would go on to ask the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Centre with additional funds and human resources, so that it could respond to growing needs in promoting and protecting human rights and in developing a culture of democracy in the Central African subregion.

A draft resolution on the protection of migrants (document A/C.3/61/L.29/Rev.1) would have the Assembly call upon States that had not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority. Further to the draft, the Assembly would express concern about the legislation and measures adopted by some States that restricted the human rights and fundamental freedoms of migrants and reaffirm that when exercising their sovereign right to enact and implement migratory and

border security measures, States had the duty to comply with their obligations under international law. It would also strongly condemn the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, while urging States to apply existing laws when such acts occurred.

A draft on regional arrangements for the promotion and protection of human rights (document A/C.3/61/L.32/Rev.1) would have the Assembly stress the importance of the programme of technical cooperation in the field of human rights, and renew its appeal to all Governments to consider making use of the possibilities offered by the United Nations under that programme of organizing information or training courses at the national level for Government personnel on the application of international human rights standards and the experience of relevant international bodies. It would further invite States in areas in which regional arrangements in the field of human rights did not yet exist to consider concluding agreements with a view to establishing suitable regional machinery for the promotion and protection of human rights.

Action was set to be taken on a draft resolution on the situation of human rights in the Islamic Republic of Iran (document A/C.3/61/L.41). It would have the Assembly welcome the standing invitation extended by the Government of Iran to all human rights thematic monitoring mechanisms, its dialogue with a number of countries on human rights, and the release of some prisoners who had been held without due process of law. However, the Assembly would express serious concern at the continuing harassment, intimidation and persecution of human rights defenders, non-governmental organizations, political opponents, religious dissenters, bloggers and union members, among others.

Further to the draft, the Assembly would also voice serious concern at a persistent failure in Iran to comply fully with international standards in the administration of justice — including the absence of due process of law, the refusal to provide fair and public hearings, and the denial of the right to counsel by detainees. It would also express similar concern at the continuing use of flogging, amputations and other forms of torture and cruel, inhuman or degrading treatment, as well as the ongoing use of public executions, continuing violence and discrimination against women and girls, and increasing discrimination and other human rights violations against ethnic and religious minorities.

By the draft, the Assembly would call upon the Government of Iran to ensure full respect for the rights to freedom of assembly, opinion and expression, and for the right to due process of law, to eliminate the use of torture and other cruel forms of punishment, to abolish public executions, and to eliminate discrimination and violence against women and girls, as well as discrimination based on religious, ethnic or linguistic grounds. It would encourage the Human Rights Council and various Special Rapporteurs to pursue their work regarding Iran, and for the Assembly to continue its examination of the situation at its sixty-second session.

Action on Draft Resolutions

The representative of Jordan asked to postpone action on a draft resolution on the new international humanitarian order (document A/C.3/61/L.54/Rev.1), because consultations with interested delegations were still taking place.

The representative of Namibia, speaking on a draft resolution on assistance to refugees, returnees and displaced persons in Africa (document A/C.3/61/L.55), said that the draft was important for Africa and, for that reason, asked for action to be taken.

The Committee then approved the draft without a vote.

The representative of Uruguay then said, with regret, that action could not be taken today on the draft resolution on the rights of the child (document A/C.3/61/L.16/Rev.1). The Chair asked if it would be possible to take action in the afternoon; the representative replied that deferment to tomorrow (Wednesday) would be preferable.

The Committee then began to take action on the draft on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of, and follow-up to, the Durban Declaration and Programme of Action (document A/C.3/L.53/Rev.1). The Secretary made an oral statement on the financial implications of operative paragraphs 37 and 45,

regarding the provision of resources for two working groups, a group of independent eminent experts and the Special Rapporteur on racism. He explained that in the case of operative paragraph 37, no additional appropriations would be required, and in the case of operative paragraph 45, budgetary provisions had already been made.

The representative of Finland, on behalf of the European Union, asked that action be postponed on the draft until Wednesday, as negotiations were still under way with the Group of 77, and time was needed to reach agreement on the text.

The representative of South Africa said that, in a spirit of cooperation, and in order to show flexibility, the Group of 77 could agree to a postponement until tomorrow (Wednesday) morning.

