



# General Assembly

Sixty-ninth session

Official Records

Distr.: General  
30 December 2014

Original: English

---

## Third Committee

### Summary record of the 33rd meeting

Held at Headquarters, New York, on Wednesday, 29 October 2014, at 10 a.m.

*Chair:* Ms. Mesquita Borges . . . . . (Timor-Leste)

## Contents

Agenda item 68: Promotion and protection of human rights (*continued*)

- (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)
- (c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

---

This record is subject to correction.

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

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

14-63550 (E)



Please recycle



*The meeting was called to order at 10.10 a.m.*

**Agenda item 68: Promotion and protection of human rights** (*continued*) ([A/69/383-S/2014/668](#))

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) ([A/69/97](#), [A/69/99](#),

[A/69/121](#), [A/69/214](#), [A/69/259](#), [A/69/261](#), [A/69/263](#), [A/69/265](#), [A/69/266](#), [A/69/268](#), [A/69/269](#), [A/69/272](#), [A/69/273](#), [A/69/274](#), [A/69/275](#), [A/69/276](#), [A/69/277](#), [A/69/286](#), [A/69/287](#), [A/69/288](#), [A/69/293](#), [A/69/294](#), [A/69/295](#), [A/69/297](#), [A/69/299](#), [A/69/302](#), [A/69/333](#), [A/69/335](#), [A/69/336](#), [A/69/365](#), [A/69/366](#), [A/69/397](#), [A/69/402](#) and [A/69/518](#))

**(c) Human rights situations and reports of special rapporteurs and representatives** (*continued*)

([A/69/301](#), [A/69/306](#), [A/69/307](#), [A/69/356](#), [A/69/362](#), [A/69/398](#) and [A/69/548](#); [A/C.3/69/2](#), [A/C.3/69/3](#), [A/C.3/69/4](#) and [A/C.3/69/5](#))

1. **Mr. Nambiar** (Special Adviser to the Secretary-General on Myanmar) said that his task was to assist Myanmar in its transition to democracy, as well as in its national reconciliation process, and to help further the situation of human rights there. The democratic reforms affecting the political process had moved relatively smoothly, with an actively functioning Parliament, enactment of new laws guaranteeing human rights and political freedoms, the release of political prisoners, and incremental steps to establish a free and robust media environment. However, reforms had also unleashed negative forces, encouraged narrowed prejudices and caused communal polarization across the country.

2. The lower house of Parliament had recently approved a report that called for a more impartial judicial system and the establishment of an independent body to monitor the courts. Debates about amending controversial provisions of the Constitution would continue both within and outside of Parliament. Some major political parties sought wide-ranging amendments, including to article 436, which gave the military a *de facto* veto over changes to the Constitution. The growing involvement of civil society in such debates reflected the steady broadening of democratic space within the country.

3. Myanmar's economic reforms were essential to the success of the overall reform process. While serious discussions on economic devolution and resource- and power-sharing had yet to commence, those issues were increasingly being broached, and measures had been initiated to strengthen region-based planning and management to provide for more inclusive growth.

4. A crucial test of the reform process would be the 2015 election, and there were strong expectations for a credible, inclusive and transparent process. Public attention, both inside the country and outside, was focused on how far the election bodies would go to ensure a smooth and successful electoral process. It would be critical for authorities to uphold the equal right of all citizens to participate in electoral campaigns and to run for and hold any political office, including the highest in the land.

5. Efforts towards achieving a nationwide ceasefire and beginning a political dialogue between the Government and ethnic armed groups continued to gain momentum, despite many challenges. Recent setbacks in negotiations and renewed clashes in the border areas demonstrated the need for courage and a leap of faith from both sides to overcome the entrenched mindsets of the past.

6. During the reporting period, the Special Adviser had made eight visits to Myanmar. In all his meetings there, the violence in Rakhine State had been a prominent area of focus. Two years after the outbreak of communal violence in Rakhine, the situation remained dire for the estimated 310,000 people affected, 140,000 of whom were still displaced. Although the incidence of violence had decreased and conditions in refugee camps had improved somewhat, frustration and despair remained very high among the affected communities. The Government had recently taken some promising steps and concrete initiatives, including the appointment of a new Chief Minister in Rakhine and the launching of a three-year action plan for that State, which involved ongoing consultations at various levels. It had also enhanced cooperation with the United Nations country team and international aid agencies; however, many providers of humanitarian aid had been emphasizing the need for greater access to the affected areas of Rakhine. Meanwhile, the process of granting citizenship to persons who had so far been denied that status had attracted controversy due to the Government's insistence that it would only accept

