



General Assembly

Sixty-second session

76th plenary meeting

Tuesday, 18 December 2007, 10 a.m.

New York

Official Records

President: Mr. Kerim (The former Yugoslav Republic of Macedonia)

The meeting was called to order at 10.30 a.m.

adoption of seven draft resolutions and, in paragraph 44, the adoption of one draft decision.

Reports of the Third Committee

The President: The General Assembly will consider the reports of the Third Committee on agenda items 42, 62, 63, 65 to 69, 70 and its sub-items (a) to (f), 106, 107, 121 and 129.

Under agenda item 65, entitled “Report of the Human Rights Council”, the Third Committee recommends, in paragraph 16 of document A/62/434, the adoption of one draft resolution and, in paragraph 17, the adoption of one draft decision.

I request the Rapporteur of the Third Committee, Ms. Tebatso Future Baleseng of Botswana, to introduce in one intervention the reports of the Third Committee.

Under agenda item 66, entitled “Promotion and protection of the rights of children”, the Third Committee recommends, in paragraph 32 of document A/62/435, the adoption of four draft resolutions and, in paragraph 33, the adoption of one draft decision.

Ms. Baleseng (Botswana), Rapporteur of the Third Committee: I have the honour to present for consideration the following reports of the Third Committee on the agenda items allocated to it by the General Assembly.

Under agenda item 67, entitled “Indigenous issues”, the Third Committee recommends, in paragraph 7 of document A/62/436, the adoption of one draft decision.

Under agenda item 42, entitled “Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions”, the Third Committee recommends, in paragraph 17 of document A/62/431, the adoption of three draft resolutions.

Under agenda item 68, entitled “Elimination of racism and racial discrimination”, the Third Committee recommends, in paragraph 26 of document A/62/437, the adoption of three draft resolutions and, in paragraph 27, the adoption of one draft decision.

Under agenda item 62, entitled “Social development”, the Third Committee recommends, in paragraph 47 of document A/62/432, the adoption of six draft resolutions and, in paragraph 48, the adoption of one draft decision.

Under agenda item 69, entitled “Right of peoples to self-determination”, the Third Committee recommends, in paragraph 23 of document A/62/438, the adoption of three draft resolutions.

Under agenda item 63, entitled “Advancement of women”, the Third Committee recommends, in paragraph 43 of Part II of document A/62/433, the

adoption of one draft decision.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

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Under agenda item 70 (a), entitled “Promotion and protection of human rights: implementation of human rights instruments”, the Third Committee recommends, in paragraph 16 of document A/62/439/Add.1, the adoption of two draft resolutions. In addition, I would like to draw the attention of the Assembly to a correction which should be made to paragraph 7 of the report. The date of 31 October should be changed to read “1 November”.

Under agenda item 70 (b), entitled “Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, the Third Committee recommends, in paragraph 173 of document A/62/439/Add.2, the adoption of 19 draft resolutions and, in paragraph 174, the adoption of one draft decision. In operative paragraph 9 of draft resolution IX of the report, the words “pursuant to Human Rights Council decision 1/107” should be deleted.

Under agenda item 70 (c), entitled “Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives”, the Third Committee recommends, in paragraph 49 of document A/62/439/Add.3, the adoption of four draft resolutions.

Under agenda item 70 (d), entitled “Promotion and protection of human rights: comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action”, the Third Committee, in document A/62/439/Add.4, advises that no action was taken under the sub-item.

Under agenda item 70 (e), entitled “Promotion and protection of human rights: Convention on the Rights of Persons with Disabilities”, the Third Committee recommends, in paragraph 10 of document A/62/439/Add. 5, the adoption of one draft resolution. In operative paragraph 2 of the draft resolution, the number “one hundred and eighteen” should be changed to “one hundred and nineteen” and the number “seven” should be changed to “fourteen”.

Under agenda item 70 (f), entitled “Promotion and protection of human rights: celebration of the sixtieth anniversary of the Universal Declaration of Human Rights”, the Third Committee recommends, in paragraph 8 of document A/62/439/Add.6, the adoption of one draft resolution.

Under agenda item 106, entitled “Crime prevention and criminal justice”, the Third Committee recommends, in paragraph 24 of document A/62/440, the adoption of four draft resolutions and, in paragraph 25, the adoption of one draft decision.

Under agenda item 107, entitled “International drug control”, the Third Committee recommends, in paragraph 12 of document A/62/441, the adoption of one draft resolution.

Under agenda item 121, entitled “Revitalization of the work of the General Assembly”, the Third Committee recommends, in paragraph 6 of document A/62/442, the adoption of one draft decision.

Finally, under agenda item 129, entitled “Programme planning”, in document A/62/443, the Third Committee agreed that no action was required by the Committee at the sixty-second session of the General Assembly.

Before concluding, I should like to thank the members of the Bureau of the Third Committee for their support and help in ensuring the successful completion of the work of the Committee. I respectfully commend the reports of the Third Committee to the plenary of the General Assembly for its consideration.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Third Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Third Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that

“When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting unless that delegation’s vote in plenary meeting is different from its vote in the Committee.”

May I also remind delegations that, in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Third Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Third Committee, unless the Secretariat is notified otherwise in advance. That means that, where a separate vote or recorded votes were taken, we will do the same. I should also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Third Committee.

Before proceeding further, I would like to draw the attention of members to a note by the Secretariat, entitled "List of draft proposals contained in the reports of the Third Committee", which has been circulated as document A/C.3/62/INF/1. The note has been distributed desk to desk in the General Assembly Hall as a reference guide for action on draft resolutions and decisions recommended by the Third Committee in its reports.

In that connection, members will find, in the third column of the note, the numbers of the draft resolutions or decisions for action in the plenary, with the corresponding numbers of draft resolutions or decisions in the Third Committee in the fourth column of the same note.

Agenda item 42

Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Report of the Third Committee (A/62/431)

The President: The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 17 of its report.

We will now take a decision on draft resolutions I to III.

Draft resolution I is entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 62/123).

The President: Draft resolution II is entitled "Office of the United Nations High Commissioner for Refugees". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 62/124).

The President: Draft resolution III is entitled "Assistance to refugees, returnees and displaced persons in Africa". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 62/125).

The President: I call on the representative of the Syrian Arab Republic, who wishes to speak in explanation of vote.

Ms. Halabi (Syrian Arab Republic) (*spoke in Arabic*): My delegation has asked to speak in order to explain its position on resolution 62/124, entitled "Office of the United Nations High Commissioner for Refugees", just adopted by the Assembly.

My delegation joined the consensus because it believes that it is important to provide a dignified life to the refugees and the forcibly displaced until they are guaranteed a dignified return to their homeland, in accordance with all international, humanitarian and moral conventions and treaties, and because the issue of refugees is not only a humanitarian one at its core, but is also highly political in essence. We reaffirm that we joined the consensus in that particular context. Since my country is not a signatory to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, we also wish to reaffirm that my country will continue to cooperate with the United Nations, including the Office of the United Nations High Commissioner for Refugees, in order to facilitate its humanitarian work in assisting refugees and internally displaced persons in the framework of its national laws.

The international community is aware of the amount of assistance and cooperation that Syria extends to refugees on its territory, who currently number over 2 million, representing 12 per cent of its

population. Despite that great burden on Syria, the international community has yet to offer a helping hand to our country, even though several international conferences have been convened to act on that important and worrying phenomenon.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 42?

It was so decided.

Agenda item 62

Social development

Report of the Third Committee (A/62/432)

The President: The Assembly has before it six draft resolutions recommended by the Third Committee in paragraph 47 of its report and one draft decision recommended by the Committee in paragraph 48 of the same report.

I call on the representative of Qatar for an explanation of position before the voting.

Ms. Al-Thani (Qatar): Upon instructions from my Government, I would like to place on record our explanation of position regarding draft resolution I, entitled “Policies and programmes involving youth: youth in the global economy — promoting youth participation in social and economic development”, included in the report of the Third Committee in document A/62/432.

This is the first time that my Government has co-sponsored a youth resolution in the Third Committee. Our co-sponsorship was in support of the major thrust of the draft resolution, which represents a national priority, reflects our national policy and aims for the future with regard to youth policy development.

Our main concern is the reference to the terminology “sexual and reproductive health” in the annex of the draft resolution. The purpose of our explanation of position is to note that reference to sexual and reproductive health has many interpretations, some of which are counter to our national legislation and religious beliefs. We will undertake such initiatives related to that terminology in accordance with our national laws, religious beliefs and national interests.

The President: We will now take a decision on draft resolutions I to VI and the draft decision, one by one.

Draft resolution I is entitled “Policies and programmes involving youth: youth in the global economy — promoting youth participation in social and economic development”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 62/126).

The President: Draft resolution II is entitled “Implementation of the World Programme of Action concerning Disabled Persons: realizing the Millennium Development Goals for persons with disabilities”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 62/127).

The President: Draft resolution III is entitled “Cooperatives in social development”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 62/128).

The President: Draft resolution IV is entitled “Follow-up to the tenth anniversary of the International Year of the Family and beyond”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 62/129).

The President: Draft resolution V is entitled “Follow-up to the Second World Assembly on Ageing”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 62/130).