Speaking on a draft resolution on human rights and extreme poverty (document A/C.3/61/L.21/Rev.1), the representative of Peru thanked delegations for supporting the draft, and read out the names of additional co-sponsors.

The Committee then approved the draft without a vote.

The representative of United States said that she had joined in the consensus, but had concerns that the resolution did not adequately reflect the fact that respect for human rights was, in and of itself, an important tool for fighting extreme poverty. Fighting poverty was a central commitment of her country's foreign policy, but good government was an essential condition for development and addressing poverty. So, too, was rooting out corruption, as well as respect for human rights and the rule of law. With the world's help and the right policies, citizens of the developing world should live under Governments that provided basic services and respected human rights.

Speaking on the draft on the Subregional Centre for Human Rights and Democracy in Central Africa (document A/C.3/61/L.22), the representative of Rwanda read out several amendments to the English-language version of the draft. He thanked Member States, the Secretary-General, and the Office of the United Nations High Commissioner for Human Rights (OHCHR) for their ongoing support of the Centre's activities, which he hoped would continue so that it could carry out its important mission. He expressed the wish that the draft would be adopted by consensus.

The representative of Venezuela said that she welcomed the Centre and the efforts of Venezuela's African brothers to promote human rights in their region. She wished to note that the reference to the 2005 World Summit Outcome in preambulatory paragraph 7 did not represent any mandate for her republic.

Speaking in explanation of position, the representative of Cuba said that he also wished to congratulate his African brothers on the initiative, but wanted to underscore that the draft contained certain elements, particularly in the preambulatory section, that were limited to a certain number of countries in the African region. Adoption of the draft did not mean that those elements had the full support of Member States.

The Committee then approved the draft, as orally revised, without a vote.

The Committee then began to take action on the draft on the protection of migrants (document A/C.3/61/L.29/Rev.1). The Secretary read a statement on its financial implications, saying it would not entail any additional appropriation.

The representative of Mexico, the main sponsor, said the revised draft had been the result of extensive, open-ended consultations involving useful participation from a number of delegations. It was hoped that once again the resolution could be adopted without a vote, showing the international community's unanimous support for the protection of migrants wherever they are to be found and regardless of their migratory situation.

The draft was then adopted without a vote.

Speaking afterwards, the representative of the United States said that her country had joined consensus after substantial negotiations with other delegations. The United States had been a nation of

immigrants; it had drawn strength from those who had arrived on its shores. Last year it had welcomed one million legal permanent residents. The United States welcomed legal immigrants and properly documented visitors, and it was committed to protecting their human rights while they were within its borders. There were more than one million United States citizens in other countries, contributing vitally to the global economy. The United States urged them to observe local laws in other countries, and it expected those who came to the United States to do the same. Effective migration management included protecting the human rights of migrants; to do so would be crucial to maximize the benefits of migration and to address its challenges. All countries had to be committed in that regard.

Speaking on a draft on regional arrangements for the promotion and protection of human rights (document A/C.3/61/L.32/Rev.1), the representative of Belgium thanked delegations for their support, and expressed hope that the draft could be approved without a vote.

Speaking in explanation of position, the representative of Cuba thanked Belgium for the spirit of cooperation it had shown on the draft. Operative paragraph 11 was not taken to mean that the Commission was endorsing the plan of the High Commissioner for Human Rights, nor did it prejudice the decision which Member States would have to take regarding proposals of the High Commissioner relating to the plan of action.

The Committee then approved the draft without a vote.

On the situation of human rights in the Islamic Republic of Iran (document A/C.3/61/L.41), the representative of Cuba started to take the floor.

The representative of Finland then asked for the floor in order to clarify the rules of procedure. He said that Cuba's statement was a general one on a subject that had already been spoken on extensively. The debate was no longer open.

The representative of Cuba said that he was not discussing what the representative of Finland was referring to, but was moving on to Agenda item 67(c) and wished to make a clarification beforehand. That was his right, and no one could take it away.

The Secretary said that the rules of procedure did not script every single move of the Committee and that the representative of Cuba was within his rights to request the floor at the beginning of consideration of an item or sub-item.

