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Chairman: Mr. Wolfe (Jamaica)

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The meeting was called to order at 10.15 a.m.

Agenda item 65: Report of the Human Rights Council (*continued*) (A/62/53)

1. **Ms. Colonne** (Sri Lanka) said that her country endorsed the view that the Third Committee was the appropriate body to consider the report of the Human Rights Council. However, there should be a further streamlining of the work of the United Nations human rights system to avoid duplication of work in the two bodies.

2. The agreement reached by the Council on an institution-building package in June 2007 clearly demonstrated its ability and commitment to work through dialogue and cooperation, rather than confrontation. Her country welcomed the universal periodic review (UPR) mechanism, which emphasized the need for an objective and transparent assessment of a country's human rights situation with the full involvement of the country concerned. That approach would have a better chance of success than initiatives based on selectivity and partiality, and would provide an opportunity for constructive dialogue. As a member of the Human Rights Council, her country was pleased that it would be reviewed by the UPR in 2008. Lastly, it hoped that the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council would improve the impartiality, objectivity and accountability of mandate holders.

3. Sri Lanka remained committed to making the Human Rights Council a strong, focused and efficient body, free of political motives, that would be capable of promoting and protecting all human rights and fundamental freedoms.

4. **Mr. Thuang Tun** (Myanmar) said that the new Human Rights Council would become more effective once it had discarded the old habits that had discredited the former Commission on Human Rights. It should be guided by principles of impartiality and objectivity and eliminate double standards and any form of politicization. Country-specific resolutions should have no place on the Council's agenda, and the UPR mechanism should consider the human rights situation of each country on an equal footing. It was therefore regrettable that the human rights mechanism was still being exploited for political purposes.

5. Believing that it was essential to review the existing system of special procedures, his delegation

welcomed the adoption by consensus of Human Rights Council resolution 5/1 of 18 June 2007, entitled "United Nations Human Rights Council: Institution Building". The Council should ensure that mandate holders abided strictly by the Code of Conduct and acted in an independent capacity, exercising their functions in accordance with their mandate, impartially and free from any extraneous influence and pressure. Human rights would not be served by reports that were based on dubious sources.

6. The Council should also pay attention to the right to development. As far as developing countries were concerned, the enjoyment of economic, social and cultural rights was no less urgent than the promotion of civil and political rights.

7. Lastly, he informed the Third Committee that the Special Rapporteur on the situation of human rights in Myanmar had been invited to visit Myanmar from 11 to 15 November 2007.

8. **Mr. Rees** (United States) expressed concern that some appeared more determined to use the Human Rights Council to defend abusive Governments than to protect the victims of human rights violations. Examples were the Council's relentless focus on Israel, its elimination of special mandates on Belarus and Cuba and its reluctance to address the principal violations of human rights in accordance with General Assembly resolution 60/251. He hoped that the Council would focus its efforts on promoting and protecting human rights that remained under attack in some areas, including freedom of religion or belief, freedom of association and freedom of expression.

9. Noting that the Council was scheduled to meet frequently to deal with rapidly evolving human rights situations, he said that it should be willing to take on those situations as they developed, even if that meant condemning the actions of another Government.

10. Although the UPR mechanism could be a useful tool if used correctly, it was not designed to respond to emergencies, which was the job of the Council itself. Neither could it be used for country-specific actions or special mandates, which were irreplaceable for shining a light on abusive Governments. The new body had yet to demonstrate that it could fulfil its vital mandate to protect and advance human rights throughout the world.

11. **Mr. Vosgien** (France) said that the Human Rights Council had a decisive role to play in standard-setting at the international level, and the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance had been a milestone in that respect. By holding five special sessions, the Council had also demonstrated its capacity to respond immediately to serious situations, in the Middle East, Darfur and Myanmar, and to follow up developments.

12. The UPR mechanism was entirely new in that it provided for the examination of all human rights, irrespective of the category of human rights or country concerned. He hoped that the review would be conducted strictly and would give rise to operational outcomes.

