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Chair: Mr. Hilale (Morocco)

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The meeting was called to order at 3.05 p.m.

Agenda item 72: Promotion and protection of human rights (*continued*) (A/70/40)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/70/56, A/70/111,

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

(A/70/313, A/70/332, A/70/352, A/70/362, A/70/392, A/70/393, A/70/411 and A/70/412; A/C.3/70/2, A/C.3/70/4 and A/C.3/70/5)

1. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries (NAM), recalled that the heads of State and Government of NAM had, during their 16th Summit, emphasized the role of the Human Rights Council as the United Nations organ responsible for the consideration of human rights situations in all countries, in the context of the universal periodic review. In addition, the final document of the Algiers 17th Ministerial Conference of NAM re-emphasized that the exploitation of human rights for political purposes, including the selective targeting of individual countries, was contrary to the founding principles of NAM and the Charter of the United Nations and, as such, should be prohibited.

2. The universal periodic review was the main inter-governmental mechanism to review human rights issues at the national level in all countries without distinction. The Council should be guided by the principles of universality, transparency, impartiality, objectivity and non-selectivity and, in accordance with the Vienna Declaration and Programme of Action, bear in mind the national and regional particularities and various historical, cultural and religious backgrounds

of Member States. Mandate-holders must strictly adhere to the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council and observe Human Rights Council resolution 16/21, including the provisions concerning resources and funding for special procedures as well as the need to ensure that their work was free from politicization and double standards.

3. **Ms. Keetharuth** (Special Rapporteur on the situation of human rights in Eritrea), introducing her report (A/HRC/29/41), said that the long overdue enactment of the Eritrean Civil Code, Penal Code, Code of Civil Procedure and Code of Criminal Procedure was a positive development. She welcomed the Eritrean engagement with the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of Child and urged the Government to implement the recommendations from the various treaty bodies, the universal periodic review, the commission of inquiry on human rights in Eritrea and her reports. Since the Eritrean authorities continued to deny her access to the country, her conclusions were based on consultations with academic institutions and Eritreans living in Belgium, Finland, the Netherlands and the United Kingdom, including refugees and asylum seekers.

4. Since 2013, she had spoken to three Eritreans who reported having been abducted from Eritrea and held for ransom with others at a location in the desert. Those allegations presented the elements of both a human rights violation and a possible ongoing crime originating in Eritrea, which raised questions as to whether the Government had established a mechanism to protect citizens, how aware the general population was of any such mechanism, how money was transferred to secure the release of the illegally detained persons, and what effect the experience had on victims, their families and Eritrean society as a whole.

5. Nevertheless, traffickers and smugglers were a symptom, rather than the cause, of most clandestine departures from the country. Since most of the population were denied the right to leave the country, a large number of Eritreans risked death or torture by traffickers to escape the many violations of their civil, political, economic, social and cultural rights that they faced in Eritrea. The main reason for leaving the country continued to be the national service, which effectively amounted to an indefinite period of forced

labour. She had seen no evidence that the Government was implementing its promise to limit national service to 18 months. A large number of those leaving Eritrea for Europe were unaccompanied minors, who could be left traumatized for life by the experience.

6. She commended Eritrea for its reported progress in combating malaria and its efforts to reduce maternal mortality. Her work to collect data on economic, social and cultural rights had not yet been completed; however, she had received reports that inadequate health care, including mental health services, were forcing Eritreans to seek treatment abroad. Eritrea must take measures to ensure access to medical services and attention, in accordance with the International Covenant on Economic, Social and Cultural Rights. Forced evictions and the demolition of houses were another cause for concern: while Governments had a responsibility to manage their territories in the context of their urban planning and development priorities, any evictions or demolitions of homes must respect international norms. She concluded by calling on the Government of Eritrea to grant her access to the country so that she could fulfil her mandate.

7. **Mr. Tesfay** (Eritrea), drawing attention to the letter dated 19 June 2015 from the Permanent Mission of Eritrea to the Office of the President of the Human Rights Council (A/HRC/29/G/6), said that the Special Rapporteur's report was politically motivated, devoid of objectivity or neutrality and contained a large amount of fabricated information, in violation of the principles of equality, non-selectivity and impartiality enshrined in the Charter of the United Nations. The Special Rapporteur, who had never visited Eritrea, had produced a report that contradicted the extensive and verifiable reports produced by various United Nations agencies and diplomatic missions with a presence in the country.

8. Social justice and the equitable provision of health and education services were being implemented and promoted in order to empower all Eritreans, with special consideration being given to vulnerable groups such as women and girls, nomads, persons with disabilities, orphans and street children. The new Civil and Penal Codes were the result of a thorough review of Eritrean legislation and took into account human rights and international law. Eritrea had acceded to the Convention against Torture and the Convention against Transnational Organized Crime. To raise public awareness of important rights issues, the Declaration of

Human Rights had been translated and disseminated, and all international days established by the United Nations were observed.

9. His Government engaged in dialogue with European Union member States stationed in the country and had co-sponsored General Assembly resolution 69/186 calling for a moratorium on the use of the death penalty. With regard to health care, Eritrea was one of very few developing countries that had achieved Millennium Development Goals 4 and 5 on child mortality and maternal health. It had also achieved Goal 6 by eradicating polio and measles, attaining a child vaccination rate of nearly 100 per cent and reducing the prevalence of HIV/AIDS to the lowest in Africa, at 0.93 per cent.

10. Education was free from kindergarten to the tertiary level, and tertiary and vocational students were provided with free room and board. A number of kindergartens had been built, including in remote areas, and the youngest students were taught in their mother tongue. The Government had been implementing an integrated and coordinated policy to protect and enhance the rights of the child over the past two decades as well as a national action plan in partnership with various United Nations agencies. Corporal punishment was banned, and children had a decisive voice in custody disputes. The National Union of Eritrean Women was involved at all levels of society and Government with a view to advancing women's empowerment and ensuring respect for the rights of girls. Rape was a crime and also a cultural taboo.

11. Practices such as child marriage, female genital mutilation and domestic violence had also been criminalized. Salary increments had recently been introduced for all civil servants, including youth, to address the rising cost of living and provide youth with better opportunities. Young people also contributed to the country's economic development and the climate change agenda through their participation in afforestation, water harvesting and infrastructure programmes, which the Special Rapporteur inexplicably equated with slave labour. He rejected the report's deliberate misrepresentation of the national service as indefinite military service; it was a legal obligation with a statutory limit of 18 months.

12. The Government of Eritrea had formally requested the United Nations to create a body to investigate crimes perpetrated by human traffickers

and smugglers against its nationals and other victims and expressed its readiness to fully cooperate with the United Nations. Under the Khartoum Process, Eritrea was working with neighbouring States, the African Union, the European Union, the United Nations Office on Drugs and Crime (UNODC) and the International Organization for Migration (IOM) to combat human trafficking and smuggling. Several European delegations had visited Eritrea to assess the internal situation, and Denmark and the United Kingdom had modified their asylum policies on illegal immigrants from Eritrea as a result of their findings. Under Eritrean law, every citizen had the right to obtain land for housing. Like many other Member States, Eritrea was developing its infrastructure in accordance with its domestic law and national development plans.