The President: Draft resolution VI is entitled “Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VI was adopted (resolution 62/131).

The President: We now turn to the draft decision, entitled “Report on the World Social Situation 2007”. May I take it that the Assembly wishes to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 62?

It was so decided.

Agenda item 63 (continued)

Advancement of women

Report of the Third Committee A/62/433 (Part II)

The President: Members will recall that, at its 62nd plenary meeting, on 6 December 2007, the Assembly considered the report of the Third Committee on this item, contained in document A/62/433 (Part I) and adopted the decision contained therein.

The Assembly has before it seven draft resolutions recommended by the Third Committee in paragraph 43 of its report and one draft decision recommended by the Committee in paragraph 44 of the same report.

Before proceeding further, I should like to inform members that action on draft resolution VI, entitled “Convention on the Elimination of All Forms of Discrimination against Women”, is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolution VI as soon as the report of the Fifth Committee on its programme budget implications is available.

We will now take a decision on draft resolutions I to V and draft resolution VII, as well as on the draft decision.

We turn first to draft resolution I, entitled “Violence against women migrant workers”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 62/132).

The President: Draft resolution II is entitled “Intensification of efforts to eliminate all forms of violence against women”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 62/133).

The President: Draft resolution III is entitled “Eliminating rape and other forms of sexual violence in all their manifestations, including in conflict and related situations”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 62/134).

The President: Draft resolution IV is entitled “United Nations Development Fund for Women”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 62/135).

The President: Draft resolution V is entitled “Improvement of the situation of women in rural areas”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution V was adopted (resolution 62/136).

The President: Draft resolution VII is entitled “Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly”. The Third Committee adopted draft resolution VII without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VII was adopted (resolution 62/137).

The President: We now turn to the draft decision, entitled “Documents considered by the General Assembly in connection with the question of the advancement of women”. May I take it that the Assembly wishes to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted.

The President: I shall now call on those representatives who wish to explain their position on the resolutions just adopted.

Ms. Halabi (Syrian Arab Republic) (*spoke in Arabic*): I wish to explain Syria's position on resolution 62/134, entitled "Eliminating rape and other forms of sexual violence in all their manifestations, including in conflict and related situations".

My delegation joined the consensus on the resolution in its belief in the importance and sensitivity of addressing this issue in all its manifestations, given its close relationship to the advancement of women. My delegation believes that the document is of a legal nature and should have covered all forms of legal accountability. Our understanding of this issue is that the text, especially the fifth preambular paragraph and operative paragraph 1, is totally in harmony with and should be addressed pursuant to international law, international humanitarian law and the Fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War.

Mr. Rees (United States of America): The United States must dissociate itself from the consensus on resolution 62/137, entitled "Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly", for the reasons that we stated in the Third Committee.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 63.

Agenda item 65

Report of the Human Rights Council

Report of the Third Committee (A/62/434)

The President: The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 16 of its report and a draft decision recommended by the Committee in paragraph 17 of the same report.

Before proceeding further, I should like to inform Members that action on the draft resolution, entitled "Report of the Human Rights Council", is postponed to a later date to allow time for the review of its

programme budget implications by the Fifth Committee. The Assembly will take action on the draft resolution as soon as the report of the Fifth Committee on its programme budget implications is available.

We shall now take action on the draft decision, entitled "Report of the Human Rights Council". May I take it that the Assembly wishes to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted.

The President: I call now on representatives wishing to speak in explanation of position on the decision just adopted.

Mrs. Eilon Shahar (Israel): We disassociated ourselves from the report of the Human Rights Council in the Third Committee, and we would like to do the same at this time.

Mr. Rees (United States of America): The United States too wishes to dissociate itself from the consensus on the report just adopted under agenda item 65, "Report of the Human Rights Council", with respect to the non-institution-building sections of the Human Rights Council's report, for the reasons that we stated in the Third Committee.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 65.

Agenda item 66 (continued)

Promotion and protection of the rights of children

Report of the Third Committee (A/62/435)

The President: The Assembly has before it four draft resolutions recommended by the Third Committee in paragraph 32 of its report and a draft decision recommended by the Committee in paragraph 33 of the same report. The Assembly will now take a decision on the four draft resolutions and the draft decision, one by one.

Draft resolution I is entitled "Supporting efforts to end obstetric fistula". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 62/138).

The President: Draft resolution II is entitled "World Autism Awareness Day". The Third Committee

adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 62/139).

The President: Draft resolution III is entitled “The girl child”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 62/140).

The President: We now turn to draft resolution IV, entitled “Rights of the child”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal,

Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Draft resolution IV was adopted by 183 votes to 1 (resolution 62/141).

[Subsequently, the delegations of the Libyan Arab Jamahiriya, Maldives and Turkey advised the Secretariat that they had intended to vote in favour.]

The President: We now turn to the draft decision, entitled “Documents considered by the General Assembly in connection with the promotion and protection of the rights of children”. May I take that the Assembly wishes to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted.

The President: I call on the representative of the Syrian Arab Republic, who has asked to speak in explanation of vote after the vote.

Ms. Halabi (Syrian Arab Republic) (*spoke in Arabic*): My delegation would like to explain its vote with respect to the resolution just adopted entitled “Rights of the child”. We voted in favour of the resolution. I would like to reaffirm that the Syrian Arab Republic is very practical in its approach to the rights of the child, using its national legislative and legal frameworks to promote and protect these rights. Our delegation has signed and ratified the Convention on the Rights of the Child and its two Optional Protocols.

We would like to stress that fundamentally we have no objections to the resolution that has just been adopted and we appreciate the efforts exerted by its sponsors, especially those pertaining to problems relating to the elimination of all forms of violence against children living under foreign occupation.

My delegation understands that operative paragraph 61 confers upon the Special Representative of the Secretary-General on violence against children a clear mandate to address all forms of violence against children living under foreign occupation. Syria reserves the right to interpret operative paragraphs 15, 17, 18 and 32 of the resolution in accordance with Syrian law.

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 66?

It was so decided.

Agenda item 67

Indigenous issues

Report of the Third Committee (A/62/436)

The President: The Assembly has before it a draft decision recommended by the Third Committee in paragraph 7 of its report.

We will now take action on the draft decision, entitled "Document considered by the General Assembly in connection with indigenous issues". May I take it that the General Assembly wishes to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 67?

It was so decided.

Agenda item 68

Elimination of racism and racial discrimination

Report of the Third Committee (A/62/437)

The President: The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 26 of its report and one draft decision recommended by the Committee in paragraph 27 of the same report.

Before proceeding further, I should like to inform members that action on draft resolution II, entitled "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", is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolution II as soon as the report of the Fifth Committee on its programme budget implications is available.

I now call on the representative of the Russian Federation, who wishes to speak in explanation of vote before the voting.

Mr. Rogachev (Russian Federation) (*spoke in Russian*): I am taking the floor with regard to the draft resolution entitled "Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance".

Unfortunately, during the voting in the Third Committee, not all delegations had the political will to support the draft resolution or to oppose those who are committing acts of violence against those of a different skin colour or religious faith, including immigrants and minorities.

Extremist groups, including "skinheads" — motivated by an ideology and committing practices that the United Nations was created to resist — and the glorification of those who were involved in the crimes of Nazism, including former members of the SS, who were recognized as criminals by the Nuremberg Tribunal, are inadmissible. Nevertheless, there have recently been frequent instances of, *inter alia*, the formal dedication of monuments to Nazis, the awarding of governmental decorations and the granting of State protection to individuals guilty of crimes against humanity, the designation of days commemorating liberation from Nazism as days of mourning, the harassment of anti-Fascists and the honouring of former members of the SS as "martyrs". Such actions clearly constitute abuses of the right to freedom of peaceful assembly, association, opinion and expression and may fall within the purview of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, which would

require that their perpetrators be brought to justice as criminals.

Therefore, the delegation of the Russian Federation calls on all those who seek to prevent a revival of Nazism and who are fighting for the elimination of racism, racial discrimination, xenophobia and related intolerance to vote in favour of the present draft resolution.

The President: We will now take a decision on draft resolutions I and III and on the one draft decision.

Draft resolution I is entitled “Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia,

Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Marshall Islands, United States of America.

Abstaining:

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

Draft resolution I was adopted by 130 votes to 2, with 53 abstentions (resolution 62/142).

[Subsequently, the delegation of Nauru advised the Secretariat that it had intended to abstain.]

The President: Draft resolution III is entitled “Report of the Human Rights Council on the preparations for the Durban Review Conference”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France,

Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, United States of America.

Abstaining:

Australia, Canada, Norway.

Draft resolution III was adopted by 177 votes to 3, with 3 abstentions (resolution 62/143).

[Subsequently, the delegation of Norway advised the Secretariat that it had intended to vote in favour.]

The President: We now turn to the draft decision, entitled "Document considered by the General Assembly in connection with the elimination of racism and racial discrimination". May I take it that

it is the wish of the General Assembly to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 68.

Agenda item 69

Right of peoples to self-determination

Report of the Third Committee (A/62/438)

The President: The Assembly has before it three draft resolutions recommended by the Third Committee in paragraph 23 of its report. We will now take a decision on draft resolutions I, II and III.

