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## Third Committee

### Summary record of the 29th meeting

Held at Headquarters, New York, on Tuesday, 22 October 2019, at 10 a.m.

*Chair:* Ms. Farngalo (Vice-Chair) ..... (Liberia)  
*later:* Mr. Braun ..... (Luxembourg)

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*In the absence of Mr. Braun (Luxembourg), Ms. Farnvalo (Liberia), Vice-Chair, took the Chair.*

*The meeting was called to order at 10.05 a.m.*

**Agenda item 70: Promotion and protection of human rights** (*continued*)

**(a) Implementation of human rights instruments** (*continued*) (A/74/40, A/74/44, A/74/48, A/74/55, A/74/56, A/74/146, A/74/148, A/74/228, A/74/233, A/74/254 and A/74/256)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/74/147, A/74/159, A/74/160, A/74/161, A/74/163, A/74/164, A/74/165, A/74/167, A/74/174, A/74/176, A/74/178, A/74/179, A/74/181, A/74/183, A/74/185, A/74/186, A/74/189, A/74/190, A/74/191, A/74/197, A/74/198, A/74/212, A/74/213, A/74/215, A/74/226, A/74/227, A/74/229, A/74/243, A/74/245, A/74/255, A/74/261, A/74/262, A/74/270, A/74/271, A/74/277, A/74/285, A/74/314, A/74/318, A/74/335, A/74/349, A/74/351, A/74/358, A/74/460, A/74/480 and A/74/493)

**(c) Human rights situations and reports of special rapporteurs and representatives** (*continued*) (A/74/166, A/74/188, A/74/196, A/74/268, A/74/273, A/74/275, A/74/276, A/74/278, A/74/303, A/74/311, A/74/342 and A/74/507)

**(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (*continued*) (A/74/36)

1. **Mr. de Varennes** (Special Rapporteur on minority issues), introducing his report (A/74/160), said that it included a thematic study on the concept of a minority in the United Nations system, based on the history and formulation of the provisions of United Nations instruments and on the interpretation of article 27 of the International Covenant on Civil and Political Rights by the Human Rights Committee. He proposed a working definition for the purposes of his mandate and invited United Nations entities to apply more consistently a common approach and understanding so as to better ensure the full and effective realization of the rights of persons belonging to minorities. According to the proposed definition, a minority was any group of persons which constituted less than half of the population in the entire territory of a State whose members shared common characteristics of culture, religion or language, or a combination thereof.

2. He had considered it necessary to provide clarification in the form of the working definition because of the inconsistencies and uncertainties that currently existed within and between United Nations entities, which was in some cases reflected in a reluctance to even refer to minorities because of the lack of a common understanding of the concept. For instance, in the July 2019 revised draft of the legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises, the reference to minorities as one of the groups that faced heightened risks of violations of human rights within the context of business activities had apparently been removed because of concerns over the meaning of the term.

3. His report also highlighted grave concerns in relation to the issue of statelessness. Currently, some three-quarters of the world's more than 10 million recognized stateless persons belonged to minorities. Although the Office of the United Nations High Commissioner for Refugees had set the target of eradicating statelessness by 2024, it seemed that the phenomenon would, in fact, increase significantly in the coming years and even months, particularly as hundreds of thousands of individuals, mainly belonging to Muslim and Bengali minorities in Assam, India, had been excluded from the National Register of Citizens and were deemed to be "foreigners", putting them at risk of statelessness. He therefore wished to reiterate his call to Member States, international organizations and other interested parties to assist in the development of guidelines for equal nationality rights for minorities.

4. During the reporting period, he had participated in many conferences, high-level meetings and other international and regional activities. In 2019, as part of a more regional approach to the Forum on Minority Issues, the first regional forums on the theme of education, language and the human rights of minorities had been held in Europe and the Asia-Pacific and Africa-Middle East regions. The number of communications sent to Governments and other stakeholders in relation to minority issues had increased by more than 10 per cent and concerned primarily ethnic and religious minorities.

5. **Ms. Bogyay** (Hungary) said that her country strongly supported the Special Rapporteur's work and welcomed his engagement on the situation of Hungarian national minorities. An alarming trend had recently emerged whereby the advances made in relation to the rights of national minorities were being reversed. Of particular concern was the issue of minority languages, especially in Ukraine. Noting that the promotion of the use of a State language must not be to the detriment of

the promotion and protection of regional or minority languages, her delegation called on the Special Rapporteur to address the challenges related to the linguistic rights of minorities, especially regarding the use of the mother tongue in education and other fields.

6. Hungarian national minorities continued to report discrimination, including the prohibition on using their mother tongue in court and administrative proceedings and restrictions on the use of national symbols and on freedom of assembly. In the European context, a compulsory regulatory framework on the protection of the rights of national minorities should be adopted, based on a number of basic principles: respect for the difference between citizenship and national identity; preservation of minorities' right to identity; respect for collective as well as individual rights; recognition of national minorities as autochthonous, constituent elements of the State; and a distinction between autochthonous national communities and economic immigrants.