The representative of Cuba, speaking on behalf of the Non-Aligned Movement, reaffirmed what that Movement's heads of State and Government had agreed upon at its recent Summit Conference, namely that exploitation of human rights for political purposes, including selective targeting of individual countries for extraneous considerations, should be prohibited. The Movement's leaders also condemned selectivity and double standards in the promotion and protection of human rights, as well as all attempts to exploit human rights as a pretext for political purposes. He encouraged all members of the Movement to adhere to those principles when casting their votes on country-specific draft resolutions before the Third Committee.

The representative of Iran, at the invitation of the Chair, began to speak, but was interrupted to enable the Secretary to make a statement on budgetary implications. The representative of Finland raised a point of order, saying that the established practice of the Third Committee had not been to have general statements at this point. Debate was now over and action was being taken on a draft resolution, he said. If other delegations were given the floor to make general statements, then his delegation would ask to do so as well.

The Secretary began to read aloud a number of technical corrections to the draft, based on the English text of the draft, and a statement on financial implications. The representative of Finland raised a point of order again, apologizing for the interruption and requesting the right to make a statement since another delegation had been able to do so.

The representative of Cuba said his delegation believed it had every right to make a statement. It was important not to lose peace. It was not a question of determining if a delegation could make a statement. His delegation would be grateful if other delegations read the rules of procedure and tried not to redefine the practice of the

Committee.

The representative of Iran said it had not been her intention to make a general statement; it only wanted to ask for an adjournment of the debate on the draft resolution at hand.

The Secretary asked for a clarification from the representative of Iran that she was moving for adjournment under rule 116 (on the adjournment of debate).

The representative of Iran replied that, in view of the widespread support given last week to a draft resolution opposing country-specific resolutions, it was her delegation's wish to invoke rule 116 and to request that no action be taken on the draft.

The representative of Canada, the main sponsor of the draft, raised a point of order, asking the Chair to clarify if Iran could make such an intervention before the Secretary had explained the context in which the Committee was in.

The Chair said that a motion to adjourn could be made at any point after the start of consideration of a resolution. Iran had asked for adjournment on the draft at hand under rule 116 of the General Assembly's rules of procedure. He then gave the floor to two representatives in favour of the motion and two opposed, after which the motion would be put to a vote.

The representative of Pakistan said he supported the motion for adjournment. Last week, the Third Committee had adopted a resolution on the promotion of mutual respect and dialogue on human rights. Pakistan had voted in favour of that resolution because it addressed the need to address politically motivated, biased, and targeted resolutions. Its adoption was a clear manifestation that the practice of country-specific resolutions should be discouraged in the multilateral framework of the United Nations.

From previous country-specific resolutions, it had been learned that such measures did not promote better respect for human rights but rather alienated national Governments through a name-and-shame approach and often overlooked national efforts to protect human rights. They created artificial barriers to dialogue between Member States and human rights mechanisms. While all human rights were universal, it was important that the international human rights agenda be addressed in a fair and balanced manner. That could not be done by exclusion and confrontation, as in country-specific resolutions. He strongly urged delegations to support the motion of no action in order to save the Third Committee from indulging in the practice of naming and shaming developing countries.

The representative of Indonesia said that it was necessary to do away with the politicization and selectivity of country-specific resolutions, which had undermined the effectiveness of the Human Rights Commission, and to observe the principles of the General Assembly resolution that had established the Human Rights Council. Indonesia supported new modalities, which should consider the capacity needs of developing States.

The resolution on the promotion of mutual respect and dialogue on human rights approved last week was in line with the spirit of the United Nations Charter and the resolution creating the Human Rights Council and, as such, should provide guidance to countries in dealing with human rights situations. Its content should be observed in good faith by Member States. Tabling of such draft resolutions as the current one on Iran did not enhance the credibility of the United Nations. He supported the motion for no action and urged other delegations to do the same.

The representative of Canada said that one of the United Nations' most fundamental responsibilities was to address human rights concerns wherever they arose. No country should be beyond the Committee's scrutiny. It was important for the international community to be able to speak out on such cases. Canada supported cooperation, but when a country did not engage its own citizens, cooperate with the international community or address serious situations, then the international community had no choice but to express its views. The resolution was not a frivolous one. It was brought forward by 43 countries because it was essential that the General Assembly send out a sustained and consistent message that the human rights situation in Iran had not been corrected.