13. Examining human rights situations on the ground was central to the Council's mandate and could not be fulfilled by a thematic approach to the issues involved. In addition to the UPR mechanism and special sessions, there was also a need for continuous discussion and action. Special procedures had a major role to play in that area because they involved visits to the countries concerned and the gathering of first-hand experience that could serve as a basis for possible solutions. The review of mandates, provided for in Human Rights Council resolution 5/1, should strengthen the special procedures as a whole.

14. In addition to the Council's specific report, the General Assembly should, in its competent committees, discuss human rights issues, as it was authorized to do under Article 10 of the Charter of the United Nations. The Third Committee therefore had a vital role to play in supporting the work of the Human Rights Council.

15. **Mr. Mukongo** (Democratic Republic of the Congo) said that his delegation supported the institution-building of the Human Rights Council and the new universal periodic review. Nevertheless, if that mechanism was to be effective, it would have to avoid the past errors of the Commission on Human Rights and duplication with other bodies, and be objective and transparent. The value of the review lay in the fact that it should lead to an improvement in the human rights situation in the country concerned, particularly with regard to capacity-building and the provision of technical assistance.

16. The mandate of the independent expert on the situation of human rights in the Democratic Republic

of the Congo was one of the mandates that had been renewed pending consideration by the Council in accordance with its programme of work. However, the situation in his country had improved considerably, and free and democratic elections had been held for the first time in 40 years. His delegation stressed that the reports of the independent expert had not proposed assistance programmes in the area of human rights but had merely put forward recommendations of a general nature that had remained a dead letter.

17. His delegation therefore questioned the relevance of maintaining such a mandate and was starting to doubt that its structure would contribute to improving human rights. It was surprised that mandates of independent experts for specific countries dating from the former Commission on Human Rights had been renewed, tainted as they had been with political bias. Mandates conceived at that time were not in tune with the spirit of the new Council, which should promote dialogue and cooperation between countries.

18. Beyond the endless speeches, resolutions and reports, specific actions with immediate results were needed. His country wanted to implement the independent expert's recommendations and improve its judicial and prisons systems, paralyzed so long by war. A number of factors called for a review, or even the elimination, of the independent expert's mandate. For instance, the situation in the Democratic Republic of the Congo could be examined within the framework of the new UPR mechanism, the work of the treaty bodies and visits by special rapporteurs.

19. Lastly, his delegation reiterated its support for the independent expert's recommendations, in particular the one concerning the establishment of a special international criminal tribunal or joint criminal chambers.

The meeting was suspended at 10.40 a.m. and resumed at 11 a.m.

20. **Mr. Gillerman** (Israel) said that, as the international community prepared to celebrate the anniversary of the Universal Declaration of Human Rights, it must be asked what had happened to that clarion call for human rights.

21. He feared that the new Human Rights Council, which had replaced the dysfunctional Commission on Human Rights, was going down the same path. Although different in name, the Commission and the

Council were, in essence, one and the same. Since its inception, the Council had focused primarily on Israel, subjecting it to 12 discriminatory resolutions and three special sessions, and had failed to discuss the burning human rights situations in the world. Myanmar and Darfur had been the only other specific country situations addressed by the Council; in the case of Darfur, the Government of the Sudan had even been congratulated for its cooperation.

22. Yet the Council had remained silent on acts of Palestinian terrorism against Israel: the daily and indiscriminate shelling of homes and schools by Qassam rockets and the unprovoked, massive bombardment of Israel's northern border towns. The Council had turned a blind eye when the President of the Islamic Republic of Iran had repeatedly called for the destruction of Israel and denied the Holocaust.

23. The Council's membership included some countries whose own records on human rights fell markedly below the standards of the international community. Worst of all, many of those countries shared a political agenda that precluded the State of Israel. Equally troubling was the Council's disregard for serious human rights violations in many parts of the world. Under the new institution-building package, for example, the Special Rapporteurs on human rights violations by Cuba and Belarus had been eliminated without any serious discussion or consideration. However, the Human Rights Council had, like its predecessor, adopted a separate standing agenda item on Israel, while the other human rights situations throughout the world had been crammed into one agenda item. Israel was not asking for special treatment; like all other countries, it should be subject to review and constructive criticism on a fair and impartial basis.

24. Israel could not, therefore, accept the institution-building package as it was and would call for a vote, asking Member States to consider what message they would be sending with their votes.