applications from Rohingyas who identified themselves as Bengalis. That condition was unacceptable to many Rohingyas. A representative of the Office of the President had stated that citizenship would be granted to those who qualified and that those who did not would be guaranteed their rights — a commitment which should be recalled in the future. While the question of citizenship would take time to be resolved, he called on the international community to continue its strong advocacy on humanitarian issues while also helping authorities tackle the abysmal poverty in Rakhine. Myanmar must engage more constructively with the international community and foster greater confidence in the political and developmental measures needed to attenuate the current polarization. He was convinced that if the Office of the United Nations High Commissioner for Human Rights (OHCHR) opened an office in Myanmar, the country's commitment to accountability would be deepened.

7. The year 2015 would probably witness a strongly contested election and test the durability of the democratic framework. The United Nations would maintain its proactive role and continue to encourage all stakeholders, including the ruling party as well as the opposition, to strengthen the country's democratic underpinnings in the common interest of its people. He therefore urged Member States to consider the advisability of providing his office with a renewed mandate to help it focus on priorities such as national reconciliation in Myanmar, the conduct of the 2015 election and the promotion of communal harmony in Rakhine.

8. **Mr. Tin** (Myanmar) said that the Secretary-General's report on the situation of human rights in Myanmar ([A/69/362](#)) gave a detailed account of the major progress made in his country during the most recent reporting period. He also thanked the Special Adviser to the Secretary-General on Myanmar for having made his oral presentation of key developments in the country in a constructive and balanced manner.

9. In dealing with human rights issues, the Government of Myanmar had always opted for dialogue and cooperation rather than confrontation. Despite its strong opposition to country-specific resolutions and mandates, it had cooperated with the Secretary-General, and during the last reporting period the Special Adviser had been allowed to visit Myanmar eight times.

10. A peaceful and democratic transformation was well under way in his country. Within a short time, his Government had brought about significant changes to Myanmar's political and economic landscape and enhanced the country's international engagements. The fact that Myanmar would be hosting the upcoming summit of the Association of Southeast Asian Nations (ASEAN) reflected worldwide recognition of the ongoing reforms in the country.

11. The current wave of reforms was focused on laying a firm foundation for a democratic society while quickly delivering the benefits of economic development to the country's people. The ongoing review of the Constitution by Parliament was expected to be completed in good time. The country's President had stated that any changes to it must be made under the right conditions and at the appropriate time, in harmony with the political, social and economic needs of society.

12. Turning to his country's peace process, he stressed that the Government was striving to resolve ethnic conflict through peaceful dialogue. Although that conflict had gone on for six decades, the prospects for ending it had never been better, and hopes were high that there would soon be a nationwide ceasefire agreement.

13. The conflicts in Rakhine State were complex and deeply rooted in a long history of mistrust and fear between communities. They could only be resolved over the long term, through education and development. Given the high level of tension — which had been exacerbated by one-sided, hatred-inciting media reports and undue external influences — poorly timed reintegration would spark more violence. In order to promote diversity and peaceful co-existence among the communities of Rakhine, the President had established a centre for diversity and national harmony. The Government was also planning an early warning system to prevent outbreaks of violence and strengthen the capacity of police forces.

14. It was important for all international agencies providing humanitarian aid in Rakhine to do so without discriminating against either of the communities that had been involved in the conflict there. The root cause of Rakhine State's problems was underdevelopment, which humanitarian assistance alone could not solve. His Government welcomed the new approach of the

United Nations Development Programme (UNDP), which was to focus on Rakhine's overall development.

15. An action plan for the rebuilding of Rakhine State as a harmonious, peaceful and prosperous society was also being drafted in close consultation with international aid agencies and the two communities involved in the conflict. The plan would cover security, rule of law, rehabilitation, socioeconomic development, peaceful coexistence and citizenship verification. Concerning the latter, ignoring the sensitivities of the local populations while insisting on the right to self-identification would create major obstacles that would prevent lasting solutions from being found.

16. Myanmar had become a more open society, as evidenced by the Government's facilitation of visits by special procedures mandate holders and its cooperation with OHCHR, which currently had several officers in the country. However, Myanmar should not remain on the agenda of the General Assembly, let alone be the subject of new monitoring mandates. Allowing a country that had changed for the better to remain subject to censure by the Committee would set a bad precedent. There was no need to resort to a country-specific resolution or to impose a further financial burden by creating new mandates in Myanmar. He urged the Committee to comply with the Secretary-General's own recommendation to review the need to continue his good offices during the coming year. The United Nations must instead shift its focus to assisting the Government with its development efforts on behalf of the people, which was a prerequisite for the success of reforms and national reconciliation.