Procedural manoeuvres should not be allowed to thwart the Third Committee's efforts to engage in debate, the representative said. The no action motion would negate the jurisdiction and responsibility of

the Assembly, undermine its credibility and seriously weaken its relevance. For that reason, Canada did not plan to bring forward a no action motion on Iran's resolution on the situation of human rights in Canada, despite his belief that the resolution did not stand up to scrutiny on its merits. That would send a negative message to the world; that the Assembly refused to look at serious human rights situations. If the Assembly was to be a credible voice on human rights, it must consider situations on their merits.

The representative of Australia said that it was deeply regrettable that a motion for no action had been tabled. United Nations bodies, including the Third Committee, should be forums for addressing serious human rights situations wherever they occurred. Regardless of their content, all texts should be reviewed and action taken on them based on their merits. Delegations should be able to register their views, and procedural means should not be used to prevent action on substance. Australia opposed all no action motions on principle. She called on other delegations to join in rejecting the current one.

The Committee then rejected the no action motion by a vote of 77 against to 75 in favour, with 24 abstentions. (See annex I).

The Secretary then read out revisions to the draft.

The representative of Canada said that 43 member States, including Bulgaria, had become co-sponsors of the draft resolution on the human rights situation in the Islamic Republic of Iran. Since the previous adoption of a similar resolution, there had been a continued deterioration in the Iranian Government's conduct vis-à-vis human rights. Every effort had been made for the text of the resolution to be balanced and accurate. It underlined key concerns and called upon the Government to hasten progress to improve human rights for all Iranians. All avenues had to be utilized to ensure positive change; the resolution at hand had a role to play in that endeavour. Canada looked forward to the day when the situation in Iran would be such that a resolution would no longer be necessary. Other delegations were strongly urged to support the resolution.

The Chair then asked if any other delegation wished to co-sponsor the resolution. There was no response.

Speaking prior to the vote, the representative of Switzerland, also speaking on behalf of Liechtenstein, asked to make a general explanation of position regarding country-specific resolutions. Their strong preference was for such resolutions to be adopted after consultations with the country concerned, with the broadest consensus possible. It was acknowledged that such consensus might not always be possible; Switzerland and Liechtenstein therefore supported resolutions that address grave human rights violations, where the Government concerned did not cooperate with the international community, and where urgent and concrete measures were needed to protect human rights and to put mechanisms into place to respond to abuses. The system of reference had to be international human rights law. Switzerland and Liechtenstein would vote in favour of the resolution.

The representative of Morocco asked for a correction to be made to the Arabic version of the draft resolution, which she said incorrectly identified her country as a co-sponsor. The Chair said the Secretary would take note of her request.

The representative of Azerbaijan, on behalf of the Organization of the Islamic Conference (OIC), reiterated the Organization's opposition to such country-specific resolutions which sought to exploit human rights for political purposes. The Government of Iran had demonstrated its readiness to engage in dialogue and cooperation; the resolution would escalate mistrust and risk challenging the credibility of the international community in protecting and promoting human rights.

The representative of Mexico said that there needed to be more balance in the consideration of human rights situations and in the elimination of practices that had undermined the erstwhile Commission on Human Rights. While work was under way, in the first year of the Human Rights Council, to consolidate methods to protect and promote human rights, and to deal with violations, traditional mechanisms and inertia continued to persist. While the mechanism of universal periodic review was being established, there was a trend to introduce resolutions that represented clear reprisals. Mexico would abstain from voting on the resolution, and from the remaining drafts under agenda item 61(c).

The representative of Panama expressed concern at the considerable number of country-specific resolutions, which had led to

politicization, even as the Human Rights Council was setting up a mechanism for universal periodic review. Such resolutions should no longer be considered.

The Chair announced that a request had been made for a recorded vote.

Speaking in explanation of vote, the representative of Sudan said that it was alarming and of considerable concern that just one year after world leaders had met in New York and decided to establish the new Human Rights Council, based on non-politicization and the elimination of double standards, the international community was back to square one. Country-specific resolutions were a means for settling scores and conserving the interests of some countries and had nothing to do with protecting and promoting human rights.