Draft resolution I is entitled "Universal realization of the right of peoples to self-determination". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 62/144).

The President: Draft resolution II is entitled "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon,

Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Abstaining:

Chile, Liechtenstein, New Zealand, Switzerland, Tonga, Tunisia.

Draft resolution II was adopted by 127 votes to 52, with 6 abstentions (resolution 62/145).

[Subsequently, the delegation of Nauru advised the Secretariat that it had intended to abstain.]

The President: Draft resolution III is entitled "The right of the Palestinian people to self-determination". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Australia, Cameroon, Canada, Nauru.

Draft resolution III was adopted by 176 votes to 5, with 4 abstentions (resolution 62/146).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 69?

It was so decided.

Agenda item 70

Promotion and protection of human rights

Report of the Third Committee (A/62/439)

The President: The Assembly has before it a draft decision recommended by the Third Committee in paragraph 5 of its report. We will now take action on the draft decision, entitled "Reports considered by the General Assembly in connection with the promotion and protection of human rights". May I take it that the Assembly wishes to adopt the draft decision recommended by the Third Committee?

The draft decision was adopted.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 70.

(a) Implementation of human rights instruments

Report of the Third Committee (A/62/439/Add.1)

The President: The Assembly has before it two draft resolutions recommended by the Third Committee in paragraph 16 of its report. We will now take a decision on draft resolutions I and II.

We first turn to draft resolution I, entitled "International Covenants on Human Rights". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 62/147).

The President: Draft resolution II is entitled "Torture and other cruel, inhuman or degrading treatment or punishment". The Third Committee

adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 62/148).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 70?

It was so decided.

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee (A/62/439/Add.2)

The President: The Assembly has before it 19 draft resolutions recommended by the Third Committee in paragraph 173 of its report and one draft decision recommended by the Third Committee in paragraph 174 of the same report.

Before proceeding further, I should like to inform members that action on draft resolution X, entitled "Subregional Centre for Human Rights and Democracy in Central Africa", is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolution X as soon as the report of the Fifth Committee on its programme budget implications is available.

I call on the representative of Portugal, who wishes to speak on a point of order.

Mrs. Martins (Portugal): My delegation would like to request that the report of the Third Committee contained in document A/62/439/Add.2 be corrected to include Burundi and Côte d'Ivoire in the list of sponsors of draft resolution IX, entitled "Elimination of all forms of intolerance and of discrimination based on religion or belief".

The President: I shall now call on those representatives who wish to speak in explanation of vote before the voting.

Ms. Akbar (Antigua and Barbuda): I have the honour to speak on behalf of the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the

Grenadines, Suriname, Trinidad and Tobago and my own country, Antigua and Barbuda, on draft resolution I, "Moratorium on the use of the death penalty", contained in the report of the Third Committee (A/62/439/Add.2).

I would like to reiterate that the Caribbean Member States on whose behalf I speak are committed to the promotion, protection and enforcement of all human rights and fundamental freedoms, consistent with our legal obligations under international law. In that regard, we have supported international efforts aimed at reaffirming the importance of all human rights and ensuring the universality, objectivity and non-selectivity of the consideration of those rights. We hold that there can be no true development of our peoples without an environment conducive to the full enjoyment of their human rights.

We are fully committed to the rule of law at both the national and international levels. Consequently, we have integrated into our domestic laws our legal obligations under the various international human rights instruments to which we are States parties. Additionally, in the context of the availability of resources, we have in large measure complied with our reporting obligations to the various monitoring committees established by those conventions. Moreover, we acknowledge the importance of the recommendations of those bodies in assisting us as we strive to improve the protection, promotion and enforcement of the human rights of all of our citizens.

In that context, Caribbean Member States that maintain the death penalty reiterate their difficulty with the tone and the intent of draft resolution I contained in document A/62/439/Add.2. We find the provisions of the draft resolution to be unbalanced and contrary to international law. We are therefore very disappointed that its authors did not provide us with sufficient opportunity to air our views or submit reasonable proposals to improve the text.

The Caribbean States that are parties to the International Covenant on Civil and Political Rights do not contravene the Covenant when a capital sentence is adjudged. Article 6, paragraph 2, of the Covenant applies specifically to countries that have not abolished the death penalty. It provides that a sentence of death may be imposed only for the most serious crimes and pursuant to a final judgement rendered by a competent court.

We uphold the independence of the judiciary as a bulwark of our democracy and as a guardian against any deprivation of the fundamental and inalienable rights and freedoms of our citizens. That is supported through the observance and enforcement of the sacred legal principle that no citizen, including those accused of capital offences, can be deprived of their human rights, except through due process of law.

We regret any implication that we arbitrarily apply capital punishment for insignificant crimes and without regard for the human rights of the prosecuted. Caribbean States that maintain the death penalty apply it only for cases of murder or treason. As a matter of fact, in most of our countries capital punishment has not been carried out in more than a decade. To that end, the executive arm of Government upholds the decisions of the courts, including those handed down by the Judicial Committee of the Privy Council, which for most of us still remains the final appellate court.

We have complied with the landmark judicial decisions of that highly respected court, and have commuted to life imprisonment the sentences of death imposed on certain prisoners. That is yet another demonstration of our commitment to observing and maintaining the safeguards guaranteeing the protection of the rights of those facing capital punishment.

We regret equally the unwillingness of many abolitionist countries to engage in productive discussion and collaboration that could better address the very complex issues of criminality and crime prevention, their root causes and how they impact upon, and undermine the fundamental human rights of, our citizens. There appears to be scant interest in collaborating with Caribbean member States to deal not only with the symptoms of criminal activities but also with the socio-economic stimuli and triggers.

Finally, given the reality of the situation in the Caribbean, the countries associated with this statement are forced to question the intent and argument of the authors of the draft resolution. Caribbean opponents of the draft resolution have not contravened any laws, international or domestic, by maintaining the death penalty in their domestic laws. We respect the right of other States to abolish the death penalty but, in turn, they should respect our sovereign right to choose the judicial, political, economic and social systems that pertain to our societies. In that vein, we maintain our right to uphold or abolish the death penalty, ever

mindful of our domestic and international legal obligations.

Mr. Degia (Barbados): I take the floor to explain my country's position on draft resolution I as contained in document A/62/439/Add.2. We associate ourselves with the statement made earlier by the representative of Antigua and Barbuda on behalf of 13 Caribbean States.

At the outset, Barbados wishes to state clearly its position that any attempt by a country or group of countries to impose its values on other member countries by calling on it to abolish the death penalty or to establish a moratorium on its use is an infringement upon the sovereignty of those member States.

Although the Government of Barbados has not carried out an execution in close to a quarter of a century, the death penalty exists in the legal statutes of Barbados. It is our right to retain it or abolish it. We respect the right of those countries that have abolished the death penalty or established a moratorium to do so. We only ask that the same courtesy be accorded to us.

My delegation has a different perspective on the issue before us. Permit me to raise a few points to clarify our position and to highlight the serious shortcomings in the approach of the co-sponsors of this draft resolution.

Barbados attaches the highest importance to the issue of human rights and democracy, both in our domestic and our foreign policy. We are proud of our human rights record, not just from a civil and political aspect but also in the areas of economic, social and cultural rights. Since our independence, we have based our development on the provision of free health care to all, free education — including at university level — gender equality and the empowerment of women, a commitment to civil and political liberties and development with a human face.

We are a signatory to all the major regional and international human rights conventions and treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. We are a stable and vibrant democracy and maintain an independent judiciary and a system of due process. Indeed, our Westminster system of Government and the inclusion of the death penalty within the legal code as a punishment were inherited from one of the main

co-sponsors. The death penalty can only be applied after an exhaustive process of appeals within our courts and is subject to strict safeguards and guidelines.

Until 2005, the British Privy Council was our highest court of appeal. In 2004, shortly before the Caribbean Court of Justice replaced it, the Privy Council ruled that the death penalty sentence within Barbados' statutes was lawful and in conformity with the Constitution. In other words, as opposed to the sentiments implied in the draft resolution, we operate within a rational, structured and sound system of laws and checks and balances.

It is important to highlight that the death penalty is not prohibited in international law. The International Covenant on Civil and Political Rights states that

“In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide”. (*resolution 2200 A (XXI), annex, International Covenant on Civil and Political Rights, part III, article 6, paragraph 2*)

Barbados does not in any way view the retention of the death penalty in our statutes as contradictory to our obligations under the Convention.

The Universal Declaration of Human Rights also does not prohibit the death penalty. What we find interesting is the fact that many of the sponsors who signed on to the Declaration in 1948 preserved the death penalty in their statutes and also implemented it. They have chosen to abolish it in their national legal systems, as it is their sovereign right to do. But capital punishment remains legal under international law and Barbados wishes to exercise its sovereign right to use it as a deterrent to the most serious crimes.

Beyond all of that is the simple fact that the question of the death penalty is basically one of criminal justice as enforced and upheld within national legal systems. As long as the death penalty is not applied arbitrarily or summarily and is subject to a system of due process by competent courts, Barbados believes that it is both lawful under international law and must be seen as an internal matter fully in keeping

with the provisions of the Charter of the United Nations and all of the human rights treaties to which Barbados is a party.