25. Compromise was detrimental to the protection of human rights. The international community could not stand idly by and let the vision of the Universal Declaration of Human Rights fall prey to hypocrisy, politics and prejudice. The time had come to put political expediency and cynicism aside. Human rights victims mattered; they were the names and faces

behind the issues. The international community must not let them down.

26. **Mr. Abdelaziz** (Egypt) said that his delegation believed the Committee to be the appropriate venue to consider the report of the Human Rights Council. The establishment of the Council had signalled a long-awaited era for joint action on human rights. During its first year, thematic debates had helped unify standards, and a constructive, cooperative approach for dealing with human rights issues had been developed. His delegation supported the working methods and rules of procedure adopted by the Council, as well as its agreement on its agenda. The universal periodic review (UPR) must be applied to all States without exception and carried out within a positive, interactive framework, and with the participation of non-governmental organizations (NGOs) and civil society. It was important to avoid the selectivity which had previously shackled the Organization's efforts to promote human rights in all countries of the world, regardless of economic development or military or political might.

27. He wished to stress the importance of implementing the Code of Conduct for Special Procedures Mandate-holders (A/HRC/5/L.3/Rev.1, annex), reviewing mandates and developing mechanisms to deal with complaints as early as possible. The Council must also be allocated the \$11.9 million it needed to perform its function.

28. The Office of the High Commissioner for Human Rights must not be allowed to expand its authority unnecessarily on the basis of memorandums of understanding signed with individual Member States. It was also important to challenge attempts to impose concepts that had not yet been internationally agreed, such as the "responsibility to protect" and "human security", particularly since some States had taken on themselves the custodianship of human rights in the world without any legal basis. Such States actually committed violations in their own societies which necessitated vigorous measures. Their application of the rule that offence was the best defence would lead only to a deterioration in the international handling of human rights situations. Such States harboured the illusion that their own values, culture and legal justice systems were superior to others. In dealing with human rights, the international community must therefore emphasize the importance of cooperation, mutual respect and commitment to the equality of rights and obligations and the observance of international law.

29. As a member of the Council, Egypt hoped to help safeguard it against the obstacles that had restrained its action in the past. In doing so, it would cooperate with all States without exception.

30. **Ms. Katarwa** (Uganda) said that the institution-building “package” was a truly innovative mechanism designed to meet present and future challenges. The draft text adopted by the Council was the product of a delicately negotiated compromise, and she commended all delegations for showing flexibility. Her delegation appreciated the inclusion on the Council’s agenda and framework for its programme of work of the right to development and the Durban Declaration and Programme of Action. It fully supported the objectives of the working group chaired by the independent expert on the question of human rights and extreme poverty.

31. The universal periodic review cycle would allow for engagement on human rights issues without resort to selectivity, double standards and politicization. The Human Rights Council was the proper forum for discussion of all issues, but in a manner that promoted dialogue and cooperation. Her delegation believed that its work should not be duplicated in other forums. The international community must provide the Council with all necessary support.

32. **Ms. Pierce** (United Kingdom) said that the establishment of the Council represented a key opportunity to improve the work of the United Nations in the promotion and protection of human rights and fundamental freedoms for all. Its responsibility was unique, namely to support those Governments striving to serve their citizens better; to foster dialogue on shared challenges, which could only have shared solutions; and to promote human rights throughout the United Nations. As a reflection of the Council’s standing and role, its annual report should have been presented also to the plenary meeting of the General Assembly. It was to be hoped the issue would be revisited.

33. The Council had already shown that it could be effective in the face of urgent human rights situations. Its special session on the human rights situation in Myanmar had sent a clear and united signal to the Government concerned. The long-overdue invitation to the Council’s Special Rapporteur to visit the country was welcome.

34. If the ongoing dialogue between some of the Council’s expert mechanisms and the Government of the Sudan led to change on the ground, it would represent real progress in addressing a desperate human rights and humanitarian situation. She urged all parties to continue to work in a spirit of cooperation and dialogue, but regretted that the Government had refused an assessment mission earlier that year.