7. **Ms. Tripathi** (India) said that the updating of the National Register of Citizens in Assam was not a minority rights issue but a statutory, transparent, non-discriminatory legal process mandated and monitored by the Supreme Court. There was no requirement to indicate religious affiliation in the application form for inclusion in the register. More than 31 million people had been listed in the register and, following a meticulous verification process, the number of persons not included had fallen from 4 million to 1.9 million. Anyone excluded from the register had the right to file an appeal with a designated tribunal, whose decision could in turn be appealed before the High Court and Supreme Court. Free legal assistance was provided to any person excluded from the list who could not afford legal counsel. Exclusion from the register had not undermined the rights of any residents of Assam and had not rendered them stateless or resulted in their detention. It was important not to jump to incorrect conclusions based on an incomplete understanding of the relevant judicial processes.

8. **Mr. Vorobiev** (Russian Federation) said that there had unfortunately been a regression in many European countries with respect to ensuring the linguistic and educational rights of minorities and granting them citizenship. New challenges linked to recent migration flows had had a significant impact on inter-ethnic and interreligious relations, combining with older, unresolved issues. The granting of special legal status to Russian-speaking minorities in Estonia and Latvia had actually led to the restriction of their political, social, economic, cultural and linguistic rights. Over the past 30 years, there had been a progressive dismantling of

education in Russian in those countries, and efforts to remove Russian from public and political life were intensifying. In Latvia, a law had been adopted to make Latvian the only language of education in the country's schools by 2021. In its concluding observations on Estonia of March 2019, the Committee on Economic, Social and Cultural Rights had expressed concern at the punitive approach of the State party to enforcing the Language Act and systemic discrimination against the non-Estonian-speaking population due to a lack of proficiency in the Estonian language. Recent legal initiatives in Ukraine on education and the use of mother tongues were essentially focused on excluding members of minorities. His delegation called on the Special Rapporteur to continue to focus his attention on such discriminatory policy against minorities.

9. **Mr. Roijen** (Observer for the European Union) said that the European Union remained committed to ensuring the rights of persons belonging to minorities, fighting discrimination and protecting the diversity of cultures and languages. His delegation supported the organization of further regional forums, which provided a more accessible opportunity for all relevant stakeholders to address specific regional issues related to minority rights.

10. The Special Rapporteur's proposal for a more unified approach to the definition of a minority within the United Nations system would be very complex from a political, legal and academic perspective. The practice of the Human Rights Committee and the relevant norms and standards of the Council of Europe should serve as a starting point for that discussion. In the light of the diverging views and different criteria applied by States in defining a minority, it would be interesting to learn how the Special Rapporteur envisaged achieving consensus given that previous efforts had proven inconclusive. The proposed working definition did not include any requirement of citizenship, residence, official recognition or any other status for an individual to be considered a member of a minority. He wondered whether a narrower definition that did include such a requirement might help to ensure that States protected, respected and promoted the rights of minorities more actively.

11. **Mr. Edbrooke** (Liechtenstein) said that his delegation agreed that a working definition of the term "minority" would make it easier for Member States to engage on minority issues and improve coordination between United Nations entities. His delegation would be interested to know why the Special Rapporteur had relied primarily on article 27 of the International Covenant on Civil and Political Rights in preparing the definition rather than on other texts, such as the

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Was the Special Rapporteur opting for a conception of minority rights that was capable of encompassing a wide range of individuals but with a thinner layer of rights, as put forward in paragraph 40 of the report?

12. **Mr. Gerasyenko** (Ukraine) said that, as a result of its history and geographic location, his country was home to many national minorities that spoke diverse languages and preserved their cultures. It was also home to the Karaim, Krymchak and Tatar indigenous peoples. Ethnic or national minority issues had not triggered the ongoing conflict on the territory of Ukraine. A comprehensive reform of the education system had been launched in 2017, taking into account the principle of inclusivity. The Venice Commission of the Council of Europe had confirmed the legitimacy of the country's new education policy. Ensuring an adequate command of the official language of the country would expand opportunities for Ukrainian citizens of Hungarian and other ethnic backgrounds in education, employment and political life. The national strategy for the protection and integration of the Roma national minority aimed, *inter alia*, at countering the problem of statelessness.

13. **Mr. Wislocki** (Austria) said that, in view of the Special Rapporteur's focus on education, language and the human rights of minorities, it would be interesting to hear about his cooperation with other United Nations entities, especially the United Nations Educational, Scientific and Cultural Organization (UNESCO), on those issues. The Special Rapporteur's working definition of a minority did not include any requirement of citizenship, residence, official recognition or any other status for a person to be considered a member of a minority. Austrian legislation and practice in that field, however, was primarily based on a definition of ethnic groups that included linguistic elements and the prerequisite of citizenship. He asked the Special Rapporteur to comment on the view that the requirement of a relationship between the State and the individual in the definition of a minority might actually positively contribute to the level of protection that States afforded to their minorities.