In the light of the foregoing, the Government of Barbados will vote emphatically against draft resolution I. We ask that this statement be included in the official records of this meeting.

Mr. Menon (Singapore): My delegation is delivering this explanation of vote in connection with draft resolution I contained in document A/62/439/Add.2, entitled "Moratorium on the use of the death penalty".

In declaring victory, the sponsors of the draft resolution have claimed proof that the values of the European Union (EU) are increasingly universal values. But let us look at the reality. The reality is that many countries — a significant number — did not vote in favour of the draft resolution in the Third Committee. That proves yet again that there is no international consensus on the use of the death penalty. The acrimony that we saw this year also underscores the point that the draft resolution is divisive. The reality is that for many delegations this is a criminal justice issue and not a purely human rights issue, as the European Union and its allies assert.

The Universal Declaration of Human Rights does not prohibit the death penalty. Neither does the International Covenant on Civil and Political Rights. In fact, many EU countries had the death penalty on their statutes when they signed the Universal Declaration of Human Rights.

For Singapore, capital punishment is a strong deterrent that is imposed with robust safeguards and only for the most serious crimes. We believe that it is the right of all our citizens to live in a safe environment, free from criminal threat to their lives and personal safety.

It is unfortunate that the sponsors have handled this not as a debate but a lecture — their views, in their reckoning, being the only legitimate ones. They may have made pronouncements to the contrary, but there was never any real attempt to seek consensus or to persuade by argument. We saw the main sponsors refusing to acknowledge an Article in the Charter of the United Nations that states that

"Nothing contained in the present Charter shall authorize the United Nations to intervene in

matters which are essentially within the domestic jurisdiction of any state" (*Article 2, para. 7*).

They opposed what they said was selective quotations and then quoted selectively themselves. They voted en masse against amendments that no reasonable person would dispute. For instance, there is a great diversity of legal, social, economic and cultural conditions in the world. They suppressed the efforts of retentionist States to express themselves on individual paragraphs and resorted to pressure tactics and demarches.

The main sponsors will celebrate their so-called victory, but let us not forget that that victory was at the cost of much acrimony in the Third Committee and of the undermining of the sense of commonality and cooperation that should characterize our work at the United Nations. There will be ramifications for the Third Committee's relevance.

Each State has a sovereign right to choose its own political, economic, social and legal system, based on what it considers to be its own best interests. In this regard, this resolution will make no difference to Singapore's policies. We will continue to implement policies that work for us and best serve the interests of our people.

Mr. Heller (Mexico) (*spoke in Spanish*): I have the honour to speak on behalf of the 87 delegations representing all regional groups that sponsored draft resolution I, on a moratorium on the use of the death penalty, in the Third Committee. We would like this initiative to open a process of dialogue and compromise at the level of the General Assembly on a matter of fundamental importance in the prolonged efforts towards the improvement and progressive development of human rights.

For a number of years now, this matter has been a source of concern for the international community for a variety of reasons. That is why we are pleased that the General Assembly is finally approving a draft resolution that urges States to establish a moratorium on the use of the death penalty pending its abolition. This draft resolution reflects the results of intensive dialogue throughout the negotiating process among the sponsors, who see the text as the beginning of a process that will increasingly involve the United Nations in the question of the death penalty.

We hope that as of now we may begin to have an open and transparent discussion among all Member

States on this matter of great importance and sensitivity in many of our societies. The purpose of this draft resolution is not to interfere in or impose our views on others. Our intention is to promote and to strengthen the growing trend towards the elimination of the death penalty.

As in the Third Committee, the sponsors of this draft resolution urge other States to support it by voting in favour.

Mr. Akindele (Nigeria): I would like to explain Nigeria's vote before the vote on draft resolution I, on the moratorium on the use of the death penalty, contained in document A/62/439/Add.2. The Nigerian Government upholds the rule of law, including the protection of human rights and fundamental freedoms, as well as their enjoyment by our citizens. Indeed, the thrust of my statement was made by the representative of Nigeria on 15 November when this matter was dealt with in the Third Committee.

The death penalty is retained on our statute books in order to serve the purpose of our internal security and as a deterrent to criminals who would not balk at threatening and taking the lives of innocent people, including civilians. My delegation cannot accept the inference in the draft resolution that the death penalty is undermining human dignity and that imposes an obligation on the States that maintain the death penalty to restrict its use. We do not accept that a moratorium will serve our purpose in the security in our country.

Let there be no doubt that capital punishment is meted out only in very serious criminal cases, where human lives have been taken or where the security of the State has been gravely endangered. Punishment is administered only after exhaustive legal and judicial processes, including recourse to the supreme court of the land.

Although it is on record that Nigeria has not administered capital punishment in recent years, the Nigerian delegation believes that a moratorium on the death penalty should not be imposed by a group of States, irrespective of their views or values on a subject that falls strictly under the exclusive domestic jurisdiction of States. In order to command acceptability and respect, any moratorium should be a matter of serious negotiation and agreement in terms of criminal law at the international level rather than as an issue of human rights.

Indeed, this draft resolution falls far short of that. Therefore, in view of its limited and limiting nature, including its subjectivity and inflexibility, as well as its attempt to interfere in matters that should fall within the domestic jurisdiction of States and in consonance with the laws of Nigeria and its constitution, Nigeria will vote against the draft resolution on the death penalty.

The President: We will now take a decision on draft resolutions I to IX and XI to XIX, and on the draft decisions, one by one. After all the decisions have been taken, representatives will again have the opportunity to explain their vote.

We first turn to draft resolution I entitled "Moratorium on the use of the death penalty". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of).

Against:

Afghanistan, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize,

Botswana, Brunei Darussalam, Chad, China, Comoros, Democratic People's Republic of Korea, Dominica, Egypt, Ethiopia, Grenada, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Mongolia, Myanmar, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Solomon Islands, Somalia, Sudan, Suriname, Syrian Arab Republic, Thailand, Tonga, Trinidad and Tobago, Uganda, United States of America, Yemen, Zimbabwe.

Abstaining:

Belarus, Bhutan, Cameroon, Central African Republic, Cuba, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Fiji, Gambia, Ghana, Guinea, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Malawi, Morocco, Niger, Republic of Korea, Sierra Leone, Swaziland, Togo, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

Draft resolution I was adopted by 104 votes to 54, with 29 abstentions (resolution 62/149).

The President: Draft resolution II is entitled "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization".

A separate vote has been requested on the fifth preambular paragraph of draft resolution II. Is there any objection to that request? There is none. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic,

Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia.

Against:

None.

Abstaining:

Belarus, Brunei Darussalam, Cuba, Egypt, Iran (Islamic Republic of), Malaysia, Myanmar, Singapore, South Africa, Sudan, Swaziland, Syrian Arab Republic, Viet Nam.

The fifth preambular paragraph of draft resolution II was retained by 168 votes to none, with 13 abstentions.

The President: I shall now put to the vote draft resolution II as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United

Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Democratic People's Republic of Korea, Swaziland.

Draft resolution II as a whole was adopted by 182 votes to none, with 2 abstentions (resolution 62/150).

[Subsequently, the delegation of Nauru advised the Secretariat that it had intended to vote in favour.]

The President: Draft resolution III is entitled "Globalization and its impact on the full enjoyment of all human rights". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the

Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Abstaining:

Brazil, Chile, Equatorial Guinea, Singapore.

Draft resolution III was adopted by 129 votes to 54, with 4 abstentions (resolution 62/151).

The President: Draft resolution IV is entitled “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms”. The Third Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 62/152).

The President: Draft resolution V is entitled “Protection of and assistance to internally displaced persons”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 62/153).

The President: Draft resolution VI is entitled “Combating defamation of religions”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Grenada, Guinea, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia,

Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Armenia, Botswana, Brazil, Chile, Colombia, Ecuador, Ghana, Guatemala, India, Japan, Kenya, Madagascar, Malawi, Mexico, Mongolia, Nepal, Nigeria, Panama, Papua New Guinea, Paraguay, Peru, Rwanda, Solomon Islands, United Republic of Tanzania.

Draft resolution VI was adopted by 108 votes to 51, with 25 abstentions (resolution 62/154).

The President: Draft resolution VII is entitled “Human rights and cultural diversity”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution VII was adopted (resolution 62/155).

The President: Draft resolution VIII is entitled “Protection of migrants”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VIII was adopted (resolution 62/156).

The President: Draft resolution IX, entitled “Elimination of all forms of intolerance and of discrimination based on religion or belief”, has been orally corrected by the Rapporteur. The Third Committee adopted draft resolution IX. May I take it that the Assembly wishes to adopt resolution IX, as orally corrected?

Draft resolution IX, as orally corrected, was adopted (resolution 62/157).

The President: Draft resolution XI is entitled “Human rights in the administration of justice”. The Third Committee adopted it without a vote. May I take it the Assembly wishes to do likewise?

Draft resolution XI was adopted (resolution 62/158).

The President: Draft resolution XII is entitled “Protection of human rights and fundamental freedoms while countering terrorism”. The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution XII was adopted (resolution 62/159).