13. The occupation by Ethiopia of sovereign Eritrean territory and the politically motivated, unjust sanctions imposed on his country were a significant barrier to the full enjoyment of human rights and the right to development in Eritrea. Those issues were real and critical to the people and Government of Eritrea; they were not a pretext for violations, as claimed by the Special Rapporteur and the commission of inquiry on human rights in Eritrea. Occupation and unjust sanctions constituted the most serious of human rights violations: collective punishment. Therefore, States that were sincerely interested in advancing human rights in Eritrea should urge Ethiopia to immediately and unconditionally withdraw from sovereign Eritrean territory, including the town of Badme.

14. He also called on the Security Council to lift the sanctions imposed on Eritrea, which were harming the most vulnerable sectors of society, in accordance with the principle that no one should be left behind. Eritrea was a post-conflict country and, like many other States, could further improve its human rights situation. It was committed to the implementation of its national laws and international human rights obligations and would continue and enhance its work with all relevant stakeholders and partners to that end. The Eritrean people needed understanding and solidarity, not threats and intimidation.

15. The universal periodic review was the appropriate mechanism to advance human rights; country-specific mandates aimed at shaming certain States would never be successful. He urged delegations to reject the report and terminate the mandate of the Special Rapporteur, which was unjust and entailed a

waste of time and resources that could be better spent by the Office of the High Commissioner for Human Rights (OHCHR). He concluded by asking the Special Rapporteur to explain, in the spirit of transparency, how and from whom she had obtained her information on the situation in Eritrea.

16. **Ms. Wall** (United States of America) said that the demolition of 800 houses gave cause for concern and asked whether forced evictions and demolitions were still being carried out. She noted that there had been reports that the houses had been built without Government authorization and that they violated the Government's land subdivision policy. It would be interesting to know whether any effort had been made to address the due process concerns raised in the report. Lastly, she would like to hear the Special Rapporteur's views on the new Civil Code, Penal Code, Code of Civil Procedure and Code of Criminal Procedure, given that they had come into effect in the absence of a functioning legislature.

17. **Ms. Tschampa** (Observer for the European Union), commending Eritrea for having sought technical assistance from the Office of the High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, said that the international community should take a holistic approach to cooperation with the country that would not unduly limit areas of potential collaboration. The conclusion of the commission of inquiry on human rights in Eritrea that some of the country's practices might constitute crimes against humanity gave cause for concern.

18. She called on the Government of Eritrea to grant access to the commission of inquiry and the Special Rapporteur so that that the process of developing concrete solutions to violations could begin, to the benefit of the people and the Government itself. She asked the Special Rapporteur to provide an update on the implementation of the universal periodic review recommendations and would also be interested to hear more about the Special Rapporteur's findings and recommendations with regard to unaccompanied minors leaving Eritrea.

19. **Ms. Belskaya** (Belarus) said that her country was concerned that country-specific Special Rapporteurs continued to exceed their mandates. Country-specific reports were generally based on insufficient sources of information and therefore could not claim to be

comprehensive. Addressing the human rights situation in a given country would require dialogue with its government. Relevant agencies in the United Nations system and the Governments of Member States should recall the principles of universality, objectivity and non-discrimination when addressing human rights issues.

20. **Ms. Anichina** (Russian Federation) said that country-specific special procedures were counterproductive and did not constitute constructive dialogue on human rights. Where country-specific mandates had been established without the agreement of the country concerned, the reports of Special Rapporteurs were unable to take that country's views into account, discrediting those reports and the evaluations made by the United Nations. Country-specific procedures should only provide technical support with the agreement of the country concerned. The universal periodic review had shown its effectiveness in addressing human rights situations in individual countries.

21. **Ms. Kadra Ahmed Hassan** (Djibouti) said that, as a neighbouring country, Djibouti could bear witness to many of the violations committed by the Eritrean authorities. Noting that Eritrea had been holding a number of persons from Djibouti as prisoners of war since 2008 without providing any information as to their whereabouts or condition, she called on the Government of Eritrea to ensure the physical integrity and safety of those individuals and, more broadly, to comply with all international human rights standards and its international obligations. Her delegation was also concerned at the failure of the Eritrean authorities to cooperate with special procedures mandate-holders.

22. She asked whether any information had been shared with the Special Rapporteur with regard to the prisoners of war from Djibouti pursuant to Human Rights Council resolution 26/24 on the situation of human rights in Eritrea, what progress had been made regarding the release of prisoners detained without charge or trial since the adoption of that resolution, and what specific challenges existed in that regard. She would also be interested to hear the views of the Special Rapporteur on how to overcome the challenge of being denied access to Eritrea and what Member States could do to enhance communication on issues related to the mandate.

23. **Mr. Last** (United Kingdom) said that action must be taken to address human rights violations in Eritrea in order to stem the flow of migrants risking their lives to reach Europe. In the run-up to the Valletta summit on migration in November 2015, the United Kingdom would work with the European Union and African partners, including Eritrea, to develop proposals to address the root causes of migration, tackle instability and promote growth in countries of origin.

24. He asked whether the Special Rapporteur envisaged any collaboration with the Special Rapporteur in the field of cultural rights and United Nations agencies working with unaccompanied minors in her work to examine economic, social and cultural rights in Eritrea and the issue of unaccompanied minors. His delegation called on the Government of Eritrea to honour its international obligations and cooperate fully with the United Nations human rights system, as its rejection of the mandate of the Special Rapporteur and refusal to grant her access to the country was imposing an unnecessary burden on her work.

25. **Mr. Torbergson** (Norway) said that the grave human rights situation in Eritrea was one of the reasons why several thousand people were fleeing the country every month in an uncontrolled mass migration that exposed vulnerable groups to trafficking and caused tremendous suffering along migration routes, including in the Mediterranean Sea. He welcomed the Government's stated intention to enforce the 18-month limit on national service and would be interested to hear what preparations were underway to implement that policy shift. The recommendations contained in all of the Special Rapporteur's reports remained valid, as the Government of Eritrea had not demonstrated any willingness to act on them. He urged the Government to cooperate with the Special Rapporteur and work with her to implement the recommendations, for the benefit of the Eritrean Government and its people.

26. **Mr. Chu** Guang (China) said that China had always supported the resolution of differences and disputes concerning country-specific human rights questions through constructive dialogue and cooperation. It opposed the exertion of external pressure in the field of human rights, as it did not believe that externally imposed investigations or inquiries were useful. The Committee should reflect on the duplication of work and wasteful use of resources that had resulted from the establishment of the

commission of inquiry in addition to the mandate of the Special Rapporteur.