14. **Mr. Mack** (United States of America) said that his country remained concerned by the repression of members of minority communities by State and non-State actors across the globe and by activities that contributed to statelessness. While the United States had made progress in reducing discrimination and promoting equal opportunities for all, including members of minority groups, it recognized that challenges remained. All those vested with the responsibility of governance should engage in

meaningful dialogue on the elimination of discrimination against minorities. State repression of members of minority groups in Myanmar, Iran, China and Russian-occupied Crimea had marginalized and displaced members of such groups, including the Rohingya, Kachin, Shan, Baha'i, Tibetan, Uighur, Crimean Tatar and other communities. Members of those groups, who faced violence, severe discrimination, undue restrictions on their rights to freedom of expression, peaceful assembly and association and of religion or belief, deserved the international community's collective attention. His delegation urged all Member States to highlight their concerns directly with the Russian Federation, Myanmar, Iran and China. Member States should also avoid creating new situations of statelessness by ensuring access to civil registration and citizenship documentation for members of minority communities. He would welcome a comment from the Special Rapporteur on the best practices to ensure that minority communities' views were an integral part of identifying and mapping statelessness.

15. **Ms. Xu Daizhu** (China) said that, as a country with 56 ethnic groups, China attached great importance to the protection of the rights and interests of minority groups and ensured their participation in political, economic, social, cultural and religious life. The Chairpersons, Governors and Chiefs of autonomous regions or counties were members of the ethnic groups exercising regional autonomy in the areas concerned. All ethnic minority groups had representatives in the National People's Congress and political consultative committees; such representatives made up more than 40 per cent of members of the Congress. A database for endangered minority languages had been established, the development of minority culture was being promoted and many cultural sites linked to specific ethnic minorities had been listed as world heritage sites. The United States delegation's accusation that minority groups in China were being marginalized revealed its ignorance of the situation of the country's minority ethnic groups. Her delegation stood ready to engage with interested States.

16. **Mr. De Varennes** (Special Rapporteur on minority issues) said that, in drawing up his working definition of a minority, he had examined the evolution of the concept in the United Nations over decades. The definition he proposed was based in part on the jurisprudence of the Human Rights Committee. As article 27 of the International Covenant on Civil and Political Rights was the main legal provision dealing with the rights of minorities, it made sense to refer to work of the Committee, which had, over the years,

provided some indication as to how the concept of a minority should be understood. Having a working definition would help him to provide greater clarity to Member States but would not affect the level of protection afforded to minorities. The rights of minorities under article 27 of the Covenant or any other provision would be dealt with separately in subsequent studies. As to the absence of the requirement of any particular status or citizenship in order for an individual to be considered a member of a minority, he saw no reason to move away from the position of the Human Rights Committee, which had made it very clear that there was no such requirement under article 27.

17. Regarding the comments made by the delegation of India, it was essential to understand that minority rights were human rights and that the situation in Assam did involve the human rights of minorities. He welcomed the measures taken to try to ensure that the rights of those involved were protected and hoped that the delegation of India would consider the possibility of inviting him to examine the situation in Assam in person so that he could gain a better understanding of its complexity.

18. In the area of education, language and the human rights of minorities, he had benefited from very strong cooperation with a number of international and regional organizations. Representatives of UNESCO, the Council of Europe and the European Union had participated in the recent European regional forum. UNESCO had been very active on those issues in the Asia-Pacific region and had been involved in the recent regional forum in Bangkok. He hoped that it would also be possible to work with the African Union and the Organization of American States. He also hoped to work on further practical guidance on how to address statelessness that affected minorities.

19. **Ms. Bennoune** (Special Rapporteur in the field of cultural rights), introducing her report ([A/74/255](#)), which was focused on the mutual relationship between public spaces and human rights, said that target 11.7 of the Sustainable Development Goals (provide universal access to safe, inclusive and accessible, green and public spaces, particularly for women and children, older persons and persons with disabilities) must be met because the enjoyment of many human rights required adequate public spaces accessible to all without discrimination. That was particularly true for the right to take part in cultural life without discrimination, for the freedom of artistic expression and creativity and for the cultural rights of particular categories of people.

20. From the point of view of cultural rights, both the availability of public spaces and their design,

development and maintenance must be recognized as human rights issues and taken into account in the decision-making process about public spaces. It was the responsibility of States, together with other actors, to make available public spaces for deliberation, cultural exchanges and the enjoyment of universal human rights.

21. The urgency of equal access was underscored by the death, in the Islamic Republic of Iran, of 29-year-old Sahar Khodayari, known as the “blue girl”, after setting herself on fire in September 2019 to protest the criminal charges brought against her after entering a stadium, as a woman, to watch a football match.

22. Many people around the world had made sacrifices to defend equal access to public spaces and their very existence must not be taken for granted. The Government of the United States, for example, had recently proposed privatizing parts of that country’s national parks. During her official visit to Tuvalu in September 2019, she had seen how, in the evenings, a local airfield was being enjoyed as a vibrant place of gathering and recreation for both women and men. That had brought home to her once again how much public spaces meant to people.