17. **Ms. Schlyter** (Observer for the European Union) noted that the Special Adviser had mentioned that the United Nations country team for Myanmar was in the final stages of preparing a transition strategy which would be grounded in the connection between humanitarian development, peacebuilding, and human rights issues and activities. She asked him to elaborate on how that strategy would allow the country team to support the Government in its further steps towards democratization and national reconciliation. Additionally, she asked how the international community could assist the Government in its endeavours to ensure that the 2015 elections would be credible, inclusive and transparent.

18. **Mr. Duddy** (United Kingdom) welcomed the Special Adviser's active role in the peace process and the efforts made both by the Government and by ethnic armed groups to negotiate a nationwide ceasefire. He encouraged all parties to continue to negotiate in good faith to create the basis for an inclusive political dialogue necessary for a sustained peace. He asked the Special Adviser what the main stumbling blocks had been during the most recent round of negotiations for a nationwide ceasefire, and whether there were prospects for such a ceasefire prior to the 2015 elections.

19. **Ms. Mollestad** (Norway) said that the update provided by the Special Adviser demonstrated the importance of his work. She encouraged the Government of Myanmar to continue its constructive engagement with the United Nations. There continued to be improvements in many areas in Myanmar, including a strong commitment among the parties to work towards a nationwide ceasefire, with the aim of commencing an inclusive political dialogue. Those efforts should be recognized and the international community should continue to support the parties so that they could overcome the many challenges ahead. There were many concerns that remained, however, not the least of which was the situation of minorities in Rakhine and other areas.

20. **Mr. Nambiar** (Special Adviser to the Secretary-General on Myanmar), responding to a comment made by the representative of Myanmar, said that although the reintegration of some communities in Rakhine State might reignite tensions, a prolonged segregation of the communities could be counterproductive. The establishment of a centre for diversity and national harmony should allow the communities to discuss some of their problems and overcome polarization. As the Secretary-General had said, it would be useful to bring together many of the nation's leaders, including those of the opposition parties, to meet with community leaders in Rakhine.

21. The transition strategy of UNDP, as applied through its country team in Myanmar, had four pillars: human rights, peacebuilding, development and humanitarian work. While support for the country's election commission was not technically part of that strategy, the Electoral Assistance Division of the Department of Political Affairs had recently undertaken a mission to help support the election process in Myanmar, and many other outside parties were also providing support. The United Nations

would be prepared to help ensure that the various stages of the election would be conducted in a manner that was as transparent and open as possible. The list of parties and candidates on the ballot must be inclusive, and there must be no discrimination towards them or the various constituencies taking part in the vote. He understood that a large number of observers would likely be invited to observe the elections. Lastly, the adjudication process must be transparent.

22. Unprecedented progress had been made in terms of reaching a single agreement for a nationwide ceasefire, but it was perhaps too early to say that the mistrust on all sides had abated. Both sides needed to take a leap of faith by agreeing to a nationwide ceasefire rather than waiting for all of their disputes to be settled first. Nevertheless, the Government had agreed to start overall discussions of a framework for a political dialogue even before the signing of a nationwide ceasefire agreement, although such talks had yet to commence. Indirect and perhaps informal contacts should continue at high levels in order to advance the peace process. There was hope for a nationwide ceasefire by the end of 2014. Some elements of the ethnic armed groups had argued in favour of waiting until after the elections to negotiate a ceasefire, but such a delay could cause the momentum achieved by the negotiations to be lost and, in his view, set back the peace process.

23. **Mr. Mac-Donald** (Suriname), speaking on behalf of the Caribbean Community (CARICOM), said that the enjoyment of human rights was under severe pressure. It was hampered by pervasive poverty, increasing inequalities, infectious diseases, armed conflicts, intolerance, terrorism, environmental degradation and natural disasters. Globalization posed both challenges to and offered opportunities for the full enjoyment of human rights. It was therefore crucial that Member States should establish an environment in which human rights and fundamental freedoms could be realized, particularly by addressing challenges in the areas of migration, food security, global public health and the international monetary and financial system.

24. In July 2014, the States members of CARICOM had adopted a five-year plan to secure sustained economic growth and a better quality of life for the people of the region, and to achieve sustainable development. That would undoubtedly lead to the

improved enjoyment of human rights, particularly social, economic and cultural rights.