35. Important thematic work had already been undertaken by the Council, and panel discussions on issues such as the implementation of the Convention on the Rights of Persons with Disabilities had enabled States to share best practices. She particularly welcomed the Council’s decision to appoint a new Special Rapporteur on contemporary forms of slavery.

36. However, her delegation was disappointed at the failure to nurture true dialogue on certain issues that were too important to fall victim to selectivity and politicization. The international community must work harder to make the Council a success.

37. Although her delegation would have wished for stronger measures in some areas, it welcomed the institution-building measures as a whole. The universal periodic review had the potential to increase the transparency and thoroughness of the Council’s work with individual countries. She welcomed the sustained contribution of special procedures and continued participation of NGOs, as well as the fact that the Council was empowered to address situations of human rights violations at every session. Her delegation hoped that all specific situations would be addressed in an objective and non-selective manner; it was most disappointed that one situation on the Council’s permanent agenda had been singled out and that two important mandates had been discontinued. However, the United Kingdom remained committed to full implementation of the institution-building measures and intended to stand for re-election as a Council member. In the meantime, it would continue to work towards an ever more effective Human Rights Council.

38. **Ms. Halabi** (Syrian Arab Republic) said that she welcomed the outcome of the sessions of the Human Rights Council, in particular the adoption of resolutions on the human rights situation in the occupied Syrian Golan and the Occupied Palestinian Territory, and the report of the Commission of Inquiry on Lebanon. Israel, the Occupying Power, had nevertheless failed to respond to the Council’s request

for it to comply with those resolutions and to avoid obstructing fact-finding missions aimed at evaluating that situation, addressing the needs of survivors and recommending ways of protecting Palestinian civilians from Israeli aggression. She additionally welcomed inclusion of the human rights situation in Palestine and other occupied Arab territories as an item on the Council's agenda, the aim of which was to end the grave human rights violations occurring in those areas, many of them relating to the right to life.

39. Commending the text on institution-building of the Human Rights Council, annexed to its resolution 5/1, she said that it was vital for the universal periodic review to ensure the protection of interrelated human rights, bearing in mind that the adverse changes taking place in the contemporary world had serious implications for the purposes and principles of the United Nations. She also stressed the importance of the principles relating to that review, in particular those set forth in paragraphs 3 (b), (c) and (g) of the text, and added that particular attention should be devoted to urgent human rights situations with a view to fulfilling the provisions of General Assembly resolution 60/251. She further commended the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council and said that greater importance should be attached to regulating the relationship between the Council and the Office of the United Nations High Commissioner for Human Rights. In her view, the Council should oversee and follow up the latter's work in order to avoid duplication, follow up consultation and coordinate on operational strategies for the universal good. In conclusion, she said that responsible and constructive dialogue based on mutual respect for national sovereignty and territorial integrity, as well as on neutrality, non-selectivity and transparency, was the proper way to bring views closer together and strengthen international cooperation on human rights.

40. **Mr. Shinyo** (Japan) said that international efforts had helped bring about a general improvement in the world human rights situation, which was paralleled by a trend towards democratization and increased respect for the rule of law. The former Commission on Human Rights had contributed to that progress by establishing norms and addressing human rights violations wherever they occurred. It was crucial for the international community to remain vigilant, however, and to continue to take effective action when necessary. The establishment of the Human Rights

Council represented a significant step forward in efforts to mainstream human rights in United Nations activities. His delegation welcomed the report of the Human Rights Council, including the institution-building measures, and hoped that the draft text would be adopted without amendment by the General Assembly.

41. As one of the first countries to be reviewed under the universal periodic review, Japan intended to cooperate fully with the new process. The retained special procedures would contribute to the effective functioning of the Council. Although human rights were universal, the history, tradition and culture of the country concerned must be taken into account when dealing with alleged violations, and the Council could benefit from the special insights of the mandate holders.

42. The Council would help strengthen the capacity of States and communities to implement principles, rules and standards and thus make a difference on the ground. The international community should support all States that strove to improve their human rights situation by advancing democracy and strengthening the rule of law. When a country had strong democratic institutions, it contributed to peace and prosperity both at home and abroad. Japan would continue to support such self-help efforts.