23. Building on the definitions used by UNESCO and other United Nations system entities, she defined public spaces as places that were publicly owned and accessible to all without discrimination, where people could come together to build a society based on human rights, equality and dignity while nurturing and expressing their own identities. The definition included cultural sites, open and natural spaces, urban and rural spaces, public facilities and streets, some privately owned spaces used for public purposes, as well as virtual spaces. Some groups, such as indigenous peoples, might at times need their own common spaces, which might not always be accessible to all, or be accessible only under certain conditions. While such spaces must be respected, they were not exempt from human rights standards such as the prohibition of discrimination, including discrimination against women.

24. From a cultural rights perspective, public spaces responded to the need to encounter others, offer a location for cultural practices and convey social and cultural meanings. They facilitated a diversity of cultural expressions and social participation. Existing public spaces must be preserved and new ones created in which people could learn, develop their creativity, experience the humanity of others and foster their civic engagement. Any limitations on people’s access to and enjoyment of public spaces must also be compatible with international human rights standards.

25. The accessibility of public spaces, both in a financial sense and otherwise, could maximize people's participation and ensure their equality. There were many obstacles, such as exclusionary policies, social norms and practices, a lack of public knowledge about the location and uses of existing public spaces, and threats, violence and harassment. Authorities should make public spaces more widely known and make it clear that all had the right to access them. They should also make public spaces more welcoming and more available for social interaction. The goal should be the inclusion of all sectors of society. Some groups faced particular obstacles, and those required additional attention.

26. The first such group were women. In their policies relating to public spaces, authorities must meet Sustainable Development Goal 5 on gender equality, including target 5.5. of the Goals regarding women's full and effective participation in public life. In practice, women often faced considerable obstacles in accessing public spaces owing to socially constructed gender norms, threats, harassment and violence. Public authorities must effectively remove those impediments. Certain de facto and de jure norms completely barred women from spaces such as stadiums, mixed concerts, cafés, places of worship and heritage sites, and thereby from enjoying their cultural rights in equality and dignity. Such norms were incompatible with international human rights norms and must be abrogated. Culture, tradition and cultural rights were not acceptable justifications. In addition, some public spaces were more inclusive than others. To create more inclusive environments, gender-sensitive experts could be involved in public management as conscious and unconscious gender biases were being deconstructed.

27. The second group facing particular obstacles were persons with disabilities. For them, the poor accessibility of built environments such as roads, housing, public buildings and public spaces directly affected their capacity to live independently and fully participate in all aspects of life, including cultural life. Recent evidence had shown that persons with disabilities faced a widespread lack of accessibility to public spaces, even in countries where legal norms required a reasonable adaptation of infrastructure. From the initial stages of the design process, accessibility and inclusive universal design principles should be used. The same principles applied to the construction and restructuring of public infrastructure, facilities and services. Studies had shown that, if integrated from the initial stages, universal design raised the cost of construction by only 1 per cent, if at all.

28. Natural spaces were another category that required attention. People might wish to access natural spaces for

a variety of purposes, including recreational activities, and cultural and spiritual rituals, or to honour the symbolic and historical significance of a given space. Natural spaces should be made as accessible as possible to the public, subject only to the limitations permissible under international standards. Natural spaces also faced grave risks associated with climate change, such as the erosion of waterfronts or wildfires caused by drought. The climate emergency would need to be met with an effective and timely response to preserve the cultural rights related to natural spaces.

29. The trend towards privatization could have a significant impact on the suitability of public spaces for the enjoyment of human rights and could undermine cultural rights. Openness and accessibility might not be fully guaranteed, and that could lead to class-based spatial divisions. One solution was to establish zoning regulations requiring every locality to have meaningful public spaces, including green spaces.

30. Some experts had claimed a free-standing human right to public spaces, and some States had recognized such a right. The idea merited serious consideration. In any case, as part of their human rights, all persons were entitled, without discrimination, to access, use and enjoy public spaces or spaces of public use that were available in sufficient quantity, freely accessible, adequate, affordable and of good quality, and which reflected cultural diversity.

31. Public spaces were conduits for realizing universal human rights for all. If States, international organizations and the international community did not take them seriously and failed to see their availability and accessibility as a basic question of human rights, it would be impossible to ensure people's enjoyment of their cultural rights and indeed of many other human rights. The issue must be addressed in a holistic manner, taking a human rights approach.

32. *Mr. Braun (Luxembourg) took the Chair.*

33. **Mr. Roijen** (Observer for the European Union) said that he welcomed the emphasis that the Special Rapporteur had placed on the particular obstacles faced by some groups in accessing public spaces, including women, persons with disabilities, children and young people. Threats, harassment and violence, as well as poor accessibility posed particular challenges that needed to be addressed. The European Union also agreed that cultural events held in public places were protected under the right to peaceful assembly and the right to take part in cultural life, subject only to the limitations permitted under international standards.

34. He asked the Special Rapporteur to elaborate on how the enjoyment of human rights could contribute to ensuring that public spaces remained a sphere for deliberation, social interaction and the promotion of social cohesion. He also asked how the right of children to engage freely in age-appropriate recreational activities, cultural life and the arts could be best guaranteed and promoted.