27. The Eritrean Government's cooperation in the context of the universal periodic review and its commitment to implement the recommendations accepted during the review process demonstrated its political will to work with the international human rights institutions on the basis of equality. He urged the relevant human rights mechanisms to consult extensively with Eritrea and provide constructive assistance.

28. **Ms. Goldrick** (Nicaragua), speaking also on behalf of the Plurinational State of Bolivia, said that it was regrettable that the Third Committee allowed itself to be exploited by certain Member States that wished to exert political pressure on some developing countries, in violation of the principles of universality and objectivity. Her Government continued to oppose the introduction of country-specific reports and resolutions, a practice that lent itself to the politicization of human rights. The appropriate body for examining human rights issues was the Human Rights Council, through the universal periodic review, whereby all States were dealt with on an equal footing.

29. **Ms. Moreno Guerra** (Cuba) said that her Government did not support country-specific resolutions or human rights procedures, as they were counterproductive. Cuba reaffirmed the primary importance of the universal periodic review, which provided an effective mechanism for guaranteeing international cooperation.

30. **Mr. Oña Garcés** (Ecuador) said that his Government did not support country-specific resolutions on the situation of human rights. The mandate of the Special Rapporteur was the result of a politically motivated resolution that did not contribute to the promotion and protection of human rights. On the contrary, it undermined the sovereignty of States and affected relationships of cooperation while weakening existing United Nations human rights mechanisms such as the universal periodic review. His delegation regretted that the resolutions and special procedures mandates had been created under double standards in order to specifically single out countries of the South. The developed countries that promoted those exercises should concern themselves with the protection of the rights of migrants and refugees.

31. **Mr. Elbahi** (Sudan) said that his Government opposed the adoption of country-specific human rights resolutions. Since human rights issues should be addressed in an objective, non-selective, impartial and non-politicized manner, the only appropriate forum for reviewing the human rights situation in any Member State was the Human Rights Council, through the universal periodic review mechanism. Dialogue with the countries concerned should be maintained as an effective way to promote and protect human rights, in accordance with General Assembly resolutions 48/141 and 60/251.

32. **Ms. Probst-Lopez** (Switzerland) reiterated her country's strong concern relating to the human rights situation in Eritrea. Recalling that, at the twenty-sixth session of the Human Rights Council, the commission of inquiry had stressed that political will on the part of Eritrea was necessary in order to improve the human rights situation in the country and enable the international community to have a positive influence on the ground, she asked what developments the Special Rapporteur had observed in recent months in that regard and would also be interested to hear how the Special Rapporteur had managed to consult all available sources of information despite not being permitted to enter Eritrea.

33. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the continued adoption of country-specific mandates and the exploitation of the Committee's mechanisms for political ends breached the principles of universality, non-selectivity and objectivity in addressing human rights issues and undermined cooperation as an essential principle for promoting and protecting all human rights. The universal periodic review provided a mechanism for reviewing human rights situations in all Member States on an equal basis.

34. **Ms. Keetharuth** (Special Rapporteur on the situation of human rights in Eritrea) said that her methodology had been informed by the fact that she had been denied access to the country. She had always shared her reports with the Government of Eritrea before publishing them but had never received a response. She had collected information from a wide range of sources and reviewed several documents before writing the report. Owing to the fear of reprisals, she was unable to identify her sources and had guaranteed them confidentiality when soliciting their input.

35. Turning to the issue of the demolition of houses, it had been brought to her attention that the practice had continued. Proper dialogue was required to address the matter, regarding which she had reached out to the Government. She would be contacting other Special Rapporteurs and agencies to pursue her work on migrant and unaccompanied children. With regard to demobilization, she agreed with the representative of Eritrea that 18 months of national service were stipulated by Eritrean law. However, in practice it had been different, with some people remaining in national service for 15 years without being demobilized. Promises had been made to that effect, but recent recruits had not been informed that their service would end in 18 months. She pledged to continue examining the issue closely and urged the Eritrean Government to allow her to visit the country and thereby resolve the matter of gathering information from other sources.

36. **Mr. Tesfay** (Eritrea) said that the remarks by the representatives of the European Union, the United Kingdom and Norway completely contradicted the report of the European Union delegation in Eritrea on the 20-year Eritrea-European Union partnership. That report also undermined the credibility of the Special Rapporteur, who had yet to visit Eritrea and whose own reporting had relied on refugees and asylum seekers. There had been no reprisals or detentions in Eritrea of persons who had cooperated with the Special Rapporteur, and her claims to the contrary were complete fabrications. The persons whose identity she had supposedly kept confidential had made their activities known publicly, but his Government had not detained them. Even political activists financed by external forces were not detained. The Special Rapporteur's claim that she had shared her information with his Government was also spurious.

37. The representative of Djibouti was deliberately misinforming the Committee for purposes of political expediency regarding the issue of prisoners of war. That matter had been addressed in an agreement signed by the presidents of Eritrea and Djibouti, with Qatari mediation already in place. His colleague should instead concentrate on the people of Djibouti, which had been ruled by the same family for 40 years.

38. **Ms. Kadra Ahmed Hassan** (Djibouti) said that the relevant Security Council resolutions and the Human Rights Council resolution that established the Special Rapporteur's mandate and the commission of inquiry spoke for themselves and bore witness to the

situation that she had described. Her country's concern about its prisoners of war had also been addressed clearly in the documents that she had cited. Her delegation had no interest in entertaining the exchange initiated by the representative of Eritrea but understood that it was informed by feelings of anger.

39. **Ms. Lee** (Special Rapporteur on the situation of human rights in Myanmar), introducing her report (A/70/412), said that she renewed her deepest sympathies to all those affected by the floods and landslides in Myanmar in recent months and called on the international community to provide the necessary assistance to see Myanmar through the rebuilding process. She thanked the Government of Myanmar for its invitations to visit the country twice in 2015 but regretted that the second visit had been cut short and that her access to Government interlocutors and some areas of the country had been limited.

40. After four years of reforms that had improved the human rights situation in Myanmar, the forthcoming elections would be an important milestone in the democratic process. The environment, preparations for and actual conduct of the elections would determine whether they were transparent, free and fair, in line with international standards. In that regard, the disqualification of a reported 61 candidates, the majority of them Muslims, on citizenship-related grounds was a matter of concern. Discriminatory disqualifications would be inconsistent with international law. The disenfranchisement of hundreds of thousands of individuals of Rohingya, Chinese and Indian backgrounds, who had previously held registration cards and had the right to vote in past elections, was also discriminatory and ran counter to international human rights standards and good practice.

41. In addition, migrant workers, internally displaced persons, refugees, persons living abroad and persons living in flood- and conflict-affected areas also faced potential disenfranchisement. The Union Election Commission had announced that polling would not take place in over 500 village tracts for security reasons. There were also concerns about errors in voter lists and the low number of women candidates. She noted with dismay the recent announcement that advance voting out of home constituencies would not be open to observers, contrary to the assurances that she had received from the Commission. Given the risk of post-election instability and tension, it was vital for

the United Nations system and the international community to monitor the situation closely.