The President: Draft resolution XIII is entitled “Enhancement of international cooperation in the field of human rights”. The Third Committee adopted it without a vote. May I take it the Assembly wishes to do likewise?

Draft resolution XIII was adopted (resolution 62/160).

The President: Draft resolution XIV is entitled “The right to development”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab

Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Draft resolution XIV was adopted by 136 votes to 53 (resolution 62/161).

The President: Draft resolution XV is entitled “Human rights and unilateral coercive measures”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger,

Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Draft resolution XV was adopted by 132 votes to 54 (resolution 62/162).

The President: Draft resolution XVI is entitled “Promotion of peace as a vital requirement for the full enjoyment of all human rights by all”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic,

Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Abstaining:

Argentina, Armenia, Chile, Mexico, Samoa, Singapore.

Draft resolution XVI was adopted by 126 votes to 54, with 6 abstentions (resolution 62/163).

The President: Draft resolution XVII is entitled "The right to food". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan,

Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

Democratic People's Republic of Korea.

Draft resolution XVII was adopted by 186 votes to 1, with 1 abstention (resolution 62/164).

The President: Draft resolution XVIII is entitled "Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity". The Third Committee adopted draft resolution XVIII without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution XVIII was adopted (resolution 62/165).

The President: Draft resolution XIX is entitled "Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia,

Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Abstaining:

Argentina, Brazil, Chile, Kazakhstan, Nauru, Peru, Singapore, Thailand, Tonga, Uruguay.

Draft resolution XIX was adopted by 120 votes to 55, with 10 abstentions (resolution 62/166).

The President: We now turn to the draft decision entitled "Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities". The Third Committee adopted the draft decision. May I take it that the General Assembly wishes to do the same?

The draft decision was adopted.

The President: I shall now give the floor to representatives who wish to speak in explanation of vote following the voting.

Mr. Abdelaziz (Egypt) (*spoke in Arabic*): Egypt voted against resolution 62/149, entitled “Moratorium on the use of the death penalty”, because it contradicts several internationally agreed and respected religious, legal and practical elements and consideration.

Like other religions, Islam respects human dignity and the sanctity of life, for life is a gift from God to all human beings equally. The death penalty is therefore restricted to the most serious crimes in Islamic law. It may only be imposed following the application of due process of law, so as to ensure that the punishment is compatible with legal and religious provisions and that no one is arbitrarily deprived of his or her life.

Although article 6 of the International Covenant on Civil and Political Rights does not prohibit the imposition of the death penalty, the aim is clearly to ensure that the death penalty is only imposed for the most serious of crimes under the national law in force at the time the crime was committed. At the same time, it contains provisions for the granting of the right to seek pardon or to appeal for the commutation of a sentence. The key element in this regard should therefore have been due process and the thorough implementation of legal procedures, rather than focusing on the abolition of the penalty.

The restriction contained in article 6 of the Covenant on the imposition of the death penalty for crimes committed by minors reflects the existing international consensus that the death penalty may only be applied to mature adults who are aware of the consequences of their serious crimes.

Moreover, the restriction on carrying out the death penalty on pregnant women reflects respect for the right to life of unborn children, who in some cases are arbitrarily deprived of their right in the absence of crime, court sentence or right to appeal. That is especially relevant in many conflict areas and regions under harsh occupation. Islamic sharia law also prohibits abortion, except in very rare and necessary circumstances.

In spite of our sincere efforts to overcome the selectivity that characterized the draft resolution prior to its adoption, in keeping with the provisions of existing international legal instruments, our call regrettably went unheeded. The resolution fails to address extrajudicial executions. It stresses the particular needs of specific social systems while

disregarding the world’s great diversity of legal, social, economic and cultural conditions. It also ignores the fact that rules cannot always apply on the same level in all societies, or at all times.

While we recognize that some Member States have voluntarily decided to abolish the death penalty, and that others have chosen to apply a moratorium on executions, many Member States that have retained the death penalty in their national legislation, in full compliance with their obligations under the International Covenant on Civil and Political Rights. No side is more right than the other; each State has decided and will continue to decide freely, in accordance with its own sovereign right established by the Charter of the United Nations, to choose the path that responds to its own social, cultural and legal needs, in order to maintain security, social order and peace.

We are fully convinced that the divergent legal, practical and human rights arguments and considerations on this issue can be reconciled only through a comprehensive process of multilateral debate and negotiation. If we are sincere about respecting cultural diversity and promoting mutual understanding, we must not depart from the path of dialogue.

Although Egypt voted against the resolution for the aforementioned reasons, we strongly believe that it remains the obligation of all States that retain and carry out the death penalty for the most serious crimes to ensure that it is carried out pursuant to a final judgement rendered by a competent court of law, with due process being observed. Hence, we reaffirm that the focus of international efforts should be on strengthening international commitments to ensure that no one is arbitrarily deprived of the right to life, particularly as regards extrajudicial executions.

Mr. Rastam (Malaysia): I take the floor to explain my country’s position in reference to draft resolution I entitled “Moratorium on the use of the death penalty”, as contained in the report of the Third Committee (A/62/439/Add.2).

Malaysia firmly believes in the protection and promotion of human rights and upholds the rule of law. Every State has the right to choose its own political, economic, social, cultural and legal justice system, including the use of the death penalty, as suitable for its own society and national context, without interference in any form by another State.

For Malaysia, capital punishment is fundamentally an issue of the criminal justice system and is used only for the most serious crimes, in accordance with the due process of law and with the necessary safeguards.

The results of the voting on the resolution here today and in the Third Committee are a clear indication that the international community is divided on the issue of the death penalty. A sizable number of countries have shown their opposition to the content and intent of the resolution. The resolution is unbalanced and does not take into account the views of those countries that have chosen to maintain capital punishment in their legal systems. The resolution attempts to impose the values of some countries on others and allows some countries to dictate a singular view for the development of customary international law and the evolution of the international legal framework. It was for those reasons that Malaysia voted against the resolution.

Ms. Zhang Dan (China) (*spoke in Chinese*): The Chinese delegation expresses its regret that the Assembly has been obliged to discuss the issue of the death penalty in plenary meeting. Resolution 62/149, entitled “Moratorium on the use of the death penalty”, is the result of pressure exerted by some countries, using the death penalty as a pretext.

The fact that the Third Committee had to resort to a vote on the draft resolution and that 85 members did not vote in favour of it clearly reflects the level of disagreement on this issue. We express our dissatisfaction with the practice by which some countries of imposing this resolution on Member States. We also regret that certain countries blocked the various amendments aimed at improving the draft resolution.

China would like to reiterate that, in today’s world, deciding on the use of the death penalty is a matter of domestic legislation and the judicial process. It is not a matter of human rights. It is the right of each and every country to decide, on the basis of its justice system and its historical and cultural background, when to use a given form of punishment and when to decree a moratorium on or abolish it. They should be able to do so without interference from other countries. Disagreement on the issue of the death penalty should be resolved through dialogue and consultations on an equal footing. Pushing through such a resolution only

further deepens disagreement and worsens confrontation, and China is opposed to such practices. We are opposed to resolution 62/149, entitled “Moratorium on the use of the death penalty”, and we question its effectiveness.

Mr. Islam (Bangladesh): I am taking the floor in explanation of my delegation’s vote after the vote on the adoption of draft resolution I entitled “Moratorium on the use of the death penalty”, the text of which is contained in document A/62/439/Add.2.

The criminal justice system of Bangladesh has provisions for the death penalty. However, its application is very selectively restricted to cases involving the most heinous and serious crimes. It is important to note that our domestic legal system has the necessary safeguards in place to avoid any miscarriage of justice. The process involves an elaborate, exhaustive and transparent legal procedure, which goes through various tiers of the judiciary. Extreme caution is exercised at every stage, and there are adequate measures for redress. Ultimately, there is a provision for presidential clemency.

Mr. Hannesson (Iceland), Vice-President, took the Chair.

The resolution just adopted is a demonstration of the growing trend against the death penalty. However, we believe that the time has not yet come for its total abolition. A moratorium ultimately leading to the abolition of the death penalty, as called for in the resolution, would involve a full appraisal of the criminal justice system worldwide. Hence, Bangladesh was constrained to vote against the resolution. We have already explained that opposition during the consideration of the draft resolution in the Third Committee.

Ms. Halabi (Syrian Arab Republic) (*spoke in Arabic*): My delegation voted against resolution 62/149, entitled “Moratorium on the use of the death penalty”, because of our conviction that States Members of the United Nations enjoy equal sovereignty, in accordance with the principles of the Charter. That sovereignty is based on mutual respect and non-interference in the internal affairs of States. My delegation believes that the resolution just adopted constitutes explicit interference in the internal affairs and political independence of States, in contravention to the Charter. The resolution does not pertain to whether or not the death penalty is implemented.

Rather, it mainly affects each country's sovereign right to select its own political, social, cultural and judicial system.

Calling upon States to establish a moratorium on the use of the death penalty is to ask them to change their judicial systems, which are the culmination of their political, historical, religious and cultural specificities. The debate on the implementation of the death penalty undermines human dignity and completely ignores the human dignity of victims, for it ignores their rights. Those rights require that human values and ideals be respected.