35. **Ms. Fareena** (Maldives) said that her country acknowledged the need to end corruption in public works and encourage the development of an inclusive planning strategy. There was a compelling need to improve access to natural resources in the rural sector. Noting that small island developing States were energy-stressed and faced water scarcity, she asked for additional guidelines on how they should proceed in the realization of cultural rights.

36. **Ms. Cue Delgado** (Cuba) said that, under her country's new Constitution, safeguarding the cultural, natural and historical heritage was one of the essential tasks of the State, as was the educational, scientific, technical and cultural development of Cuba. Anyone had the constitutional right to participate in cultural life and the arts. The new Constitution also promoted public participation in the development of the Government's cultural policy. During the current session of the General Assembly, Cuba would sponsor a draft resolution on human rights and cultural diversity on behalf of the Movement of Non-Aligned Countries.

37. **Mr. Mack** (United States of America) said that the report of the Special Rapporteur rightly noted the relationship between individuals' access to public spaces and their use of the freedoms of expression, association and religion or belief and their right to peaceful assembly. In that regard, the United States was deeply disturbed that China was removing Uighurs, Kazakhs, Kyrgyz and other Muslims in Xinjiang from the public space in a blatant effort to repress their cultural and religious identities. China was not just temporarily restricting access to public spaces but was detaining members of those groups in re-education camps while forcing them to renounce their ethnic identities, religious beliefs, and cultural and religious practices. China claimed that such arbitrary mass detention was necessary to counter so-called extremism, but that was not credible. The inhumane treatment those minority groups were experiencing in detention increased the risk of resentment and radicalization to violence. The expression of cultural identity was an essential part of inclusive quality education. He was therefore deeply concerned about prohibitions on the use of the Uighur language in classrooms in Xinjiang. There were credible reports of children being forcibly placed in Mandarin-language

boarding institutions for indoctrination, severed from all aspects of the Uighur culture and society. He urged the Government of China to close the detention camps and to respect the cultural, linguistic and religious identities of the people of Xinjiang.

38. In her report, the Special Rapporteur had noted that, in addition to physical spaces, virtual spaces were important for the expression of cultural identity. He asked whether there were specific steps that stakeholders could take to make virtual spaces more conducive to the exercise of the freedom of expression, including the expression of cultural identity and religion or belief.

39. **Ms. Wollebaek** (Norway) said that her delegation appreciated the reminder contained in the report of the Special Rapporteur that the purpose of her mandate was not to protect culture per se, but rather the conditions allowing all people, without discrimination, to access, participate in and to contribute to culture. Noting the increased use of virtual public spaces, she asked how serious the risk was that cultural rights would be infringed. She also asked what measures the international community could take to counter the misinterpretation of cultural rights in relation to harmful practices.

40. **Ms. Xu Daizhu** (China) said that, even though she had much to report about action taken by her country on public spaces and their function in relation to cultural rights, she felt compelled to address the accusations levelled, once again, by the United States about human rights in Xinjiang. China was a multi-ethnic country; over the past 5,000 years, people of all ethnic groups had worked together to build a magnificent civilization. Her country had protected the cultures of its ethnic minorities. Xinjiang had 10 languages, all of which were being used in publications, news broadcasts and all other areas. The population of Xinjiang also used Mandarin, Uighur and other languages, six altogether. Xinjiang television used four languages in its programming. China's national television was broadcasting in five languages. Various art forms of the Uighur people had been listed by UNESCO as non-material world heritage. The intention was not to diminish the rights of ethnic minorities but to promote national unity. Many countries in the world used English, but nobody was calling that cultural aggression. She invited the representative of the United States to visit her country and understand the real China instead of believing hearsay and launching baseless accusations.

41. **Ms. Bennoune** (Special Rapporteur in the field of cultural rights) said that, to explore their identity, children and adolescents must be able to use public

spaces to exercise their right to rest and leisure and to participate freely in play, and in recreational and artistic activities in public spaces. That was how they explored their culture, forged new artistic forms, created relationships and evolved as human beings. In many instances, public spaces were the only places where they could do so. In her report, she had expressed concern about the fear of and hostility towards adolescents that was sometimes expressed in public spaces or reflected in the design of public spaces or the rules governing them. Moreover, a lack of adolescent-friendly urban planning and educational and leisure infrastructure could inhibit the freedom of adolescents to engage in recreational activities and sports. Curfews and high-frequency sound devices audible only to children and adolescents were sometimes used abusively to deter them from being present in public spaces. While some restrictions were sometimes necessary to keep public spaces accessible to everyone, States should guarantee the rights of children to freely engage in age-appropriate recreational activities, cultural life and the arts based on the principles of inclusion, participation and non-discrimination in public spaces that were adequate for those purposes. In doing so, States should pay particular attention to the needs of children with disabilities.

42. While respect for human rights facilitated the use of public spaces, it was a matter of grave concern that, in some instances, human rights violations were committed in those very public spaces, in particular when people were expressing themselves there. She had also raised concern about the effects of actions by non-State actors in public spaces on the rights of others. A Government that claimed to guarantee the rights to free speech, expression, assembly and association, but provided no space in which to do so, made a hollow promise to its citizens. In other words, the respect for people's rights in public spaces was about making that promise real.