It was an irony of fate that the authors themselves were not innocent of human rights violations, he said. The draft targeted Iran despite the spirit of cooperation and openness that it had shown by sending invitations to all individuals responsible for examining human rights issues to visit the country and see what was happening on the ground. Defamation was the main concern of the sponsors of such drafts, which targeted developing and Muslim countries. Sudan would vote against the draft.

The representative of Belarus said that his country did not accept the form or content of country-specific resolutions. The submission of the draft on Iran was unjustified and clearly confirmed the selective and biased approach of the sponsors. It was not aimed at concerns on human rights themselves but at the independent domestic policies of Iran. That main motive was clearly demonstrated in the text. Iran was an independent sovereign State which was concerned about prosperity and the well-being of own its people. Criticisms of Iran from outside were not based on sincere feelings that could bring any benefits. For those and other reasons, he would vote against the draft.

The representative of Egypt said that her country opposed country-specific resolutions independent of any aspects contained therein because they enhanced selectivity in human rights issues and did not deal in an objective way with a view to giving assistance to countries in promoting human rights. The over-politicization of human rights issues and the policy of threats resulted in vain efforts to deal with human rights. The individual nature of resolutions was against everything currently being done to protect human rights. Those issues should be dealt with by periodic reviews of the Human Rights Council, since all countries were subject to them without exception.

When countries submitted drafts every year while abuses of human rights continued to take place in Palestine, that led to doubts about the real desire to protect human rights, she said. Such measures also did not take into account the cultural nature of specific customs or practices in one or another society. How human rights were dealt with should be radically changed. There should be equality between all countries, both large and small, strong and weak. For that reason, she would vote against the draft.

The representative of Cuba said that the political motivation behind the draft made it non-legitimate. It was not based on the desire to support human rights but on double standards and politicization. A new spirit in human rights had led to the creation of the Human Rights Council. Many sponsors had spoken of mechanisms in the Council to end selectivity. The draft did not reflect that. For those reasons, Cuba would vote against the draft.

The representative of Zimbabwe said that resolutions like the current one did not advance the human rights agenda and were undermined by their unwarranted politicization. Assembly resolution 60/251 underlined the primacy of dialogue and cooperation in human rights issues. The sponsors of the current draft were clearly aware of that since they had supported it. Their motivations, therefore, must lie in a domain outside of the Committee. It was unacceptable that delegations abused the human rights machinery for other purposes.

If they were concerned about human rights, the sponsors should examine themselves before pointing fingers at others, he said. Some had made admissions of wrongdoing that they believed justified their singling out countries with which they had poor relations. He asked when human rights monitors would table resolutions on the violations committed among them. Not soon, he reckoned. Given the political motivation of the draft, it was hard to believe that the sponsors were committed to genuine dialogue. Such dialogue did not begin with one delegation waving a piece of paper at another a few days

before the end of the Committee's work. For those reasons, he would vote against the draft.

The representative of China said that differences on human rights issues should be resolved based on dialogue and cooperation. China opposed country-specific resolutions. The present draft had not been tabled out of a genuine interest in human rights, but to serve heavily political purposes. It would in no way contribute to human rights. For that reason, China would vote against it.

The representative of Myanmar said there had been an increasing use of the General Assembly to put pressure on developing countries for political purposes, causing distrust and confrontation. The resolution at hand was an example of the politicization of human rights; it was a case of conducting foreign policy by other means. The logical forum for human rights issues should be the Human Rights Council, avoiding duplication with the work of the Third Committee. As a member of the Non-Aligned Movement, Myanmar supported its position on country-specific resolutions, and would vote against the draft resolution.

The representative of Syria said her country refused politicization, selectivity and double-standards and the use of human rights to serve political interests with the main aim of interfering in a State's internal affairs and national sovereignty. It would vote against the draft.

The representative of Venezuela said that well-known violators of human rights had been among the co-sponsors. His country disagreed with the introduction of country-specific resolutions and supported the Non-Aligned Movement statement that had been read out. In practice, selectivity and politicization of human rights issues would continue to affect, in the worst possible way, the real and potential victims of human rights violations. Such individuals had become pawns for political interests and strategic confrontation.