43. It was to be hoped that the Council would foster a new spirit of international cooperation and establish a set of best practices to be followed in addressing situations, particularly massive and grave violations of human rights. The international community must be in a position to act decisively, swiftly and in a manner tailored to each specific situation.

44. It was the responsibility of the international community and of Council members in particular to ensure that the new Council developed into a forum that helped to strengthen States' capacities to comply with their human rights obligations. As a member of the Council, Japan was committed to playing an active and constructive role based on cooperation and genuine dialogue.

45. **Mr. Sieben** (Netherlands) said that the report showed how much had been achieved by the Council in so short a time; in his view it should have been considered at a plenary meeting of the General Assembly.

46. As one of the three pillars of the United Nations, the Council put human rights on an equal footing with security and development. His delegation favoured a strong and ambitious mandate for the new body, whose ultimate aim was to protect people from human rights abuses and to promote the full gamut of human rights.

47. The Netherlands had been actively involved in negotiations on the draft text on institution-building. Although not all its objectives had been achieved, he welcomed the compromise text, particularly the creation of the universal periodic review mechanism, the continuation of the special procedures — including thematic and country mandates — and the continuation of civil society participation. However, his delegation deplored the discontinuation of two important country mandates and considered the Code of Conduct for Special Procedures Mandate-holders to constitute unnecessary and undesirable interference in the execution of their mandates. Also, one situation should not have been singled out in the Council's agenda.

48. A member and Vice-President of the Council, the Netherlands remained strongly committed to making the new body as effective and credible as possible and would work with other partners towards that goal.

49. **Ms. Grabianowska** (Poland) said that although her delegation might also have wished for stronger measures in some areas, the text adopted by the Council represented a platform on which the international community could build in years to come. However, she regretted the fact that all the special procedures had not been retained, particularly the two country mandates. She could see no justification for such a decision. It was to be regretted, in that context, that certain mandates were to be considered more important than others. It was her delegation's view that they should all have been reviewed in accordance with General Assembly resolution 60/251. However, despite such shortcomings, it believed that discussion on the institution-building "package" should not be reopened and that the focus should now be on its full implementation.

50. Lastly, it was her delegation's hope that the Council would live up to its responsibility to promote universal respect for the protection of all human rights and fundamental freedoms for all. No effort should be spared to achieve that goal.

51. **Ms. Abdelhady-Nasser** (Observer for Palestine) said that the establishment of the Council offered

citizens of the world the hope that the new structure would restore confidence in the protective value, if not the supremacy, of international law. To countless victims of rampant human rights abuses and to human rights advocates, it also gave the hope that human rights instruments would be upheld impartially and universally applied.

52. Of particular importance to her delegation was the introduction on the Council's agenda of a separate item on the human rights situation in Palestine and other occupied Arab territories. While the coming year would mark the sixtieth anniversary of the Universal Declaration on Human Rights, it would also mark the sixtieth anniversary of the Nakba, or "catastrophe" that had left the Palestinian people stateless and dispossessed, as well as the fortieth year of Israeli occupation, during which the Palestinian people's rights had been systematically violated, including their right to self-determination. The occupying Power's illegitimate policies and practices served as a stark example of one State's total disrespect for international humanitarian law and human rights law.

53. Forty years of occupation did not alter the status of Palestine as an occupied territory or the obligations of the international community towards the civilian population. The retention of the situation as a separate item on the agenda should be welcomed by all members as a reflection of the importance attached to it by the international community. Regrettably, decades of international monitoring of the situation had yet to result in a change of behaviour by the occupying Power. If the Palestinians were deprived of international monitoring and involvement, the situation might only degenerate further. Instruments of international law that were applicable to Palestine and other occupied Arab territories should be defended from further breach, not brushed aside. Universality, impartiality and non-selectivity necessarily required the Council to monitor and uphold the human rights of all peoples, including those whose situation was exceptional.

54. As the Special Rapporteur on the situation had pointed out, the occupied Palestinian territory was of special importance to the future of human rights in the world. There was no other case of a Western-affiliated regime that had denied self-determination and human rights to a developing people for so long. The situation had thus become a test by which the international

community's commitment to human rights would be judged.