25. Sustainable development would not be achieved without adequately ensuring the rights to education, to the highest attainable standard of physical and mental health, and to an adequate standard of living, including the right to food. The right to health should be addressed in a holistic way, not only by focusing on health infrastructure and access to health services but also by remedying the causes of poor health, such as inadequate access to safe water and sanitation. Political leaders of the region, conscious of the critical role of health in the economic development of their people, had committed themselves to pursuing initiatives to improve the health of their population. Those included, inter alia, the sharing of best practices and the mobilization of resources.

26. The launch of the Hunger-Free Latin America and the Caribbean Initiative showed the commitment of the countries and organizations of the region, supported by the Food and Agriculture Organization of the United Nations (FAO), to create conditions that would eradicate hunger by the year 2025. CARICOM applauded the attention that the Special Rapporteur on the right to food had given to the negative impact of climate change and environmental degradation upon food security, particularly in countries that faced imminent risks due to climate change.

27. CARICOM countries had a longstanding record of upholding human rights and respect for the rule of law, and creating harmonious, just and democratic societies. The occurrence of abhorrent breaches of international human rights law spurred an outcry and inspired vows that such breaches should never occur again. The critical question was whether the international community could respond with unity in order to make a real impact or would allow its statements to become mere theoretical concepts.

28. **Mr. Tupouniua** (Tonga), speaking on behalf of the 12 Pacific small island developing States that were also members of the United Nations, said that sustainable development was not possible without effective support for human rights. Since 2010, all the members of his group had undergone the universal periodic review process of the Human Rights Council.

29. While Governments in the Pacific had made a number of positive changes in recent years in order to address the human rights of persons with disabilities,

some issues still required attention, including the lack of legislation, advocacy, capacity and resources. Notwithstanding, awareness of disability issues and the political will to address them was increasing.

30. Although there had been recent gains in gender equality within the education sector, the low levels of political participation and of formal employment of women, as well as the high level of violence against them, revealed unfortunate disparities. Accelerating investment in renewable energy, infrastructure and smallholder agriculture could create more economic opportunities for women, especially for those in rural areas.

31. Labour migration had a long history in his region. His group supported appropriate policy and regulatory frameworks to protect migrant workers and their families from exploitation and provide them with support while abroad. Environmentally-forced migration was one facet of the problem of climate change, which was the single greatest threat to the livelihoods, security and well-being of the peoples of the Pacific. Climate change was a human rights issue for his group and he called on those with historical responsibility for climate change to set more ambitious targets to guarantee a sustainable future. He welcomed the recommendations of the Open Working Group on the Sustainable Development Goals to include goals and indicators to ensure access to sustainable energy and to take urgent action to combat climate change.

32. **Mr. Haniff** (Malaysia), speaking on behalf of the Association of Southeast Asian Nations (ASEAN) said that human rights were a universal and cross-cutting issue, and he reaffirmed the group's commitment to promoting and protecting them. Civil, political, economic, social and cultural rights were interrelated and indivisible, and should be addressed in a balanced and integrated manner. They should be protected and promoted with due regard for specific cultural, social, economic and political circumstances. At the same time, the promotion and protection of human rights should not be politicized.

33. In 2009, the ASEAN Intergovernmental Commission on Human Rights had been established to promote progressive social development and justice, the full realization of human dignity and the attainment of a higher quality of life for the citizens of ASEAN countries. The Commission had recently convened its 16th meeting, at which the topics discussed had

included gender-sensitive guidelines for the handling of women victims of human trafficking. It had also conducted a workshop for ASEAN member States on the universal periodic review process in order to promote the sharing of experiences and capacity-building in preparation for the midterm review and second cycle of the process.

34. The ASEAN Commission on the Promotion and Protection of the Rights of Women and Children had recently convened its 9th meeting, at which it had discussed the mainstreaming of gender-related projects with other ASEAN bodies and cooperation with external partners.

35. ASEAN would continue to adopt a non-confrontational and constructive approach to engagement that took into account regional particularities; historical, cultural and religious backgrounds; and the balance between rights and responsibilities. There was also a need to further articulate its vision of a community that was not only politically cohesive, economically integrated and socially responsible, but also people-centred and rules-based.

36. **Ms. Hamilton** (United States of America) said that various human rights situations around the world continued to deteriorate. In Syria, civilian casualties had risen to over 190,000 and the atrocities being committed demanded a response. Regarding Iran, she urged its Government to allow the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to visit the country. She also voiced concerns about the Democratic People's Republic of Korea, where the regime held between 130,000 and 200,000 political prisoners in camps, some of them having been there for their entire lives.