Uzbekistan's representative said his delegation strongly opposed politicization, double-standards and selectivity in dealing with human rights issues, and the exploitation of the human rights agenda by some countries for their own political interests. Country-specific resolutions could only politicize the work of the Third Committee and damage international cooperation in human rights. The draft resolution at hand was highly politically motivated and biased, and it had nothing to do with the real situation of human rights in Iran. Uzbekistan would vote against it.

The representative of Barbados said it had been hoped that the establishment of the Human Rights Council would usher in a new era in human rights, but the events of the past few weeks had made it clear that those hopes had been unfounded. Barbados was concerned by the divisive nature of human rights in the Third Committee and would abstain on such issues; that position did not, however, mean a lack of concern about human rights. Barbados was gravely concerned by the pattern of human rights abuses in all parts of the world and urged States to address such issues.

The representative of Libya referred to the position of the Non-Aligned Movement reaffirmed at its summit in Havana. His country was opposed to resolutions that targeted some countries, and would vote against the draft.

The representative of Iran said the draft was unwarranted. It was another politically motivated exercise pursued by the Government of Canada to serve its narrow political purposes and interests. It brought to light the fact that United Nations human rights mechanisms had constantly been abused and manipulated to address the political interests of a few. Iran did not oppose the scrutiny of Member States by relevant bodies of the United Nations; it wondered if any Member State could claim that the human rights situation within its territory should be beyond international scrutiny. Canada had a questionable human rights record, particularly concerning indigenous peoples and immigrants, and it had been a relentless supporter of the Israeli regime's crimes against Palestinians; various reports of the Human Rights Council had testified to the fact that Canada and other sponsors of the draft had themselves been implicated in serious human rights violations. No one could deny that the basic rights of Muslims in those countries had been violated by growing Islamophobia and defamation.

The draft consisted of baseless accusations and unfounded claims, and the situation it described in Iran was predicated on the sponsor's illusions and fantasies, the representative said. Iran, on the basis of Islamic values and international obligations, had always been fully committed to respecting human rights, and it had made efforts to protect and promote human rights at the national and international

levels. It had held four rounds of human rights dialogue with the European Union since 2002; adoption of the draft, however, could diminish prospects for cooperation and understanding on human rights, including that dialogue.

The Committee then approved the draft by a vote of 70 in favour to 48 opposed, with 55 abstentions. (See annex II.)

The representative of Costa Rica said that he had abstained on the current resolution and would do so on all country-specific resolutions. He reiterated what he had said last week, that all such country-specific resolutions should be dealt with by the Human Rights Council, which had been set up for that purpose. He appealed to Iran to deal with all human rights questions and work closely with the Council.

Algeria's representative said that she had voted against the draft and would vote against all country-specific resolutions since they maintained a climate of confrontation that was harmful to human rights. Only a cooperative approach on dialogue could work, and that must be on the basis of the periodic reviews of the Human Rights Council, which was the appropriate forum for assisting all countries in improving their human rights situations.

The representative of Brazil said that she favoured implementation of the universal periodic review mechanism which would allow the United Nations to examine human rights in all countries, free from selectivity and politicization. Country-specific resolutions were only appropriate in cases of such gravity that they required the international community's attention. For that reason, she had abstained on the present one. Iran was the only country in its region that had extended a standing invitation to United Nations human rights observers. It was involved in protecting human rights with many agencies and maintained dialogues with numerous countries. She did express concern about the lack of free expression in the country, as well as violence and discrimination against women. The continued application of the death penalty to those under the age of 18 was particularly disquieting, as was discrimination against the Baha'i community.

The representative of Finland, on behalf of the European Union, said he was heartened by the adoption of the resolution. The international community could not be silent in situations where the violation of human rights was continuous, grave and widespread and where countries did not show a willingness to address those issues and engage in meaningful dialogue. The situation in Iran met those criteria. The serious violations of fundamental freedoms there must be addressed by the General Assembly. The current draft built on previous ones and welcomed recent positive steps by Iran; however, it drew attention to grave and persistent violations, such as the use of torture and cruel and degrading treatment, including public executions and sentences of stoning. He was also concerned about the situation regarding discrimination on the basis of sexual orientation and urged Iran to promote fundamental freedoms for all of its citizens. He hoped that the adoption and implementation of the draft would open new avenues of cooperation and allow all Iranians to enjoy their rights.