42. Noting with concern the ongoing restrictions on the rights of freedom of expression, assembly and association and the increasing intimidation, harassment and surveillance of human rights defenders and civil society actors, she reiterated that genuine elections could not be achieved if those rights were curtailed. Numerous individuals continued to be charged and detained under legislation that did not conform to international human rights standards. Police had used excessive force to break up peaceful protests. Journalists continued to face legal action under defamation provisions for reporting critical views. She called on the Government to put an immediate end to those unacceptable practices.

43. The increasing influence of extreme religious nationalist movements in the political process and the calls by religious leaders and members of political parties inciting hatred of minorities were particularly disturbing, as were the reports of intimidation and harassment of civil society actors, political figures and journalists who sought to protect the rights of minorities. Divisions must not be manipulated for political purposes, and greater efforts must be made to condemn, prevent and combat acts of incitement to discrimination and to address the underlying root causes.

44. She regretted that she had been prevented from visiting Rakhine State in August and welcomed the opportunity to engage constructively with the Chief Minister, members of the Emergency Coordination Centre and some Rakhine elders who had been brought to Yangon to meet her. There was an urgent need to address the long-standing development challenges in Rakhine State and to lift travel restrictions, which prevented Rohingya students from obtaining a university education. While the Government's efforts to relocate several thousand households from internal displacement camps were commendable, some 140,000 displaced persons continued to live in dismal conditions with severely limited access to adequate basic services. Returns and resettlement should not be linked to participation in the citizenship verification process. Permanent segregation of communities must be avoided.

45. Given that restrictions on access to basic rights, deteriorating living conditions and poverty fuelled

irregular migration flows to other countries, a comprehensive human rights response to the crisis was urgently needed. She therefore called on the Government to revise discriminatory laws and policies and resolve questions regarding legal status and access to citizenship.

46. She welcomed the recent signature of the Nationwide Ceasefire Agreement and hoped that steps would be taken to make the peace process more inclusive. Any political dialogue must have human rights at its centre and address complex issues related to accountability for past and current human rights violations, discrimination and historically entrenched inequalities. Greater efforts should also be made to ensure the full involvement of women, local communities and civil society in the peace process, in order to foster greater confidence and a sense of shared ownership.

47. The rights and needs of those affected by the ongoing conflict in Kachin and northern Shan States, including the Kokang Self-Administered Zone, must be prioritized. Prompt, effective and impartial investigations must be conducted into all allegations of attacks against civilians, forced recruitment, forced labour and sexual violence by all parties to the conflict, and appropriate redress must be provided to the victims.

48. A rights-based and people-centred approach to sustainable development was necessary in order to ensure that Myanmar's rich natural resources brought benefits to all. She was troubled by continuing reports of land grabbing, land confiscation and forced evictions for large-scale development projects, mining and other natural resource extractive industries, often with little or no compensation. Continued intimidation, harassment and arrests of farmers and land rights activists, and excessive use of force against peaceful protestors, were equally alarming.

49. The legislative reform process had been opaque and had not systematically and consistently allowed for consultation with all relevant stakeholders. The Government had stated that the recent race and religion laws had been adopted after consultation and scrutiny, taking into account Myanmar's international obligations. However, various human rights mechanisms had provided detailed legal analyses to the Government outlining all the shortcomings of those laws. Lastly, while she was aware of the complexities

of the situation in Myanmar and the strides made in four years of reform, she could not hold Myanmar to a lower standard but must continue to objectively assess the country's situation against its own international human rights obligations. Myanmar must continue to prioritize human rights in its reform process. In closing, she urged the international community to remain constructively and critically engaged on human rights issues in Myanmar and to provide the necessary assistance in furthering reforms.

50. **Mr. Tin** (Myanmar) said that, despite his Government's opposition to country-specific mandates, it had always facilitated the visits of Special Rapporteurs, as part of its policy of cooperation with the United Nations. The Special Rapporteur's recent visit had taken place at a time when most parts of the country had been hit by devastating floods; security concerns, and popular resentment over her earlier observations had been taken into account in planning her visit. The resulting cancellation of her trip to Rakhine State, the site of four disaster zones, should not overshadow his Government's exemplary cooperation with her mandate.

51. His delegation was not happy with the late release of the Special Rapporteur's report, to which it had not been possible to attach responses from his Government. While her positive comments and suggestions on areas that needed improvement were appreciated, the report was not balanced and contained many inaccurate, distorted, misleading observations. The human rights situation in Myanmar must be assessed in light of its significant advances over the previous four years.

52. The country's greater political and media freedom, freedom of assembly and association, liberalized economy and broader space for civil society had not been sufficiently reflected in the report. Moreover, the recent signing of the Nationwide Ceasefire Agreement illustrated the peaceful nature of Myanmar's transition, in contrast to other transitioning countries that were sliding into chaos. His Government had extensively reviewed legislation and enacted new human rights laws, in addition to joining four international human rights instruments and addressing forced labour and under-age recruitment.

53. The country's preparation for its first-ever democratic elections had been depicted in a fault-finding manner in the report, which cited minor

challenges stemming from limited technical experience. Myanmar was fully committed to ensuring that the elections were free, fair and transparent; international observers were already on the ground. With regard to disenfranchisement, white card holders were ineligible to vote because their citizenship had not yet been verified. Similarly, certain candidates had been rejected because they did not meet citizenship criteria. The clear progress made towards reform was overshadowed by negative criticism of all its aspects, including freedom of expression and association. The report had cited cases of activist and protestor arrests and charges against journalists as evidence of freedoms being curtailed, when, in fact, they had been arrested for violating the law.

54. Legislation to protect the rights of Myanmar women and penalize forced conversion was being misconstrued; the bills in question were not directed against any religious minorities and did not restrict interfaith marriage. With regard to the boat people, he regretted that the Special Rapporteur had not included the information provided by his Government, which had rescued a total of 1,000 on three separate occasions. Most of the boat people were economic migrants from other countries who had fallen prey to human trafficking and smuggling, the root causes of the crisis. The problem would persist until countries in the region addressed its causes.

55. Like other countries, Myanmar faced the challenge of striking a balance between protecting freedom of expression and combating hate speech. Certain human rights groups and well-funded media outlets were serving as platforms for incitement to hatred against the people of Myanmar by fabricating news reports of continued violence in Rakhine State. Such actions were politically motivated. There had been no new violence in Rakhine State since 2012, and non-discriminatory human assistance had never been denied to its residents.

56. Inclusive development and education were key to resolving the communal issue. All children in Rakhine State had equal access to education, and basic services were provided to all without distinction. As the second poorest state in Myanmar, the living conditions in Rakhine State were comparable to those in other poor areas. His Government had already initiated development projects and set up industrial zones there. Improving livelihoods and job opportunities would prevent communal tensions.

57. Although the path to citizenship was open, those interested in obtaining it must first take part in the verification process and apply for citizenship. Persons who eventually became citizens in accordance with the 1982 Citizenship Law could not claim collective identity as an ethnic group, a category unprecedented in the country's history.