In addition, the use of the death penalty has been endorsed by legal authorities in many countries, including those of my country. The Government of the Syrian Arab Republic, which applies the death penalty on the basis of the directives of its legislative system, seeks primarily to protect the rights of victims and to preserve various judicial, social, religious and cultural elements. If my Government is not authorized to interfere in the judicial systems of other States, then how can a group of States interfere in the internal affairs of another State and ask it to eliminate the death penalty from its national legislation?

In addition, the democratic process requires non-interference in the work of the judicial branch. States that apply the death penalty in line with their national legislation never ask States that do not implement it to do so. How can those States ask States that do carry out the death penalty to eliminate it? Moreover, a State or group of States cannot impose its values, opinions or legal systems on others, for every State has its own specific characteristics. The laws of each country are a natural reflection of those specificities.

The death penalty is a judicial penal measure pertaining to criminal justice, not to human rights. Eliminating the death penalty entrenches violations of human rights and rewards criminals — who may have killed more than one person — for their crimes. Protecting human rights necessarily requires considering the rights of victims before considering the penalty itself. Furthermore, States that call for the elimination of the death penalty are actually putting criminals before victims. That is something that must be considered when proposing a resolution of this sort.

Syria, which has also signed the International Covenant on Civil and Political Rights, carries out the death penalty only for the most serious crimes. It does

so only in line with article 6 of the Covenant and following due process, which ensures the rights of accused persons and provides them with every opportunity to defend themselves. However, those found guilty are subject to the just verdict of the judiciary in order to protect the rights of innocent victims.

Given our firm belief that draft resolution I contained in document A/62/432/Add.2 constituted clear interference in the laws and rights of States, and in line with what I have said today, we voted against it.

Mr. O'Reilly (United Kingdom): The United Kingdom welcomes the adoption of the important resolution 62/164, on the right to food. However, the United Kingdom would like to place on record its considerable concerns with paragraph 12 of the resolution, which stresses the General Assembly's commitments to promote and protect, without discrimination, the economic, social and cultural rights of indigenous peoples, in accordance with international human rights obligations. As stated at the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the United Kingdom does not recognize the concept of collective human rights in international law. Our interpretative statement at that time made clear that the United Kingdom fully supports the provisions in the Declaration that recognize that indigenous individuals are entitled to the full protection of their human rights and fundamental freedoms in international law on an equal basis to all other individuals, as all human rights are universal and equal to all.

However, as we reaffirmed, the United Kingdom does not accept that some groups in society should benefit from human rights that are not available to others. With the exception of the right to self-determination — common article 1 of the two international human rights Covenants — we therefore do not accept the concept of collective human rights in international law. That is, however, without prejudice to the United Kingdom's recognition of the fact that the Governments of many States with indigenous populations have granted them various collective rights in their constitutions, national laws and agreements.

For those same reasons, while the United Kingdom voted in favour of the resolution on the right to food, we do not and cannot support the language contained in paragraph 12. Accordingly, we stress that

we will be unable to support that or similar language appearing in future draft resolutions on this or any other subject. Accordingly, the United Kingdom reserves the opportunity to continue to negotiate that language further in subsequent discussions.

Ms. Booker (Bahamas): My delegation, on behalf of the Government and the people of the Bahamas, considers this an important opportunity to address this body in explanation of vote on draft resolution I, as contained in document A/62/439/Add.2, entitled "Moratorium on the use of the death penalty". Irrespective of the sentiments expressed by many in the divisive debate on this item, my delegation, as demonstrated by its vote against the resolution, firmly believes that this matter is one of national sovereignty, subject to the domestic jurisdiction of national Governments.

Having attained independence some 34 years ago, following more than 240 years of continuous parliamentary democracy, the Bahamas is a sovereign nation with a proud history of respect for human rights. Indeed, since 1647, settlers have braved the perils of the Atlantic in search of freedom and the promise of a better life in the Bahamas. Many continue to do so today.

The Bahamas prides itself on adhering to the fundamental rights and freedoms of the individual, irrespective of race, place of origin, political opinion, colour, creed or sex, as guaranteed in chapter III of its constitution — the supreme law of the land — underpinning its commitment to the principles of international law, including the respect for sovereignty and the juridical equality of States, territorial integrity, the peaceful resolution of disputes and non-interference in the internal affairs of States.

The Bahamas, in its sovereign exercise, has always considered, and continues to consider, the matter of the death penalty for the most serious crimes as a legal measure to be determined by individual States without interference, in accordance with international law. It is for those reasons that we voted against draft resolution I.

Mr. Suárez (Colombia) (*spoke in Spanish*): My delegation would like to say that it abstained in the voting on draft resolution VI, entitled "Combating defamation of religions", and voted in favour of draft resolution XIV, entitled "The right to development", and draft resolution XVII, entitled "The right to food" —

all contained in document A/62/439/Add.2. We did so against the backdrop of the considerations and statements we put forth at the time when each was considered in the Third Committee.

Ms. Halabi (Syrian Arab Republic) (*spoke in Arabic*): I should now like to explain our position on resolution 62/159, entitled "Protection of human rights and fundamental freedoms while countering terrorism". My delegation joined the consensus on that resolution because we firmly believe in the importance of combating all forms of terrorism and its root causes, given its catastrophic effects on all human rights, especially the right to self-determination of peoples living under foreign occupation, who suffer the ugliest form of State terrorism. My delegation reaffirms that, as we have not ratified the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, our understanding of operative paragraph 6 of the present resolution reinforces our continued cooperation with the United Nations within the framework of our national laws.

The Acting President: We have heard the last speaker in explanation of vote.

The General Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 70.

(c) Human rights situations and reports of special rapporteurs and representatives (A/62/439/Add.3)

The Acting President: The Assembly has before it four draft resolutions recommended by the Third Committee in paragraph 49 of its report.

Before proceeding further, I should like to inform members that action on draft resolution II, entitled "Situation of human rights in Myanmar", is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolution II as soon as the report of the Fifth Committee on its programme budget implications is available.

I now call on the representative of Belarus.

Mr. Rachkov (Belarus) (*spoke in Russian*): The delegation of Belarus has requested the floor with regard to draft resolution IV, entitled "Situation of human rights in Belarus". The submission of the draft

resolution on Belarus is an unjustified and politically motivated step that undermines the Human Rights Council's consensus agreement on institution-building. An inherent element of that agreement is elimination of the mandate of the Special Rapporteur on the situation of human rights in Belarus.

Consideration of the draft resolution on Belarus runs counter to the mechanism of the universal periodic review of human rights situations, which is designed to eliminate, to the greatest extent possible, bias and lack of grounds in the consideration of human rights situations in various countries. The draft resolution on Belarus contradicts the efforts to systematically develop a uniform and wide-ranging approach to the Organization's consideration of human rights situations.

It is clear that the draft resolution on Belarus had very little support in the Third Committee. A total of 124 States voted against it, abstained in the voting or did not participate in the voting. The draft resolution's lack of political and moral legitimacy is more than obvious.

Belarus is a party in good faith to international legal documents on human rights and is duly carrying out its international obligations. We call upon other States not to support the draft resolution on the situation regarding human rights in Belarus.

The Acting President: We will now take a decision on draft resolutions I, III and IV.

Draft resolution I is entitled "Situation of human rights in the Democratic People's Republic of Korea". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Belize, Bhutan, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cambodia, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall

Islands, Mauritania, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Romania, Samoa, San Marino, Saudi Arabia, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu.

Against:

Algeria, Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, Guinea, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Oman, Russian Federation, Somalia, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Barbados, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Colombia, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Ethiopia, Guatemala, Guyana, Haiti, India, Jamaica, Kuwait, Kyrgyzstan, Mali, Mauritius, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Philippines, Qatar, Republic of Korea, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Turkmenistan, Uganda, United Arab Emirates, Yemen, Zambia.

Draft resolution I was adopted by 101 votes to 22, with 59 abstentions (resolution 62/167).

The Acting President: Draft resolution III is entitled "Situation of human rights in the Islamic Republic of Iran".

I call on the representative of the Islamic Republic of Iran, who wishes to speak on a point of order.

Mr. Khzaee (Islamic Republic of Iran): Invoking rule 74 of the rules of procedure of the General Assembly, my delegation moves that no action be taken on draft resolution III.

The Human Rights Council, as the most competent and specialized United Nations institution, has been entrusted with the mandate of the international consideration and monitoring of human rights throughout the world through an efficient mechanism, namely, the universal periodic review. Therefore, together with the overwhelming majority of the members of the international community, my delegation is of the opinion that consideration by the General Assembly of questions such as that referred to in the draft resolution before us is categorically unwarranted and unjustified and should be excluded from the agenda of the Assembly today.

The Acting President: The representative of the Islamic Republic of Iran has moved, within the terms of rule 74 of the rules of procedure, that no action be taken on draft resolution III. Rule 74 reads in part:

“During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote.”

I now call on those representatives who wish to speak regarding the motion.

Mr. Salguiero (Portugal): I have the honour to speak on behalf of the European Union. The candidate countries Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, as well as Ukraine, Moldova and Georgia, align themselves with this statement.