The Chair asked delegations leaving the room to do so quietly.

The representative of Costa Rica said, referring to the earlier debate on the Rules of Procedure, that delegations could direct points of order at the Chair to request clarification of the Rules. Such points of order had never been used as a means to prevent delegations from making statements. It was clearly stated in the Rules that once a point of order had been made, the Chair -- not the Secretary -- would respond. That had not been what had happened this morning. The delegation wished to formally record its concern, and hoped that in the future, where points of order were raised, the Chair and the Secretary would adhere to correct practice.

The representative of Finland thanked delegations that shared concerns about earlier procedural issues, and hoped that such issues could be avoided in the future. He then said he would like to continue making the statement that he had been interrupted from making by other delegations. As a matter of principle, the European Union would vote against any motion to close the debate on an item under discussion in the Third Committee, as such motions aimed at denying member States their sovereign right to bring before the Assembly any concern they deemed worthy of its attention. Such motions also aimed to limit the agenda of the Assembly and the Committee only to issues chosen by some Member States. Everyone sought constructive dialogue, but such dialogue would only be possible when Governments were genuinely committed to removing obstacles to full enjoyment of human rights. No country, large or

small, could be regarded as being beyond consideration by international human rights forums.

The Chair explained that it had been his decision to have the Secretary speak on rules of procedure, and that the Secretary had done what he had to do. He then adjourned the meeting.

ANNEX I

Vote on Motion for No Action on Human Rights in Iran

The motion for no action on the draft resolution concerning the human rights situation in Iran (document A/C.3/61/L.41) was rejected by a recorded vote of 75 in favour to 77 against, with 24 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, China, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Gambia, Guinea, India, Indonesia, Iran, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Malaysia, Maldives, Mali, Mauritania, Morocco, Myanmar, Namibia, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syria, Tajikistan, Thailand, Togo, Tunisia, United Arab Emirates, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Argentina, Australia, Austria, Belgium, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tuvalu, Ukraine, United Kingdom, United States, Uruguay, Vanuatu.

Abstain: Belize, Bolivia, Bosnia and Herzegovina, Brazil, Cape Verde, Colombia, Ethiopia, Ghana, Guyana, Haiti, Jamaica, Jordan, Kenya, Madagascar, Malawi, Mauritius, Mozambique, Nepal, Nigeria, Papua New Guinea, Rwanda, Turkmenistan, Uganda, United Republic of Tanzania.

Absent: Benin, Central African Republic, Chad, Dominica, Equatorial Guinea, Gabon, Grenada, Guinea-Bissau, Iraq, Liberia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Seychelles, Trinidad and Tobago, Turkey.

ANNEX II

Vote on Human Rights in Iran

The draft resolution on the human rights situation in Iran (document A/C.3/61/L.41) was approved by a recorded vote of 70 in favour to 48 against, with 55 abstentions, as follows:

In favour: Albania, Andorra, Argentina, Australia, Austria, Belgium, Belize, Bulgaria, Burundi, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Paraguay, Peru, Poland, Portugal, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom, United States, Vanuatu.

Against: Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Brunei Darussalam, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Guinea, India, Indonesia, Iran, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libya, Malaysia, Maldives, Mauritania, Morocco, Myanmar, Niger, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Sudan, Syria, Tajikistan, Togo, Tunisia, Uzbekistan, Venezuela, Viet Nam, Yemen, Zimbabwe.

Abstain: Angola, Antigua and Barbuda, Bahamas, Barbados, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Cambodia, Cameroon, Cape Verde, Colombia, Congo, Costa Rica, Côte d'Ivoire, Eritrea, Ethiopia, Georgia, Ghana, Guyana, Haiti, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Madagascar, Malawi, Mali, Mauritius, Mexico, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Panama, Papua New Guinea, Philippines, Republic of Korea, Rwanda, Sierra Leone, Singapore, Suriname, Swaziland, Thailand, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Zambia.

Absent: Central African Republic, Chad, Dominica, Equatorial Guinea, Gabon, Gambia, Grenada, Guinea-Bissau, Iraq, Liberia, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Seychelles, Somalia, Timor-Leste, Trinidad and Tobago, Turkey.

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