58. One-sided criticism of his country, a four-year-old democracy born out of decades of military government, was counterproductive. National capacity and stronger democratic institutions must be built up while maintaining peace and stability; doing so would require changes, both on the part of the Government and those judging Myanmar. The international community should seek to understand Myanmar's constraints and support the country's efforts to overcome its challenges. The submission of reports critical of the human rights situation and the tabling of country-specific resolutions were no longer justifiable.

59. **Mr. Last** (United Kingdom) called on the Government of the country in question to ensure that the Special Rapporteur was afforded full assistance and unhindered access throughout the country during her visit. As the elections approached, the amount of restrictions on the exercise of freedom of expression and assembly had grown. The situation in Rakhine State was growing more desperate. However, the State had made great progress since the beginning of the reform process.

60. He asked the Special Rapporteur to explain how the incoming Government could tackle the trends of extreme nationalism, religious hatred and conflict and to assess the situation regarding freedom of expression in light of the approaching elections. He also wished to know whether the detention of individuals involved in social media protests represented a new pattern about which the international community should be concerned.

61. **Ms. Belskaya** (Belarus) said that her delegation opposed country-specific mandates. The efforts made by the Government of Myanmar to conduct political, social, economic and administrative reforms aimed at resolving conflicts and achieving peace and agreement between countries were clear. Despite that progress, the mandate holder had used her politicized mechanism to manipulate human rights to achieve her own objectives. Belarus called for dialogue with the

Government of Myanmar and a move from country-based resolutions to the universal periodic review.

62. **Mr. Chu Guang** (China) said that China, an active supporter of the peace process in Myanmar, commended the Government of that country for maintaining social stability and galvanizing social development. Myanmar had the prerogative to choose the development policy and human rights protection modality that befitted its national realities. The international community should respect that and also provide technical assistance, capacity building, and other types of support to Myanmar to promote the enjoyment of human rights in that country.

63. **Ms. Anichina** (Russian Federation) said that the establishment of country-specific special procedures was counterproductive and did not permit constructive dialogue. The principles of universality, objectivity and non-discrimination must be observed in resolving human rights issues. As the Special Rapporteur's mandate was not supported by the country concerned, her report ignored the country's opinions and therefore discredited the work of the United Nations in protecting human rights. Country-specific procedures should only provide technical support, with the agreement of the country concerned. The universal periodic review had shown its effectiveness in addressing human rights situations in specific countries.

64. **Ms. Amadeo** (United States of America) asked the Special Rapporteur what specific steps the Government of Myanmar should take to address the underlying causes of discrimination and human rights abuses against members of the larger Muslim community. While the United States welcomed the release of over 1,300 political prisoners, it lamented the fact that journalists and civil society activities were subject to increasing intimidation. In that connection, she enquired what specific steps the Government of Myanmar should take to resolve the issue of political prisoners and how the international community could best support that effort.

65. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that country-specific mandates were counterproductive and contravened the principles of universality, non-selectivity and objectivity. They also undermined cooperation, which was fundamental to the promotion and protection of all universally recognized human rights. The universal periodic review of the

Human Rights Council made it possible to review the situation of human rights in all Member States on an equal footing.

66. **Mr. Teo** (Singapore) said that Myanmar had made significant strides in its political and economic reforms since the arrival of the new Government. The international community should not underestimate the challenges faced by that Government in its transition to democracy. Singapore welcomed the signing of the Nationwide Ceasefire Agreement as well as the continued commitment of those armed organizations that had not signed, to continue discussions. Singapore was also encouraged by the commitment on the part of key stakeholders to hold free and fair elections. His Government had consistently provided capacity-building support to Myanmar over the years and urged the international community to lend its support to Myanmar as well.

67. **Ms. Everett** (Norway) asked the Special Rapporteur to describe the situation of human rights defenders in Myanmar, who were increasingly subject to surveillance and intimidation, and how the international community could best assist with regard to the fragile situation in Rakhine State.

68. **Mr. Mizumoto** (Japan) said that his Government welcomed Myanmar's continued efforts toward democratization and national reconciliation. It was important that elections should be held in a free and fair manner; in that regard, Japan took the fragile situation in Rakhine State seriously. Traditionally, it had maintained an excellent relationship with Myanmar and remained open to dialogue. Japan was ready to play a role in facilitating relations between Myanmar and the international community. It was important that the resolution on the situation of human rights in Myanmar should maintain a positive tone so as to encourage its Government and promote the consensual adoption of the relevant draft resolution. Lastly, he asked how the Special Rapporteur would prioritize the lengthy list of things to be done in Myanmar.

69. **Mr. Whiteley** (Observer for the European Union) said that, although the European Union welcomed progress in Myanmar, it remained concerned about the situation of human rights, including discrimination practiced against Muslim minorities and other documented human rights violations. He asked what steps should be taken to ensure the appropriate balance

between protecting freedom of expression and ensuring that hate speech and its consequences were tackled effectively and what role countries in the region and international human rights mechanisms could play in bolstering human rights in Myanmar.

70. **Mr. Choe** Myong Nam (Democratic People's Republic of Korea) said that his Government was opposed to all politically motivated country-specific procedures. The discussion of country-specific human rights issues should be handled through the universal periodic review, which dealt with all countries equally and impartially.

71. **Ms. Ismaiz** (Organisation of Islamic Cooperation) asked the Special Rapporteur to share her thoughts on what the order of priorities should be in normalizing the situation in Rakhine State and on what could be done to counter extremist elements that promoted discrimination in Rakhine State against the Rohingya Muslims and other minority groups. She also wished to know how, in the post-election period, the Government could take steps to reform discriminatory legislation.

72. **Mr. Thammavongsa** (Lao People's Democratic Republic) welcomed the positive political developments in Myanmar. The international community should engage with Myanmar in the area of human rights through dialogue and cooperation. The universal periodic review process would make it possible to gain a better understanding of the reality of human rights in the country. Special procedures should always respect the principles of the Charter of the United Nations, in particular respect for national independence, sovereignty, territorial integrity and non-interference, and uphold the human rights principles of objectivity, non-selectivity, non-discrimination, non-politicization and the avoidance of double standards.

73. **Ms. Oh** Youngju (Republic of Korea) said that her country recognized the significant advances achieved by Myanmar in terms of political and economic reforms since 2011. Her Government welcomed the recent signing of the Nationwide Ceasefire Agreement and hoped that it would mark a significant step forward in the political dialogue between the Government of Myanmar and warring ethnic groups, contributing to the achievement of peace and national reconciliation.

74. However, as a strong supporter of political reform in and the democratization of Myanmar, her Government shared the concerns of the Special Rapporteur about the discrimination and incitement to violence against racial and religious minorities. The Republic of Korea therefore urged the Government of Myanmar to develop comprehensive measures to reverse that trend. With a view to ensuring free, fair, inclusive and transparent elections, it was important to respect the rights to freedom of expression, assembly and association. Myanmar should continue to cooperate with the international community and seek its assistance.