43. The Special Rapporteur on the rights to freedom of peaceful assembly and of association had considered related issues. He had insisted that the full exercise of the freedom of assembly was possible only in an environment that was enabling and safe for the general public, civil society and human rights defenders, and where access to spaces for public participation was not excessively or unreasonably restricted. In that regard, particular groups required particular protection, such as women, who needed to be protected from sexual harassment and sexual violence and needed to be welcomed and included in public spaces. One woman had told her that she saw public spaces mainly as spaces for men. The challenge was to make public spaces

welcoming to all by ensuring the respect for human rights, including by non-State actors.

44. Virtual spaces were increasingly important and might, in the future, require a report of their own, because they had many distinctive features. Virtual spaces added a new dimension that could complement existing public spaces but did not replace them. Meeting on the Internet was not the same as meeting physically. It was necessary to ensure that human rights standards also applied in virtual spaces, as the United Nations High Commissioner for Human Rights had recently insisted. Virtual spaces could contribute to cultural development, but it was important not to lose sight of the ways in which they could undermine physical spaces by encouraging people to prioritize virtual over physical interactions with one another. An issue that needed to be addressed further was the increasing use of personal electronic devices in public spaces.

45. Regarding the issue of access to public spaces for persons who faced discrimination on the basis of sexual orientation or gender identity, one positive aspect was that public spaces had been instrumental in their struggle for dignity and equality. On the negative side, public spaces were still the sites where such persons were the targets of human rights violations, hate crimes, discrimination, violence and harassment. Public authorities must take action to protect lesbian, gay, bisexual, transsexual and intersex persons from shaming, exclusion and abuse in public spaces, including by changing discriminatory attitudes.

46. Homeless people were another group whose rights required special attention, as they did not have alternative, private spaces at their disposal. They lived in public spaces and depended on them for work, social contacts, leisure, shelter, sleeping, cooking, washing and many other functions. Many countries had targeted rules and regulations in place that further impaired their human rights. The crux of the matter was that homelessness as a human rights problem could not be solved by placing undue and unfair restrictions on homeless people in public spaces. What was needed were human rights-compliant solutions in line with the recommendations of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living. Homeless people, including street children, also had the right to use and enjoy public spaces.

47. **Ms. Ero** (Independent Expert on the enjoyment of human rights by persons with albinism), introducing her report (A/74/190), said that, in the past five years, she had focused on extreme human rights violations against persons with albinism, mostly in Africa, where they had

sometimes been hunted like animals and their body parts sold as commodities. In 2019, the African Union Commission had adopted a regional policy on albinism. Her mandate supported that policy through collaboration with several regional mechanisms of the African Union.

48. Outside Africa, many persons with albinism faced widespread poverty and harmful practices because of their unique colouring and because of their visual and skin impairment. For persons with albinism, social interactions were generally marked by discrimination on the grounds of both colour and disability. In addition, they could face discrimination on the grounds of gender, ethnicity and other characteristics.

49. Most persons with albinism around the world shared the experience of entrenched social exclusion and intersecting discrimination that stemmed from their state of “in-between-ness”. They were often perceived as not black enough, not white enough, too white, too blind, not blind enough, having multiple disabilities, having no disabilities, not disabled enough, facing racial discrimination, yet allegedly enjoying white privilege. As a consequence, they tended to face barriers to groups where they should be constituents.

50. There was widespread ignorance and historical mystification around the world relating to albinism. Ignorance of the definition of disability enshrined in the Convention on the Rights of Persons with Disabilities was also widespread, as was a lack of acknowledgement of intraethnic forms of racial discrimination, meaning discrimination based on colour within the same ethnicity.

51. According to many of the submissions received for her report from across the world, there was a lack of data. That issue could easily be rectified with censuses or analytical surveys. Without quantifying vulnerable and marginalized groups and minorities, including persons with albinism, it would be very difficult to realize the pledge contained in the Sustainable Development Goals to leave no one behind.

52. Problems concerning access to health care had been reported across all regions. As skin cancer significantly affected persons with albinism and many died early from that preventable condition, it was highly important that sunscreen be available free of charge, and that it be included in the list of essential medicines in sunny climates. Even persons with albinism in countries with relatively developed and effective national health-care schemes had reported difficulties and indicated that sunscreen should be covered or provided as an essential health product.

53. Across all regions, persons with albinism faced psychosocial and mental health problems such as suicidal ideation as a by-product of the discrimination that often permeated their lives. From nearly all regions, respondents had reported that, at school and at work, people attempting to obtain reasonable accommodations for their vision impairment were met with various kinds of barriers. Discrimination based on impairment and colour had been cited across most regions as a barrier to employment.

54. Particularly striking across all regions had been the weak capacity of civil society. Many civil society organizations operated with little or no support and most had not received human rights training. As a result, their access to sectors that might otherwise provide them with assistance relating to education, health, disability or minority groups, was impaired, which, in turn, resulted in further barriers, including in terms of access to justice.