37. The Government of Sudan had expanded the aerial bombardment of civilian targets, including schools and hospitals, in several of the country's States, while limiting humanitarian access. The United States called on Sudan to respect universal human rights, including the freedoms of speech and peaceful assembly. Meanwhile, the people of South Sudan were encountering one of the worst food security situations in the world, as their leaders failed to make peace. Her delegation condemned the human rights violations committed by all parties to the conflict.

38. The Chinese Government had been continuing a crackdown on political protest, which included forced

disappearances and the arbitrary detention of peaceful dissenters. She also expressed concern about its repressive policies in Xinjiang and Tibet.

39. The Cuban Government continued to repress peaceful assembly and freedom of expression by practicing arbitrary, and at times violent, short-term detentions. She called for the immediate release of Alan Gross, who had been detained in Cuba since 2009 for attempting to facilitate access to the Internet. She also cited the repression of political opponents, civil society and independent media by the Government of Venezuela, and of the freedoms of religion and expression in Uzbekistan and Turkmenistan, where political prisoners and prisoners of conscience were being held.

40. She expressed deep concern about restrictions on freedom of assembly and expression in Egypt. Its Government should postpone the introduction of requirements for the registration of non-governmental organizations and repeal the harsh penalties that could be imposed for the receipt of foreign funds that were considered to harm the national interest. Her Government also urged Egypt to release political prisoners.

41. Regarding Thailand, she urged the interim Government to lift martial law immediately, restore the protection of civil rights, ensure that reform processes were inclusive and facilitate a return to democracy through free and fair elections. While she welcomed the recent release by Azerbaijan of four activists, her Government remained concerned about the many peaceful activists who remained in prison, and the freezing of the bank accounts of organizations and individuals involved in democratic development activities.

42. The Government of the Russian Federation continued to intensify the repression of dissent by arresting and prosecuting civil society members and critics of its actions in Ukraine. She urged the Russian occupying authorities in the Crimean peninsula of Ukraine to cease their harassment of members of religious and ethnic minority communities, and to allow full access to international human rights monitors.

43. Lastly, she welcomed the reforms in Burma but expressed concern over the pace of progress towards ending violence and removing barriers to humanitarian access in Rakhine State. She urged the Government to

provide mechanisms for resettlement that met international standards, to comply with its international human rights obligations and to develop a transparent and voluntary mechanism for determining citizenship.

44. **Ms. Chan** (Costa Rica), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that the human rights of migrants was of particular concern. Migratory flows were complex, occurring not just from South to North, but also within the same geographical region. Increasingly, there had also been reversals of migration flows, including the return of migrants to their countries of origin and North-South migration. States of origin, transit or destination needed to work together to find solutions to the challenges of international migration.

45. The contributions of migrants to the economic and social development of their countries of destination were not sufficiently taken into account. Migration enriched societies by making them more diverse. Her Government supported effective policies and strategies that contributed to more tolerant and integrated societies, and it encouraged States to refrain from adopting measures that could negatively impact migrants or their families.

46. She expressed concern about violations of the human rights of migrants as well as the deterioration of the working conditions of migrant workers in many countries. CELAC urged all countries to promote and protect the human rights of migrants, particularly children and adolescents, women, persons with disabilities, older persons, and indigenous peoples. Migrant children and adolescents, in particular those in an irregular situation or in detention, were exposed to grave human rights violations. CELAC called on countries of transit and destination to protect the human rights and fundamental freedoms of those minors.

47. CELAC also encouraged States to address irregular migration from a humanitarian perspective, so that policies regulating the flow of migrants gave special attention to the best interests of the child on the basis of international human rights instruments, including the Convention on the Rights of the Child and the Vienna Convention on Consular Relations. While Governments had the right to draft and implement policies governing the flow of migrants through their territory, CELAC regretted the adoption of measures that criminalized migrants, particularly

migrant children and adolescents, who were in irregular situations. Discrimination and the lack of access to health care often had a negative impact on the early childhood development of migrant children, which affected them for life.

48. It was vital to protect migrants from criminal groups that profited from the vulnerability of migrants. CELAC also recognized the importance of the right of migrants to a safe, voluntary return to their countries of origin and the need to create opportunities for them. It encouraged countries of origin to formulate and implement national policies and strategies that would discourage unsafe migration.

49. She invited Member States that had not yet done so to sign or ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Lastly, migration must be considered in a comprehensive manner during the negotiations for the establishment of the post-2015 development agenda.