75. **Ms. Moreno Guerra** (Cuba) said that the universal periodic review allowed for the unbiased review of the human rights situation in all States. Cuba called on all States to engage with Myanmar through cooperation and respectful dialogue. Country-specific resolutions did not reflect genuine concern for the countries in question and contaminated debate on the important issue of human rights.

76. **Ms. Probst-Lopez** (Switzerland) said that her country was concerned about violence and discrimination against Muslim communities in Myanmar. She asked what obstacles prevented cooperation between the Government of Myanmar and the Office of the High Commissioner for Human Rights and what the international community could do to help overcome those obstacles. In connection with Myanmar's second universal periodic review, she also wished to know what tools were at the international community's disposal to assist in the implementation of the recommendations made and what the priority areas were.

77. **Mr. Pham Quang Hieu** (Viet Nam) said that his country was encouraged by the improvements observed in Myanmar and its strong commitment to promoting economic and social development and democratization. Viet Nam urged States and international partners to strengthen their support to Myanmar in a comprehensive and constructive manner. Dialogue and cooperation based on sovereignty, respect and mutual trust were the best and most proactive way to address international human right concerns. Viet Nam would continue to strongly support Myanmar's tireless efforts to ensure the enjoyment of human rights by its people.

78. **Mr. Habib** (Indonesia) said that the transition to democracy was never an easy process, in particular for

countries that were home to multiple cultures and religions. As Myanmar was in a process of social, economic and political transition, the presence and support of international actors were critical. Indonesia would continue to engage with Myanmar at various levels with regard to a variety of important aspects, including the issue of human rights. Taking a constructive approach would provide incentive for Myanmar to move forward. Challenges remained, but the progress already achieved deserved the support and encouragement of the international community.

79. **Mr. Dvořak** (Czech Republic) said that his country welcomed the progress that had been made by Myanmar towards democratization and national reconciliation. The Government of Myanmar was urged to release all those who had been imprisoned for exercising their right to freedom of expression, and to ensure a safe and enabling work environment for journalists and human rights defenders. The Government was also encouraged to further facilitate the work of the Special Rapporteur by granting her access to the whole country and honouring the commitment to establish a timeline for opening an OHCHR country office.

80. **Ms. Lee** (Special Rapporteur on the situation of human rights in Myanmar) said that the Government of Myanmar should reassess its fear of critical independent voices. As the representative of Myanmar had said, the reform process required a change in mind set. The arrest of individuals in connection with social media activities was a relatively new, yet worrying, phenomenon. However, she had highlighted similar cases in previous reports.

81. A multipronged approach should be taken to normalize the situation in Rakhine State, including the promotion of intercommunal reconciliation. Actions in that regard had already been undertaken, but such normalization and reconciliation could not take place if any of the communities in question continued to face institutionalized discrimination. Accordingly, it was also important to remove discriminatory laws and policies and to resolve questions with regard to legal status and access to citizenship.

82. Although she had not mentioned the issue of political prisoners in her oral report, she wished to highlight the newly formed Prisoners of Conscience Affairs Committee. The international community could consider assisting the work of that Committee. The

United Nations should remain constructively and critically engaged with Myanmar with regard to human rights issues, including by fully integrating those issues in its programmes and activities on the ground, raising concerns in a coordinated and consistent manner, making programmes and technical assistance available to the Government, engaging with the Government on human rights issues and holding Myanmar accountable with regard to its commitments and obligations. The last was of particular importance as Myanmar continued to sign and ratify more human rights treaties, actions which should be commended and encouraged.

83. The international community should support the Government of Myanmar, including through policy and technical assistance and the sharing of lessons learned and best practices. In particular, the Association of Southeast Asian Nations (ASEAN) could be effective in providing and facilitating assistance.

84. **Mr. Shaheed** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran) said that the policy of engagement displayed by the Iranian Government with respect to the newly reached nuclear programme agreement was an indicator of its willingness to work constructively with the international community. That policy of engagement had also been increasingly extended to existing human rights mechanisms. Since the presidential election, there had been a noticeable change in the Government's approach to his mandate, and its latest response to his report (A/70/411) was the most comprehensive to date. In the previous month, at the request of the Government, he had met with Iranian officials in Geneva to discuss the Government's response to the effects of drug trafficking and addiction in the country.

85. Officials had also signalled their willingness to engage more actively with him during the preparation of his reports. Those efforts represented not only a strong starting point from which to better assess and address allegations concerning the situation of human rights in the Islamic Republic of Iran, but also the basis for a path towards reforms that could help to realize the rights of women, children and religious and ethnic minorities and protect and empower those that worked to defend them.

86. Although the Iranian President's administration had demonstrated its ambitions to advance gender equality and improve certain rights for ethnic

minorities, those efforts had yet to translate into the changes necessary to assuage concerns. The right to life, perhaps the most fundamental human right, was under unprecedented assault. The Islamic Republic of Iran continued to execute more individuals per capita than any other country in the world. Despite repeated calls to implement a moratorium on and re-examine use of the death penalty, the number of executions had surged, with over 1,000 individuals, including juveniles, expected to be executed by the end of 2015, according to some human rights organizations.

87. That troubling state of affairs was, in large part, due to a justice system in great need of reform. In its response to his report, the Iranian Government had highlighted recent legislative amendments; however, they imposed significant due process restrictions for certain categories of crimes, often criminalizing the fundamental and peaceful exercise of certain rights. Although several had been released since the issuance of his report, the Islamic Republic of Iran retained the dubious distinction of having one of the largest populations of detained journalists and social media activists in the world.

88. He welcomed recent efforts to address both violence against women and inequities in education and economic participation. But legislation, policies and practices that discriminated against Iranian women and girls continued to institutionalize their second-class status. Measures that excluded religious and ethnic minorities from legal protection of their civil, political, social or economic rights, or that imposed special restrictions on the practices or manifestations of belief should be addressed. There had been several important strides in the expansion of ethnic and cultural rights in recent months, including the launch of an official Kurdish language lesson book for middle-school use and the allocation of credits for teaching Kurdish language courses. He applauded those efforts and urged the Iranian Government to continue to adopt such laws and policies, which fully empowered, integrated and celebrated the country's rich cultural diversity.

89. Iranian officials should apply the same zeal in addressing serious human rights abuses as it had done in meeting the concerns of the international community with respect to its nuclear programme. He urged the President and his administration to take concrete steps to fulfil his presidential campaign promises, including

the enactment of a charter of citizen rights that had been initiated but subsequently shelved.

90. The fundamental reforms needed to improve the country's human rights situation could not take place without the intimate involvement of key parliamentary, security, intelligence and judiciary officials. Iranian officials were therefore urged to use the momentum of the nuclear agreement and build on the positive steps taken by the President's administration to engage more meaningfully with United Nations human rights mechanisms, including by allowing United Nations experts to visit the country and moving forward with the universal periodic review recommendations.