We regret that a motion to adjourn the debate on draft resolution III, on this human rights situation, has been called. As we have repeatedly stated, there should be no question about the General Assembly’s mandate to look into human rights situations. The Assembly must assume its responsibility and consider all issues within its mandate whenever delegations put proposals

on the table. Therefore, we do not consider it appropriate to seek to avoid taking action altogether, through procedural motions. Draft resolutions should pass or fail according to their merits and not fall victim to procedural tricks. Suppressing debate is contrary to one of the ideas on which the creation of United Nations was based, namely, that issues of concern to Member States will be addressed and discussed openly in order to find solutions.

Moreover, we regret that the motion to adjourn the debate is being moved for the second time on the same draft resolution, after the first motion was rejected by the Third Committee. We believe that the Third Committee took that action because it chose to consider the draft resolution before us according to its merits. The no-action motion on this draft resolution in plenary meeting is thus a vote of no confidence in the Third Committee. It undermines that body, which is the only one at the United Nations dealing with human rights that has universal membership.

For both of those reasons, we will vote against this no-action motion and urge all States to vote no, regardless of their voting intentions on the draft resolution itself.

Mr. Arias Cárdenas (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The delegation of the Bolivarian Republic of Venezuela once again expresses its firm disagreement with the ongoing practice promoted by some Member States of seeking to condemn certain States, individually or selectively, within the United Nations, using their human rights situation as justification. Such draft resolutions then become instruments to promote specific political interests and could lead to strategic confrontation, repeated engagement in which is undesirable, inconsistent and illegitimate. In addition, they have no genuine interest in the victims of these violations, nor do they offer them any real assistance.

The Governments of certain countries sponsoring the present draft resolution have violated human rights, and similar draft resolutions have not been presented against them, because it does not advance the interests of the countries promoting this text. That demonstrates that they are selective in their approach to the issue of human rights. That is why the Human Rights Council, the forum for such cases, has adopted guidelines and measures, through the universal periodic review, which guarantee impartial, objective and non-selective

scrutiny of human rights situations everywhere in the world, without focusing solely on developing countries or on countries of particular interest to a given powerful country.

Similarly, my delegation believes that any measure or action taken within the framework of the United Nations must be focused on promoting and protecting human rights, on the basis of promoting international cooperation and dialogue among States. For our country, this is a question of principle.

In that regard, we express our support for the no-action motion proposed by the delegation of the Islamic Republic of Iran, in accordance with rule 116 of the rules of procedure, with regard to draft resolution III contained in document A/62/439/Add.3, and we urge all delegations to support the motion and thus prevent human rights from being used as a tool for intervention and political pressure.

The Acting President: May I remind delegations that, as agreed at the beginning, we are not discussing substance. Delegations should express support for or against the motion.

Mr. Hayee (Pakistan): I have requested the floor to support the motion to adjourn the debate on draft resolution III, entitled "Situation of human rights in the Islamic Republic of Iran". Pakistan strongly believes that all human rights are universal, indivisible and interdependent. It is, however, important that the international human rights agenda be addressed in a fair and balanced manner. That can be achieved only with an approach based on dialogue and cooperation, and not one of exclusion and confrontation such as that exemplified by the country-specific resolutions. As a member of the Organization of the Islamic Conference and the Non-Aligned Movement, Pakistan has consistently opposed country-specific resolutions. In line with our firm and principled position, Pakistan supports the no-action motion on draft resolution III, and will vote in favour of it. We would urge all other delegations to do likewise.

Ms. Molaroni (San Marino): I am pleased to deliver this statement on behalf of Andorra, Argentina, Australia, Canada, Japan, Liechtenstein, New Zealand, Palau, the Republic of Korea, Timor-Leste, the United States of America and my own country, the Republic of San Marino.

To begin, we express our deep disappointment that a no-action motion has been proposed in a plenary meeting of the General Assembly. This is an extraordinary step taken to stifle debate and undermine the jurisdiction and responsibility of the Assembly. The draft resolution before us was adopted by the Third Committee after a no-action motion was presented and failed. Allow me to repeat that: this draft resolution was adopted in the Third Committee, after an identical no-action motion failed. The draft resolution was then recommended by the Third Committee to the Assembly for our consideration today. That is how the work of the Committees of the Assembly has always proceeded. We debate and discuss and amend and argue in the Third Committee, and then we reach a decision, and that decision becomes our collective recommendation to the General Assembly.

A no-action motion in the General Assembly after the Committee has recommended this draft resolution to the Assembly for adoption signifies a complete disregard for the Third Committee and its decision-making process. Such a motion seeks to prevent the General Assembly from acting upon the recommendation of the Third Committee. If successful, it would have the effect of undermining the work of the Third Committee, the United Nations body with universal membership responsible for human rights, and of undermining the work of the Assembly itself.

We may differ on the gravity of a specific human rights situation, but we must all agree on the critical importance of maintaining the integrity of our work in the Third Committee and in the Assembly. We therefore strongly urge all Member States to vote "no" on this no-action motion in order to allow the Assembly to vote for the draft resolution on its merits.

The Acting President: I shall now put to the vote the motion submitted by the representative of the Islamic Republic of Iran that no action be taken on draft resolution III. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Bolivia, Brunei Darussalam, Cambodia, Central African Republic, Chad, China, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of

Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Myanmar, Namibia, Nicaragua, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Cape Verde, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Abstaining:

Belize, Benin, Bhutan, Botswana, Brazil, Colombia, Dominica, Ghana, Guyana, Jamaica, Lesotho, Malawi, Mauritius, Mozambique, Nepal, Nigeria, Saint Kitts and Nevis, Sierra Leone, Trinidad and Tobago.

The motion was rejected by 84 votes to 80, with 19 abstentions.

[Subsequently, the delegation of Grenada informed the Secretariat that it had intended to vote against.]

The Acting President: I call on the representative of the Bolivarian Republic of Venezuela.

Mr. Arias Cárdenas (Bolivarian Republic of Venezuela) (*spoke in Spanish*): In accordance with rule 119 of the rules of procedure of the Assembly, the delegation of the Bolivarian Republic of Venezuela requests a recorded vote relating to a portion of operative paragraph 5 of draft resolution III, entitled "Situation of human rights in the Islamic Republic of Iran", since that paragraph requests the Secretary-General to prepare a comprehensive report on the situation of human rights in the Islamic Republic of Iran. If it were adopted, it would create a dangerous precedent that would eventually undermine the work and the credibility of the Human Rights Council. We believe that international scrutiny of the protection of human rights in any country should be managed in an objective and just manner, with no abuse of the relevant United Nations mechanisms. The relevant Human Rights Council mechanism is the universal periodic review, whose mandate covers these matters of great importance.

Similarly, with regard to country-specific reports, if a report is required, the precedent and the common practice within the United Nations human rights mechanisms is to have such reports be prepared by a special rapporteur who has been appointed and whose mandate has been established by the competent organ — in this case, the Human Rights Council. My delegation therefore considers it unnecessary and a bad precedent to bypass the Human Rights Council in this case. In conclusion, one gets the impression that the sponsors of this draft resolution are intentionally trying to misuse the Assembly in order to undermine the Human Rights Council.

For that reason, my delegation is requesting that the last part of operative paragraph 5, from the words "and to this end" to the end of the paragraph, be deleted.

The Acting President: The representative of the Bolivarian Republic of Venezuela has submitted an oral amendment to operative paragraph 5 of draft resolution III. In accordance with rule 90 of the rules of procedure, the Assembly shall first take a decision on

the amendment submitted by the representative of the Bolivarian Republic of Venezuela.

I call on the representative of Canada, who wishes to speak on a point of order.

Mr. McNee (Canada): On a point of order, I wish to state that we have not had any opportunity to discuss this proposed amendment, and would ask you, Sir, to open the floor so that we can do so.

Mr. Khazae (Islamic Republic of Iran): My delegation fully supports the proposal just made by the representative of the Bolivarian Republic of Venezuela, that the second part of operative paragraph 5 be deleted. I would like to repeat, we support the deletion of the second part of operative paragraph 5 of draft resolution III, and would like to make the following observations.

First and foremost, in addition to its fundamental substantive deficiencies, unsubstantiated allegations, outdated and baseless claims and provisions and its confrontational, accusatory and counterproductive approach, draft resolution III is a futile attempt, driven solely by political motivations rather than by objective issues.

Second, Canada's resentful strife and this ill-intended ritual, which has overburdened the Assembly for the past four years, is a vivid manifestation of the deceitful and politically motivated campaign of disinformation launched against the Islamic Republic of Iran for ulterior motives.

Third, the draft resolution before us not only is a blatant abuse of the Assembly, but also constitutes deliberate and unconventional defiance of the mandate and the competence of the Human Rights Council and, as such, it is totally unwarranted and must be stopped.

Fourth, having barely and surprisingly managed to acquire a nominal and marginal endorsement of the Third Committee by the lowest number of votes and the narrowest margin, the draft resolution suffers acutely from a lack of legitimacy in the view of at least 113 countries, who either opposed it or, because of its major substantive or conceptual clauses, were not inclined to support it. It is therefore unhelpful and inapplicable.