50. **Mr. Goltyaev** (Russian Federation) said that the protection and promotion of human rights was a priority for his country, which was fully committed to fostering human rights and dignity. Human rights were too serious a matter to be made a bargaining chip in a geopolitical game, or to be used to impose one's will on others or overthrow lawful authorities. Experience had shown that any armed intervention undertaken under the pretext of protecting civilians actually exacerbated their suffering and deprived a number of them of the fundamental human right to life. Internal crises must be overcome without external intervention, through dialogue, while respecting international human rights obligations, including the rights of national minorities. It was crucial to reject extremists who attempted to settle domestic conflicts in an illegal manner. Those approaches should be applied to the situation in Syria, Ukraine and Iraq, among other countries.

51. In the area of human rights, real progress could only be achieved by the international community on the basis of the principle of equal cooperation and by respecting the norms and principles of international law, first and foremost those of the Charter of the United Nations. Imposing one's own narrow interpretation of human rights standards on others could only stoke intercultural and interreligious tensions. Recently, in a number of States, proponents

of permissiveness had demanded a review of fundamental moral principles. Such actions were damaging to society, particularly to adolescents.

52. The commemoration in 2014 of the 75th anniversary of the start of the Second World War served as a reminder that a nation's belief in its own exceptionalism could lead to horrific events. His country was particularly concerned about the ongoing expansion of neo-Nazi ideology, which was the antithesis of human rights. Human rights included dignity, freedom, equality and tolerance, and should strengthen cooperation between States and peoples to ensure sustainable development and the prosperity of all humanity. Russia was prepared to participate actively in such cooperation in order to further human rights.

53. In response to the comments made by the representative of the United States, he pointed out a number of human rights problems in that country, including arbitrary police actions, the failure to uphold the rights of women and children, and horrific prison conditions. The United States authorities had been holding people without trial at Guantánamo Bay, abducting people throughout the world and ignoring the rulings of the International Court of Justice and the recommendations of the human rights treaty bodies. It had also failed to ratify a number of international human rights instruments, including the Convention on the Rights of the Child and the Pact of San Jose. A State with such a long list of human rights violations did not have the right to preach to others about human rights.

54. As for the comments made about Ukraine and Crimea, he noted that the people of Crimea had exercised their right to self-determination through an open and fair referendum. The representative of the United States had made untrue statements alleging human rights violations in Crimea, but had failed to say anything about the gross violations committed by Ukraine. The politicization of human rights was leading to double standards.

55. **Mr. Wibisono** (Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967) said that he had commenced his duties in June 2014, and that he approached his mandate with independence, integrity and impartiality. All Member States should cooperate with human rights mechanisms, as engagement was a manifestation of their responsibility to respect and protect human rights.



While he was aware of the concerns of Israel relating to the one-sided wording and open-ended nature of the mandate, it was for the Member States as a whole to decide whether the mandate should be reviewed. It was in Israel's own interest to grant his mandate full and unhindered access to Israel and the Occupied Palestinian Territory. However, he had been denied access to that Territory during his first official mission to the region in September 2014. The current report (A/69/301) had been drafted prior to that mission, before he had been able to directly question Palestinian victims and various witnesses. He would present his first substantive report to the Human Rights Council in March 2015.

56. He had been shocked by the devastating impact of the 50-day war on Palestinian civilians during the summer of 2014, but particularly by the impact on children, who continued to live with injuries and the trauma of witnessing the deaths of family, friends and neighbours. More than 500 Palestinian children had been killed. He had also been informed that over 200 schools had been damaged and that large amounts of unexploded ordnance littered neighbourhoods in Gaza.

57. In view of the imminent approach of winter, he stressed the importance of accelerating humanitarian relief and reconstruction efforts in Gaza. In that connection, Member States must fulfil the pledges recently made in Cairo. He also urged Israel and the State of Palestine to implement in good faith the Gaza reconstruction mechanism brokered by the United Nations.

58. In the West Bank and East Jerusalem there were areas of serious concern, including the excessive use of force by Israeli security forces against Palestinians, including during demonstrations and search operations within refugee camps; the detention and ill-treatment of children; the risk of forcible transfer of thousands of members of Bedouin and herder communities; the continuing construction and expansion of settlements; and repeated provocations at holy sites in Jerusalem. Voices from across the Occupied Palestinian Territory had been loud and clear on three demands: the need for accountability, an end to the blockade and an end to the occupation.

59. **Mr. Ghaebi** (Islamic Republic of Iran) said that the whole world had been shocked by Israel's criminal military aggression against Gaza, where more than 80 per cent of the victims had been innocent civilians. Recovery and reconstruction continued to be delayed owing to the ongoing Israeli blockade, more than

100,000 people remained homeless, food insecurity was rampant and injured civilians continued to die due to a lack of life-saving medical treatment and medicine. He strongly condemned Israel's escalating construction of settlements throughout the Occupied Palestinian Territory, in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and numerous United Nations resolutions. His Government fully supported the mandate of the Special Rapporteur and recommended that the Israeli occupying Power extend its full cooperation to him.