55. **Mr. Tavares** (Indonesia) said that his country welcomed an approach to human rights promotion that departed from the endless controversial debates and politicization of the Commission on Human Rights. The cooperative nature of the work of the Human Rights Council would promote greater confidence of Member States in the United Nations human rights mechanisms, thus enabling the Council to provide resources and expertise to Member States in order to strengthen their capacity in the area of human rights. His Government had been member of the Council since its inception and had consistently contributed to the improvement of the Council's mechanisms for the guarantee of all human rights.

56. The universal periodic review was one of the most significant aspects of the institution-building process, as it would ensure universal coverage and equal treatment of all countries, evaluating them in a constructive, non-confrontational and non-politicized manner. Based on national reports, reliable information from stakeholders and reports of the Office of the High Commissioner for Human Rights, the review deserved the full support of the General Assembly. His Government fully supported the allocation to the Third Committee of the consideration of the Council's report, though it also believed that detailed arrangements should be made to ensure that the Committee's work would complement that of the Council.

57. **Ms. Meda** (Nicaragua) said that her Government welcomed the fact that the universal periodic review would be implemented in 2008. That mechanism should provide States with the opportunity to evaluate the impact of their public policies in order to guarantee their citizens' human rights, and also to evaluate challenges, difficulties and main achievements in that area. The Code of Conduct for Special Procedures Mandate-holders would contribute to the transparency of review processes and to the quality of final reports, which would be based on objective arguments and adapted to the conferred mandates. Her Government thus hoped that special attention would continue to be paid to the review, rationalization and improvement of mandates in order to avoid duplication of effort, particularly with regard to treaty bodies and regional human rights mechanisms.

58. **Mr. Heller** (Mexico) said that the Council's institution-building process had entailed complex negotiations which had given all delegations the opportunity to express their viewpoints. Though the result might not be perfect, it reflected a broad and inclusive exchange whose legitimacy had been confirmed by its adoption by consensus in June 2007. The fact that numerous candidates were volunteering for evaluation under the universal periodic review mechanism proved that cooperation and dialogue were replacing the political agendas and double standards that had prevailed in the work of the Commission on Human Rights. His delegation welcomed the Council's capacity to react to emergency situations by holding special sessions, as it had done recently in the case of Myanmar. In addition, the special procedures system would have tangible results in the field. The Council had also managed to preserve and consolidate the successes of the Commission, one example being the development of international human rights instruments, as shown by the recent adoption of the Declaration on the Rights of Indigenous Peoples and the Convention on the Protection of All Persons from Enforced Disappearance. Other examples included cooperation with civil society organizations and strengthening of the complaint procedure, which established a direct line of communication between citizens and the available international protection mechanisms.

59. His delegation expressed concern at criticisms of the Council which undermined its legitimacy and questioned the treatment that the human rights agenda deserved within the United Nations. All States had an obligation to participate actively in the work of the Council and to pursue the objectives that had justified its establishment. It was indispensable for the General Assembly to begin a constructive discussion of the division of labour between the Committee and the Council in order to coordinate cooperation between the two bodies and to avoid duplication of effort.

60. **Mr. Khani Jooyabad** (Islamic Republic of Iran) expressed his delegation's satisfaction at the adoption by consensus of the Council's institution-building process. As the package had been adopted in a spirit of compromise, it would be counterproductive to reopen it for further negotiations. His Government accepted the package in its current form but would like to express its reservations on outstanding items of concern in the text. The goals of the universal periodic review would best be achieved through the cultivation of a culture of

dialogue, cooperation, voluntary pledges and consensus-building approaches that encompassed the consent of the country under review. The review must ensure equal treatment in review of human rights situations worldwide, in a non-selective and non-politicized manner. His delegation welcomed the adoption of the Code of Conduct for Special Procedures Mandate-holders and supported the process of review, rationalization and streamlining of mandates in order to prevent duplication of effort and to give more impetus to high priority issues relating to economic, social and cultural rights. Confidentiality in complaint procedures must be preserved at all stages, and there was a need for restricted application of the admissibility criteria. The mandate of the situation of human rights in the Occupied Palestinian Territories would be valid until the end of the occupation. His country expressed concern at the inclusion in the agenda of items such as “Human rights situations requiring the attention of the Council” and at country-specific mandates, which were the legacy of the defunct Commission on Human Rights and were reminiscent of the selective policy of naming and blaming.