55. In Asia and the Pacific, as well as in Australia and New Zealand, bullying of school-aged children with albinism was particularly common. However, in other places, albinism was viewed favourably, most likely because the contrast in appearance with the average person there was relatively minimal. The same was not true in India, Pakistan and China, where extreme forms of prejudice at the community and rural levels were reported. In Japan, persons with albinism were reportedly forced by school administrators and employers to dye their hair black to conform to the rest of the population.

56. In some countries in Europe, the main issue was social inclusion. In France, some cases of abandonment by parents of children with albinism had been reported. Social exclusion based on appearance had been reported in Slovenia and in Turkey. It had also been reported that persons with albinism in Turkey faced barriers when trying to access health-related goods and services.

57. In Latin America and the Caribbean, where colourism had a long and deep-rooted history and had, in several countries, been a basis for giving or taking away rights and privileges, persons with albinism had faced intense social exclusion because of their “in-between-ness”. Moreover, in several submissions, such as those from Paraguay and Colombia, access to health care had been identified as a challenge. Geographical barriers were one reason, but cost was also a barrier to accessing health products such as sunscreen. The little information that was available about the Middle East and North Africa indicated that persons with albinism there faced deep social exclusion and disenfranchisement.

58. Overall, the more that persons with albinism stood out in their community, the more they were likely to face acute social exclusion and intersecting discrimination. However, there were positive developments to report as well. For instance, in the previous decade, there had been an unprecedented growth in the number of civil society groups representing persons with albinism, which presented an opportunity to carry out the recommendations set out in her report. Foremost was the recommendation to make provisions in all relevant sectors of society for the integration of persons with albinism. It was not enough to recite laws that applied to them; concerted efforts had to be made to ensure that they were enjoying the rights granted by those laws. A simple way to do that was to support civil society organizations working on the issues in question.

59. She recommended making deliberate efforts to include persons with albinism in relevant public forums on human rights. Granting resource support and ensuring more representation were measures that would cost relatively little to Governments but would have a striking impact on the human rights of persons with albinism. Such measures would also ensure that they became protagonists in the realization and enjoyment of all their human rights.

60. **Mr. Anyanah** (Ghana) said that the promotion and protection of the human rights of persons with albinism enhanced the universal human rights of all. For its part, Ghana had passed into law the 2006 National Disability Act, which also promoted and protected those rights. With the support of civil society organizations and business partners from Czechia, Ghana had harnessed its natural shea butter for the production of sunscreen products to save the vulnerable, in particular persons with albinism, from skin cancer and the deaths that it caused. The product was being sold at a subsidized price. However, challenges still remained in the area of funding for initiatives that supported persons with albinism, including in the areas of education and awareness-raising. He asked what could be done to further improve partnerships in support of initiatives that upheld the rights of persons with albinism.

61. **Mr. Baror** (Israel) said that “in-between-ness” could be seen across many sectors and issues; it seemed that society found it difficult to find a place for those who did not fall into predefined categories. He asked the Independent Expert to suggest ways to overcome “in-between-ness” in the context of the Convention on the Rights of Persons with Disabilities, as well as in other contexts.

62. **Ms. Diedricks** (South Africa) said that derogatory names for persons with albinism still existed in several

of her country’s languages. Her Government was committed to taking appropriate measures, including in legislation, to remove dehumanizing words that perpetuated discrimination, stigma and myths, and that were being used to justify attacks against persons with albinism. A bill on preventing and combating hate crimes and hate speech was currently under discussion. The intention was to specifically criminalize hate speech against persons with albinism.

63. South Africa was committed to intensifying campaigns to raise awareness and promote social cohesion, as well as efforts in public education, in order to foster respect for the rights and dignity of persons with albinism. South Africa recognized that the capacity to collect, analyse and disaggregate data on persons with albinism must be strengthened to underpin policies and programmes inclusive of persons with albinism. The Government would therefore include a question on persons with albinism in its census planned for 2021.

64. She asked how her country could support and encourage unity and synergy among the various civil society organizations representing persons with albinism.

65. **Ms. Košir** (Slovenia) said that, in her report, the Independent Expert had made reference to the situation in Slovenia. The information submitted by Slovenia had been based on the personal experiences of an individual living with albinism in Slovenia and a member of a non-governmental organization for the blind and partially sighted. The submission did not reflect the Government’s overall assessment of the situation. No country had a perfect track record when it came to ensuring the full enjoyment of human rights for all; there was always room for improvement. In Slovenia, persons with albinism enjoyed, without discrimination, full access to all necessary health-care services, including dermatological care, in particular regular check-ups for the early detection of skin cancer, as well as advice regarding preventive measures, such as protecting the skin from sunlight and other sources of harmful radiation.

66. **Mr. de Souza Monteiro** (Brazil) said that two bills were being discussed in the parliament of Brazil that addressed the rights of persons with albinism, in particular the right to health. Bearing in mind the concept of “in-between-ness” used by the Independent Expert in her report, he asked how States could effectively integrate persons with albinism, thereby reducing prejudice and exclusion.