60. **Mr. Mansour** (Observer for the State of Palestine) said he was confident that the Special Rapporteur would investigate all the violations and crimes committed by the Israeli occupying Power against his people. There was no margin for leniency in dealing with the occupying Power, especially in light of its aggression against the people of Gaza during the summer. It had also pursued aggressive policies of illegal behaviour in connection with settlements and the desecration of holy sites, particularly in Jerusalem. The international community must take a strong, principled position not to allow Israel to commit such violations of the law, and condemn it for not allowing the Special Rapporteur access to the Occupied Palestinian Territory to carry out his mandate.

61. **Ms. Yassine** (Brazil) noted with appreciation that the Palestinian authorities had been cooperating fully with the Special Rapporteur and that Israel had resumed talks with him following years of non-communication. In order to enable a two-State solution within internationally-recognized borders, it was urgent to halt Israeli settlement in Palestine, which was not only a legal obligation but also an essential trust-building measure that would help the parties resume negotiations and reach a long overdue understanding. The military operation carried out by Israel in Gaza during the summer of 2014 had caused inadmissible suffering and destruction. She asked the Special Rapporteur how he would address the aftermath of that operation in a wide-reaching manner, consistent with his mandate.

62. **Ms. Sameer** (Maldives) agreed with the Secretary-General that there was no hope for long-term stability in Gaza without ending the occupation, which was the underlying cause of the conflict. Her country would continue to be a vocal advocate for a two-State solution through which Palestine and Israel could live in peace. The Maldives was horrified by the destruction of civilian lives, homes, hospitals and

schools during the recent offensive in Gaza. The nations of the world could not stand on the sidelines while inalienable human rights and international humanitarian law were being violated in the Occupied Palestinian Territory. She asked the Special Rapporteur to describe his vision for the implementation of his mandate and how he proposed to hold human rights violators accountable.

63. **Mr. Storaci** (Observer for the European Union) urged Israel to cooperate fully with the Human Rights Council and its special procedures mandate holders, including that of the Special Rapporteur, and to allow the latter full access to the Occupied Palestinian Territory. He strongly condemned the indiscriminate firing of rockets into Israel by Hamas and militant groups in Gaza, and the using of civilian populations there as human shields. He also condemned the loss of hundreds of civilian lives, among them many women and children. While recognizing Israel's right to defend itself against any attacks, he underlined that its military operations had to be proportionate and in line with international humanitarian law, and protect civilians at all times. Alleged violations by all sides must be investigated according to international standards.

64. The European Union called on all parties to cooperate with the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, established by the Human Rights Council in July 2014. It also remained committed to working with the United States and other partners on an initiative to resume peace negotiations with a view to achieving a comprehensive agreement based on a two-State solution. He asked the Special Rapporteur to provide both an update on his plans to visit Israel and the Occupied Palestinian Territory and an assessment of the potential for those plans to be realized.

65. **Mr. Khan** (Indonesia) said that his Government had been consistent in its condemnation of Israeli policies in the Occupied Palestinian Territory that violated international humanitarian and human rights law. The newly established Commission of Inquiry would play an instrumental role in ensuring accountability for all violations.

66. **Ms. Emadeddin** (Egypt) said that her country had facilitated the Special Rapporteur's visit to Gaza by allowing him to pass through Egyptian territory. She asked whether he had a plan of action to overcome the obstacles that had prevented him from visiting Israel, and what his views were of the discrimination against and forced migration of Palestinians.

67. **Mr. Rodríguez Hernández** (Cuba) said that the only way to achieve lasting peace in the region would be for Israel to end its settlement policy and recognize the rights of the Palestinian people. He called for an end to the occupation of all the Arab territories.

68. **Mr. Maso** (South Africa) said that his delegation shared the Special Rapporteur's grave concern about the impact of the occupation. South Africa continued to support international efforts to assist the peoples of Palestine and Israel in finding lasting peace within the context of a two-State solution. He expressed concern, however, that a two-State solution was under increasing threat due to Israel's settlement activity in the West Bank.

69. **Ms. Lack** (Germany) urged all sides in the conflict as well as donors to do their utmost to help ease the humanitarian crisis in Gaza. There was an urgent need for a swift resumption of substantive peace negotiations. She asked the Special Rapporteur whether he would establish contact with the Commission of Inquiry set up by the Human Rights Council and whether there would be any division of labour between that commission and his mandate.