91. **Ms. Vadiati** (Islamic Republic of Iran) said that the principles of equality, objectivity, non-politicization and non-selectivity had not been upheld in many cases, and the United Nations had not successfully or effectively fulfilled its duties. It had ignored situations in certain countries which had created extreme ideologies and violent extremist groups. That had led to the current humanitarian crisis in the Middle East and should induce self-proclaimed human rights advocates to avoid working on the basis of political interests. The Special Rapporteur's report was a consequence of the misuse of human rights mechanisms and would be followed by the adoption of an ill-intentioned draft resolution at a time when the Islamic Republic of Iran's policy of constructive engagement with the international community had led, *inter alia*, to the conclusion of the Joint Comprehensive Plan of Action.

92. The Iranian Government had adopted meaningful, substantive and confidence-building measures in various areas, and was fulfilling its obligations under the universal periodic review. A charter of citizens' rights was being developed, and the Government was ready to engage in dialogue with interested countries. Her country continued to believe that appointing a Special Rapporteur on its human rights situation was an insincere, unjustifiable and counterproductive political move. The majority of Member States had repeatedly rejected such politically-motivated manipulation of human rights and insisted on promoting and protecting human rights in all countries through constructive dialogue, engagement and cooperation.

93. Unfortunately, certain Member States routinely abused United Nations mechanisms for political objectives, which, in the case of the Islamic Republic

of Iran, led to the annual adoption of two General Assembly resolutions and the appointment of the Special Rapporteur. In October 2014, her country had presented its national report on the recommendations accepted from the second cycle of the universal periodic review and, with the engagement of civil society, had begun their implementation. The Islamic Republic of Iran had already provided a detailed response to the Special Rapporteur's report, which was neither balanced nor an authentic reflection of the country's human rights situation. Its Permanent Missions in Geneva and New York and some Iranian officials had met and would continue to engage with the Special Rapporteur.

94. The death penalty was only enforced for the most serious crimes, including premeditated murder and large-scale trafficking in illicit drugs, frequently in conjunction with terrorist crimes. There was no global consensus on abolition of the death penalty. The report ignored the steps taken by the Islamic Republic of Iran towards combating illicit drugs. Over 3,700 police and military officers had been killed in the line of duty and over 12,000 had been injured. The country spent millions of dollars annually to combat drug smuggling and the transit of narcotics and also had large budgets for the prevention, treatment and rehabilitation of addicted drug users. Reports by the United Nations Office on Drugs and Crime (UNODC) had confirmed the work done by it in that regard.

95. Lastly, the report ignored many areas regarding women's rights, including new national and local mechanisms for the advancement of women's rights, the improvement of women's status before the law and in education and health, combating violence against women and trafficking in women and girls, and more effective participation of women in political, economic and social affairs.

96. **Ms. Pritchard** (Canada) said that, although the Special Rapporteur's report noted the acceptance by the Islamic Republic of Iran of some of the recommendations made during the two cycles of the country's universal periodic review (UPR), it was clear that there had been little overall improvement in the human rights situation. That could be due to a lack of desire to implement the UPR recommendations as a 2014 analysis showed that the country had wholly or partially implemented only 28 per cent of the recommendations from the 2010 UPR cycle. As the Islamic Republic of Iran had rejected 40 of the

41 recommendations made on the death penalty during its UPR cycle and the number of executions was rising, she asked whether there had been any change in the country's application of the death penalty in accordance with its human rights obligations.

97. **Mr. Qassem Agha** (Syrian Arab Republic) said that the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran would undermine the credibility of the international political and human rights mechanisms, especially the procedures for dealing with human rights. Instead of pointing fingers at countries with their own cultures, customs and achievements in the area of human rights, special rapporteurs should be appointed to discuss the situations in those countries that had proclaimed their commitment to human rights while destroying Iraq, Afghanistan and Libya and that were currently attempting to destroy his country. As a position of principle, his delegation fully rejected the selective use of human rights questions. The democratic experience of the Islamic Republic of Iran must be respected.

98. **Ms. Amadeo** (United States of America) said that her country continued to have serious concerns about the deteriorating human rights situation in the Islamic Republic of Iran and hoped that the Iranian Government would answer its people's call for greater freedom and respect for international human rights. The United States supported the draft resolution proposed by Canada reiterating the international community's concern about the human rights situation and urged other Member States to support it.

99. **Ms. Vadiati** (Islamic Republic of Iran), speaking on a point of order, said that the current discussion was supposed to be about the Special Rapporteur's report, not supporting draft resolutions. Delegates should focus their efforts on the report.

100. **Ms. Amadeo** (United States of America) asked what could be done to address the continuing infringements of press freedom in the Islamic Republic of Iran. The United States was concerned about the Iranian Government's ongoing restriction of religious freedom and harassment of religious minorities. She asked what the Iranian Government could do to protect the human rights of religious minorities and also wished to know how the Special Rapporteur's work was affected by his lack of access to the Islamic

Republic of Iran and what had happened in cases where individuals had been harassed for speaking with him.

101. **Ms. Anichina** (Russian Federation) said that country-specific special procedures and resolutions were counterproductive, selective and biased and did not constitute a mutually respectful dialogue on human rights. Establishing country-specific special rapporteurs' mandates without the agreement and support of the countries concerned and preparing reports that ignored their views discredited the human rights work of the United Nations. The universal periodic review had shown its effectiveness as a mechanism for discussing human rights situations in individual countries.

102. **Mr. Torbergson** (Norway) said that his country was concerned by the human rights situation in the Islamic Republic of Iran, particularly the use of the death penalty, notably in the case of juvenile offenders; developments affecting freedom of expression and the media; the targeting of ethnic and religious minorities; and the treatment of human rights activists. His delegation encouraged the Iranian Government to permit the Special Rapporteur to visit the country.

103. **Mr. Kunert** (Observer for the European Union) said that pledges made on human rights issues needed concrete results. The use of capital punishment for drug-related crimes was not consistent with article 6 of the International Covenant on Civil and Political Rights. He asked what steps could be taken in cooperation between the Iranian Government, the Office of the High Commissioner for Human Rights and the United Nations Office on Drugs and Crime to examine alternative strategies to combat drug-related offences. His delegation encouraged the Iranian Government to grant the Special Rapporteur access to the country.

104. **Ms. Didi** (Maldives) said that the Islamic Republic of Iran should work with international partners to lift economic sanctions. She asked whether that country's recent international cooperation was linked to a deepened substantive interaction with human rights mechanisms, the improvement of relations between the Iranian Government and society, and the promotion and protection of human rights. Her delegation encouraged that Government to engage in a dialogue with United Nations mandate holders to improve human rights conditions where concerns had been raised, including regarding penalties for crimes

committed by minors and specific legislation that could hinder the realization of the rights of women and girls. The Maldives hoped that the Iranian Government would ensure more safeguards for women, children and other vulnerable groups and encouraged it to cooperate with the Special Rapporteur.