Fifth, Canada's blatant political pressure aimed at changing the votes of Member States by various means throughout the current session of the General Assembly

is a highly implausible phenomenon in the context of human rights. It is a globally held belief that the safeguarding of human rights by political means and the application of double standards will never be achievable.

Sixth, by contaminating the Assembly with political considerations; Canada not only damages the spirit of cooperation; it also has a negative impact on the credibility of the Assembly. My delegation reiterates the necessity of strengthening the Human Rights Council and highlights the damage that the presentation of such a draft resolution inflicts on that newly established United Nations human rights institution.

To that end, the emphasis of the resolution on the establishment of the Human Rights Council (resolution 60/251) should be borne in mind. It sets a two-thirds majority requirement for voting to suspend the membership of any country because of gross violations of human rights. That is indicative of the fact that, following the establishment of the Human Rights Council, the presentation of country-specific draft resolutions in the Assembly, which is of higher standing, would only be admissible if it enjoyed the support and agreement of the majority of the members of the international community. Therefore, a draft resolution such as the one contained in the document before us today cannot be construed as a factual reflection of the viewpoint of the international community.

Seventh, having briefly expressed my delegation's objective assessment and analysis of draft resolution III, I would now like to draw the Assembly's attention to an unprecedented and most troubling new element that has been added to the last part of operative paragraph 5, which says — and I would like all delegations to take note of this — “and, to this end, requests the Secretary-General to submit to it at that session a comprehensive report on the situation of human rights in the Islamic Republic of Iran” (*A/62/439/Add.3, draft resolution III, para. 5*). Clearly, by virtue of those elements, the draft resolution, if adopted, would undoubtedly undermine the mandate and the competence of the Human Rights Council and derail all its existing mechanisms and procedures.

Finally, like the rest of the provisions of the draft resolution, the new element not only does not have any meritorious justification, but its official inclusion in the

draft resolution clearly demonstrates the ill-intended and ambitious attempt of the sponsor to fish in troubled waters and cleverly pave the way for the furtherance of their political agenda at the next session of the Assembly.

My delegation therefore unequivocally supports the proposal of the representative of Venezuela to delete the last part of operative paragraph 5 and cordially invites all countries which are either opposed to the resolution or are not supporting it to vote in favour of the proposal by the Bolivarian Republic of Venezuela.

Mr. McNee (Canada): I am grateful for giving our delegation the opportunity to comment on the proposed amendment. We are taking the floor in explanation of vote before the vote to comment on the proposed amendment. We are taking the floor to explain why we will be voting against the proposed amendment. We shall do so for several reasons, both procedural and substantive.

With regard to procedural matters, we express our surprise and disappointment that this last-minute amendment has been put forward. Proposing an amendment when concerns have not previously been raised at any point in the Third Committee, despite numerous opportunities to do so, is highly irregular, to say the least.

With regard to substantive matters, my delegation questions the reasons behind the opposition to paragraph 5. In the Third Committee, we heard the representative of Iran argue that the information contained in the draft resolution was out of date. The 42 sponsors of the draft resolution categorically reject that assertion. In fact, events of the past few days in Iran confirm that there is real cause for concern. That said, we can think of no better way to resolve this debate in a balanced, accurate fashion than to ask the Secretary-General to report on the human rights situation in that country.

I should also point out that only a few moments ago the Assembly adopted a resolution on the situation of human rights in the Democratic People's Republic of Korea that contains a similar provision.

For all those reasons, my delegation will be voting against the proposed amendment and encourages all other delegations to do so as well.

The Acting President: The Assembly will now take a decision on the oral amendment submitted by the representative of the Bolivarian Republic of Venezuela. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Bolivia, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, Eritrea, Ethiopia, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mali, Morocco, Myanmar, Nicaragua, Niger, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Tunisia, Turkmenistan, Tuvalu, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marwill Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Abstaining:

Angola, Antigua and Barbuda, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Cape Verde, Chad, Colombia, Congo, Côte d'Ivoire, Dominica, Ecuador, Equatorial Guinea, Ghana, Guyana, Jamaica, Kenya, Lesotho, Malawi, Mauritania, Mauritius,

Mongolia, Mozambique, Namibia, Nepal, Nigeria, Papua New Guinea, Philippines, Republic of Korea, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Sierra Leone, Singapore, Suriname, Thailand, Trinidad and Tobago, United Arab Emirates, Uruguay, Zambia.

The oral amendment was rejected by 70 votes to 57, with 45 abstentions.

The Acting President: Since the oral amendment submitted by the representative of the Bolivarian Republic of Venezuela has not been adopted, we will proceed to take a decision on draft resolution III as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Germany, Greece, Grenada, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Against:

Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Ethiopia, Gambia, Guinea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Morocco, Myanmar, Nicaragua, Niger, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan,

Togo, Tunisia, Turkmenistan, Tuvalu, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Cameroon, Cape Verde, Central African Republic, Chad, Colombia, Congo, Côte d'Ivoire, Dominica, Dominican Republic, Ecuador, Eritrea, Georgia, Ghana, Guatemala, Guyana, Haiti, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Papua New Guinea, Philippines, Republic of Korea, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Sierra Leone, Singapore, Suriname, Swaziland, Thailand, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Uruguay, Zambia.

Draft resolution III was adopted by 73 votes to 53, with 55 abstentions (resolution 62/168).

The Acting President: Draft resolution IV is entitled "Situation of human rights in Belarus". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Bhutan, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Equatorial Guinea, Estonia, Finland, France, Germany, Greece, Grenada, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritania, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Against:

Algeria, Armenia, Bangladesh, Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, Gambia, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Myanmar, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Somalia, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Bahrain, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Colombia, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Eritrea, Ethiopia, Fiji, Georgia, Ghana, Guatemala, Guinea, Guyana, Haiti, Iraq, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mauritius, Mexico, Moldova, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Panama, Papua New Guinea, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia.

Draft resolution IV was adopted by 72 votes to 33, with 78 abstentions (resolution 62/169).

[Subsequently, the delegation of Kuwait advised the Secretariat that it had intended to abstain.]

The Acting President: I call now on the representative of the Lao People's Democratic Republic, who wishes to speak in explanation of vote on one of the resolutions just adopted.

Mrs. Sipraseuth (Lao People's Democratic Republic): My delegation would like to explain our vote on resolution 62/167, entitled "Situation of human rights in the Democratic People's Republic of Korea". The protection and promotion of human rights and fundamental freedoms are the obligation of every nation. As a party to international conventions on

human rights, my country is of the view that human rights issues should be addressed in the global context, through constructive and mutually beneficial cooperation and dialogue based on the principles of objectivity, non-selectivity and transparency, taking into account the political, historical, social and religious specificities of each country.

Unfortunately, this country-specific resolution is not consistent with those principles. It would not only cause divisions and tension among Member States, but also contribute to an undesirable politicization of the work of the General Assembly. That is why our delegation voted against resolution 62/167.

The issue of abduction remains worrisome to the international community. The Government of the Lao People's Democratic Republic is at all times against all forms of abduction. In that regard, as always, we extend our sincere sympathies to the families of victims. We hope that the international community will undertake appropriate preventive measures. But whenever and wherever abduction occurs, it should be resolved through a constructive and peaceful approach.

Mr. Rachkov (Belarus) (*spoke in Russian*): The delegation of Belarus is speaking in connection with the adoption of resolution 62/169. Belarus does not recognize the resolution just adopted, either in form or in content. We reject the accusations contained in the resolution as unfounded and as not in keeping with reality. For Belarus, the resolution has no legal or political — much less moral — force.

Belarus is a party in good faith to international legal documents on human rights issues and is properly carrying out its international commitments. Belarus is actively and fully participating and will continue to participate in the international cooperation on human rights, including interaction with the special procedures of the United Nations human rights machinery.

With the Human Rights Council's recent adoption of its very important decision on institution-building, we are looking optimistically towards the future of the entire United Nations human rights system. We see it as a system in which human rights issues will be resolved on a comprehensive and equal footing. Belarus is ready for open and full-fledged participation in that process. Belarus also reaffirms its interest in dialogue on all human rights issues, with all countries without exception. We believe that the basis for such a dialogue is partnership on an equal footing and with mutual respect.

Mr. Suárez (Colombia) (*spoke in Spanish*): Colombia would like, at this meeting, to express our complete condemnation of kidnapping in all its forms and our solidarity with the victims of kidnapping throughout the world and their families. We reiterate our appeal to all States to take the action and decisions that will make it possible to effectively deal with the crime of kidnapping. We demand the unconditional release of all kidnapped persons, regardless of the reasons invoked by those responsible for that serious crime.

The Acting President: The General Assembly has thus concluded this stage of its consideration of sub-item (c) of agenda item 70.

Programme of work

The Acting President: I would like to draw the attention of members to the date of recess of the current session. Members will recall that, at its 2nd plenary meeting, on 21 September 2007, the General Assembly decided that the sixty-second session would recess on Tuesday, 18 December 2007. However, in view of the work that remains to be done for this part of the session, I would like to propose to the Assembly that it postpone the date of recess of the current session to Friday, 21 December. If there is no objection, may I take it that the Assembly agrees to that proposal?

It was so decided.

The meeting rose at 1.20 p.m.