61. He wished to address the biased allegations made by the representative of the occupying regime of Israel, concerning calls for the destruction of Israel.

62. **Mr. Gillerman** (Israel), speaking on a point of order, requested that his country should be referred to by its correct name, as he believed was the custom at the United Nations.

63. **Mr. Khani Jooyabad** (Islamic Republic of Iran) said that misleading quotations and rumours could never justify the long history of barbaric occupation and systematic violations of human rights, including targeting of innocent civilians, by the regime. Therefore, it was obvious that the basis of the Council’s decisions were the facts that all Member States were witnessing.

64. **Mr. Amorós Nuñez** (Cuba), speaking in exercise of the right of reply, in reference to the statements by the representatives of the United States, Israel and the Netherlands said that the United States opposed an incisive and action-oriented Human Rights Council and preferred the defunct Commission on Human Rights, which had permitted silence over the abhorrent crimes of the United States in Guantánamo and Abu Ghraib and automatically adopted selective and politically

motivated resolutions in support of that country’s geopolitical interests. Thus the main human rights violator, which did not recognize the right to health, the right to food nor the rights of children, was presenting itself as a defender of human rights. That country had not even had the courage to stand up to international scrutiny, fearing that because of its questionable human rights record, it would not be elected to the Council as Cuba had; yet it sought to dictate how the Council should be run.

65. Unsurprisingly, Israel’s main objective in the work of human rights forums was strictly to fulfil the mandate of its closest ally. A Government that murdered civilians in the Gaza Strip and that persisted in building a wall that violated the human rights of the Palestinian people was in no position to lecture on values. With regard to the Netherlands, it should be noted that those countries which had expressed concern over the discontinuation of country-specific mandates such as the one concerning Cuba were the same countries that supported hatred, xenophobia and were complicit with the kidnapping and incarceration of individuals in secret Central Intelligence Agency prisons in Europe. For two consecutive years, those countries had also opposed the adoption of a draft resolution calling for investigations of arbitrary arrests in the international torture centre on territory illegally occupied by the United States at the Guantánamo naval base in Cuba. Countries which, with regard to Cuba, submissively endorsed the United States Government’s annexionist policies, ignored the United States’ double standard, allegedly combating terrorism while harbouring the Western hemisphere’s most dangerous terrorist, Luis Posada Carriles, perpetrator of an assassination attempt against the Cuban president and of the bombing of a Cuban civilian aircraft which had resulted in 73 deaths in 1973. Regime change as supported by such countries was tantamount to the re-conquest of Cuba by force.

66. **Mr. Ahmed** (Sudan), speaking in exercise of the right of reply, in reference to the statement by the representative of France that his Government had made significant efforts to end the suffering of the people of Darfur. It had declared a unilateral ceasefire in order to ensure the success of the peace talks currently taking place in Libya between the Government of the Sudan and rebel leaders. It had also created a national council for human rights and had authorized non-governmental organizations to work in camps for refugees and

internally displaced persons. One of the leaders of the rebel factions in Darfur was residing in France and had refused to attend the peace talks. He wondered what France had done to persuade those leaders to participate in the peace talks and whether it sincerely sought to end the suffering of the people of Darfur. France had also applied a double standard by evacuating criminals responsible for trafficking of children along the border between his country and the neighbouring country. Those criminals should be judged in the country in which had they committed their crimes, and not allowing them to be judged there constituted a flagrant violation of human rights.

67. In reference to the statement by the representative of Israel, he noted that Israel disapproved of the fact that the international community had welcomed the Sudan's cooperation with it in a spirit of compromise, in order to put an end to the suffering of the people of Darfur. Israel had said that both the former Commission on Human Rights and the Human Rights Council had failed in their role. According to the statement by the Israeli representative, the Council had accused only Israel. Israel once again reaffirmed that it was completely isolated. He reiterated his country's commitment to serious and constructive dialogue that guaranteed the strengthening of human rights throughout the world.

The meeting rose at 12.32 p.m.