105. **Ms. Goldrick** (Nicaragua), also speaking on behalf of the Plurinational State of Bolivia, expressed concern about the continued practice of counterproductive country-specific mandates. The best practice was to promote cooperation between all parties, without foreign intervention or the politicization of human rights.

106. **Ms. Probst-Lopez** (Switzerland) said that respect for human rights in the Islamic Republic of Iran was particularly important. Her delegation hoped that the debate currently taking place in that country on abolishing the death penalty for certain crimes would have tangible results. Switzerland shared concerns over the grave human rights violations committed by the Iranian authorities, particularly the number of executions of, inter alia, prisoners of conscience and under-age persons, as well as corporal punishment and torture, and restriction of the rights of minorities and freedom of expression.

107. Her delegation called on the Iranian Government to cooperate with the Special Rapporteur and enable him to visit the country. As some positive dynamics had been observed in cooperation between the Iranian Government and the international community on global security, she asked how the human rights situation had evolved in general and whether there had been positive change in any areas.

108. **Mr. Liang Heng** (China) said that the primary responsibility for human rights rested with each individual country. The imposition of a mandate against a country's wishes was of no benefit to its human rights situation. His delegation hoped that the international community would examine the challenges faced by the Islamic Republic of Iran regarding its human rights situation in a comprehensive and objective manner, in order to consider the legitimate demands of the Iranian Government and people and return to constructive dialogue and cooperation.

109. **Mr. Oña Garcés** (Ecuador) said that country-specific mandates were political and did not promote or protect human rights, but rather undermined existing mechanisms such as the universal periodic review.

Countries that promoted such mandates should concentrate on the rights of migrants, the right to development, the right to adequate housing for all inhabitants and the elimination of internal inequities, instead of focusing on the countries of the global South.

110. **Mr. Choe Myong Nam** (Democratic People's Republic of Korea) said that his country opposed country-specific mandates, which were politically motivated and confrontational. Constructive attitudes towards dialogue and cooperation should be encouraged, and there should be no effort to impose pressure on the countries concerned. Any discussion of country-specific issues should take place using the universal periodic review.

111. **Ms. Morton** (Australia) said that her country continued to be alarmed by the number of executions in the Islamic Republic of Iran, particularly those relating to drugs. Her delegation saw value in both the universal periodic review and the Special Rapporteur's mandate. She asked for elaboration on the differences between the universal periodic review process and his role as a special procedures mandate holder.

112. **Ms. Belskaya** (Belarus) said that sanctions continued to have a negative influence on realizing human rights in the Islamic Republic of Iran. The Special Rapporteur's report did not reflect the Iranian Government's efforts to promote economic, social and cultural rights, which affected the country's ranking in the Human Development Index. Belarus welcomed the Islamic Republic of Iran's efforts to respect its international commitments, combat trafficking in persons, and enhance the rights of women and children. Her country opposed country-specific mandates, which had a negative impact on national sovereignty, and called for the rejection of such measures.

113. **Ms. Moreno Guerra** (Cuba) said that her country rejected the establishment of country-specific mandates, which were political and incompatible with the dialogue and cooperation promoted by the Third Committee. The Special Rapporteur's report had not taken into account the information provided by the Iranian Government or the country's cooperation with the Office of the High Commissioner for Human Rights and other human rights mechanisms. The universal periodic review was the only way to address human rights issues in a non-selective manner.

114. **Mr. Glossner** (Germany) said that, although it had rejected recommendations made on the death

penalty during its last universal periodic review, the Islamic Republic of Iran had accepted a recommendation to take measures to ensure due process and a fair trial. He asked if the Iranian Government had made progress in implementing that recommendation. Furthermore, negotiations on the Iranian nuclear programme had shown that dialogue on contentious issues could yield positive results. He asked what steps the international community could take to better engage with the Islamic Republic of Iran on human rights and called on that country to grant the Special Rapporteur access to its territory.

115. **Ms. Thorne** (United Kingdom) said that her country was concerned by the human rights situation in the Islamic Republic of Iran and the rising number of executions. The United Kingdom supported the recommendation on rescinding the death penalty for less serious crimes and the immediate nullification of death sentences for political prisoners and prisoners of conscience. She asked whether the situation for religious minorities in the Islamic Republic of Iran was worsening.

116. **Mr. Moussa** (Egypt) said that his country did not support country-specific mandates. Human rights work should be guided by the principles of universality, transparency, impartiality, objectivity and non-selectivity. Those principles must be defended to ensure that human rights were not used for political purposes or for the adoption of politically motivated decisions.

117. **Mr. Tesfay** (Eritrea) said that his country rejected the use of country-specific mandates. Engagement, dialogue and cooperation between all parties concerned were the only way forward. Universality, transparency, impartiality, objectivity and non-selectivity should be the guiding principles for the work of the Human Rights Council. The universal periodic review remained the main intergovernmental mechanism for reviewing human rights at a national level.

118. **Mr. Tin** (Myanmar) said that his country opposed country-specific mandates and resolutions. Such measures were counterproductive and not conducive to dialogue and cooperation between the countries concerned and the international community. The universal periodic review was the most reliable mechanism for assessing the human rights situation in individual countries. The Third Committee's work should be guided by the principles of universality,

impartiality, objectivity and non-selectivity to eliminate double standards and politicization.

119. **Ms. Aguyao** (Chile) asked whether the meeting held in Geneva had had any impact on the Iranian Government's cooperation with the Special Rapporteur's mandate and how the dialogue had been organized on that occasion.

120. **Mr. Shaheed** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran) said that concern was raised by the Islamic Republic of Iran's lack of cooperation with his mandate and its failure to respond to United Nations communications on human rights violations. Allegations of bias in his report could be dealt with by inviting him to visit the country in order to have direct access to the Government and judiciary and include more of their views. Nonetheless, he could access credible information, including parliamentary debates, and Government reports and documents. His information was primarily sourced through the Iranian Government, as well as reports which had been corroborated by multiple sources.

121. The universal periodic review occurred once every four years whereas the Special Rapporteur was able to keep track of events at all times. The Special Rapporteur could therefore facilitate implementation of the universal periodic review and provide transparency. The situation for religious minorities had not worsened but remained dire. The Iranian constitution was discriminatory and persons were currently in prison for belonging to a faith other than Islam or for having converted from Islam to another faith. Discrimination against adherents of the Baha'i faith was particularly serious. In closing, he welcomed the engagement of the Islamic Republic of Iran. The meeting in Geneva had paved the way for further dialogue and would make an important contribution to the evolution of his mandate and the continuation of his work.

122. **Ms. Vadiati** (Islamic Republic of Iran) said that the Canadian representative's remarks showed how Canada regretted the loss of the smokescreen used to disguise its anti-Iranian policies, which had been damaged by the conclusion of the Joint Comprehensive Plan of Action. Furthermore, the United States should consider its own human rights situation and was primarily concerned about its budgetary allocations.

The meeting rose at 6 p.m.