70. **Ms. Pringle** (United Kingdom) said that her Government was working hard to alleviate the humanitarian situation in Gaza. She urged the parties to move quickly to accelerate reconstruction efforts and reach a comprehensive agreement that tackled the underlying causes of the conflict. She deplored Israel's recent decisions to construct settlements and expropriate land in the West Bank. She also expressed deep concern about plans to relocate Bedouin populations and the recent demolition of Palestinian structures in East Jerusalem and the West Bank. Israel must reverse those decisions. She urged the Israeli and Jordanian authorities to work together to stabilize the tense situation at holy sites in Jerusalem and ensure that the status quo was maintained.

71. She welcomed the establishment by Israel of a juvenile court to try Palestinian children separately from adults, and the increase in the age of majority from 16 to 18 years. She asked the Special Rapporteur whether he would review what progress was being made in implementing the recommendations of the report entitled "Children in Israeli Military Detention", issued by the United Nations Children's Fund (UNICEF) in February 2013. She also asked whether he would look into the recent surge in fatalities and injuries among Palestinians that had resulted from the

use of force by the Israel Defense Forces in the West Bank and East Jerusalem.

72. **Ms. Alsaleh** (Syrian Arab Republic) said that the Special Rapporteur's predecessor had expressed the fear that the United Nations would lose its credibility on account of the failure of the Israeli authorities to comply with international conventions. She hoped that serious steps would be taken to implement the mandate of the new Special Rapporteur in a way that protected the rights of the Palestinian people and exposed Israeli human rights violations.

73. **Ms. Mollestad** (Norway) said that her Government regretted the breakdown of peace talks earlier in 2014, which had brought Palestinians and Israelis to an impasse; a complete turnaround was needed. In September 2014, the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians had welcomed the monitoring mechanism of the United Nations, which had been accepted by Israel and the Palestinian Authority. The following month, at a conference co-hosted by Norway and Egypt, her country had expressed its readiness to shoulder a substantial share of the mechanism's operational budget. In 2014, an additional contribution to Gaza of \$20 million had been pledged, bringing Norway's annual support to the Palestinians to an all-time high of \$136 million.

74. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country affirmed its complete solidarity with the Palestinian cause and called for the illegal blockade of Gaza to be lifted. His Government demanded that Israel withdraw from the Occupied Palestinian Territory and end its settlement policy there. It supported the establishment of a Palestinian State on the basis of the pre-1967 borders, with East Jerusalem as its capital, and the admission of Palestine as a full member of the United Nations.

75. **Ms. Sukacheva** (Russian Federation) said that her delegation supported the intention of the Special Rapporteur to carry out an impartial study of the human rights situation in Palestine and develop effective recommendations to improve the situation there. She hoped that the Israeli Government would allow the Special Rapporteur to visit Israel and the Occupied Palestinian Territory and that it would renew constructive cooperation with him.

76. **Mr. Ish-Hurwitz** (Israel) said that some of the delegations that opposed the use of country-specific mandates had nevertheless supported their use in the case of his country. He underlined his Government's

efforts to end the fighting as early as possible, as well as to minimize casualties, underscoring that the Israeli Defence Forces had exerted the utmost efforts to prevent civilian casualties, unlike any other military force in the world. The reason why fighting and casualties had persisted was that rocket launchers had been placed in schools, and hospitals had been used as headquarters by Hamas. He regretted every loss of life, both Palestinian and Israeli, and expressed the hope that peace could be achieved through negotiations.

77. **Ms. Rasheed** (Observer for the State of Palestine) asked the Special Rapporteur whether he would be able to verify the claim by Israel that it had taken all measures not to harm the civilian population under its occupation. During the war over the past summer more than 1,500 civilians had been killed, over 500 of whom had been children.

78. **Mr. Wibisono** (Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967) said that he would like to visit the region before he completed his report at the beginning of 2015. He had already discussed several topics with the members of the Commission of Inquiry, including the possibility of gaining access to Gaza and of communicating with all segments of society in the Occupied Palestinian Territory. Concerning the process of addressing the issues of violations in the Occupied Palestinian Territory, a division of labour between his mandate and that of the Commission was also being considered.

79. Human beings were born with equal rights and must therefore be treated equally and without discrimination, as established by a number of international human rights instruments. Compliance with the principles of those instruments must be verified. He had made a commitment to offer an objective assessment of human rights violations and to recommend possible remedies. With regard to the situation in the region, he emphasized that non-combatant civilians, particularly women, children and the elderly, must be protected during armed conflict. He would seek to base his assessments of human rights violations on the first-hand information to be obtained during his visits to the region.

*The meeting rose at 1 p.m.*