67. **Ms. Miyazaki** (Japan) said that her country had taken the initiative in another relatively unpublicized field, namely discrimination against persons affected by

leprosy and their family members. To eliminate discrimination, prejudice and attacks on persons with albinism and persons affected by leprosy and their family members, it was necessary to raise awareness of the issues. She asked the Independent Expert to share some of the lessons learned so that they might be applied to similar efforts, including the elimination of discrimination against persons affected by leprosy.

68. **Mr. Roijen** (Observer for the European Union) said that, like the Independent Expert, he believed that persons with albinism were among the most vulnerable populations in the world and should therefore be given due attention in the implementation of the 2030 Agenda for Sustainable Development. It was necessary to ensure that persons with albinism around the world participated fully in society on an equal basis with others. The principle of leaving no one behind began with those who were the furthest behind.

69. His delegation was concerned that persons with albinism, including women and children, continued to experience multiple and intersecting forms of discrimination that barred their access to health care, education, employment and adequate housing. Furthermore, it was concerned by the high risk of abandonment, stigmatization, marginalization and rejection that children with albinism faced.

70. The international human rights framework was necessary to ensure that persons with albinism could participate in society on an equal basis with others. Human rights were applicable to all, including persons with albinism. Like the Independent Expert, the European Union believed that persons with albinism had fallen through the cracks of programmes, policies and action plans that otherwise would have protected them from discrimination. He asked how synergies between Member States, the international community and civil society in developing national, regional and global platforms could be enhanced to ensure the participation of persons with albinism in social, political, civic and cultural life.

71. **Ms. Hussein** (Somalia) said that her country was pleased that the African Union had adopted a policy with regard to persons with albinism, as most human rights violations against them were taking place on her continent. She was also pleased that the Independent Expert had received more than 90 submissions for her report. Such collaboration between States and experts gave her hope that atrocities committed against persons with albinism would come to an end. She asked what more could be done in the fields of resource support and representation to ensure that persons with albinism could realize all their human rights. She also asked how

countries could improve data collection and analysis to address the specific needs of persons with albinism.

72. **Ms. Shikongo** (Namibia) said that discrimination against persons with albinism was often fuelled by a lack of understanding regarding their condition and by cultural misconceptions. Namibia had a high number of persons with albinism per capita. As the Independent Expert had pointed out in her report, the frequency of albinism appeared to be higher in rural areas of Namibia. Stigmatization was thus somewhat more pronounced there than in urban areas. She asked what measures Member States could take to remedy the lack of understanding of albinism that prevailed in many countries, and how such measures could be tailored to people living in rural communities.

73. **Mr. Varli** (Turkey) said that, in his country, more attention was being paid to the situation of persons with albinism thanks to the awareness campaigns carried out by the Government in cooperation with civil society. Educating persons with albinism themselves and their families about their entitlements under public health-care and disability schemes was an important part of improving their situation.

74. **Mr. Mack** (United States of America) said that, in his country, protections for persons with albinism were contained in the Americans with Disabilities Act. While the Act did not include a list of medical conditions that constituted disabilities, it did include a definition of disability that could encompass albinism. The Act made possible the full participation by everyone in all aspects of everyday life. It provided for the accessibility of buildings, transportation, telecommunication systems, information and communications technologies, employment, health care, education and services provided by subnational levels of government.

75. Albinism was only one of the conditions that could lie at the basis of a disability. Given the challenges inherent to broad data collection focused on specific types of disabilities, he asked how many countries officially recognized albinism as a disability, and how many collected data specifically about persons with albinism in their national censuses or similar instruments.

76. **Ms. Manuel** (Angola) said that, in her country, various public and private bodies were taking action to improve the position of persons with albinism by proposing initiatives to reduce their vulnerability, enhance their social inclusion and gradually create a sense of responsibility for the violations and abuses committed against them. As part of that effort, International Albinism Awareness Day was given wide coverage in the media, and studies and research

dedicated to the issue were being disseminated. Those steps had been effective owing to the active involvement of civil society.

77. She asked what countries could do better to counter indifference towards the abuses committed and would welcome encouraging examples of successful social inclusion as part of efforts to counter discrimination. She also asked what areas States should prioritize to realize human rights for persons with albinism.

78. **Ms. Mwapasa** (Malawi) said that, according to the 2018 population and housing census, persons with albinism constituted about 0.8 per cent of the population of Malawi. Persons with albinism continued to face stigmatization and discrimination, as well as various forms of violence that were mostly intensified by persistent societal myths. As a countermeasure, the Government, in collaboration with various stakeholders, had been educating and sensitizing the public through multimedia awareness programmes about persons with albinism.

79. The Government had allocated funds in the 2019/2020 national budget for the well-being of persons with albinism and for the implementation of the four-year national action plan on persons with albinism, which had been launched in June 2018. The Government had been placing learners with albinism in schools with boarding facilities and was paying particular attention to those who had stopped going to school for security reasons. To ensure that all those suspected of committing offences against persons with albinism faced justice, Malawi had amended its Penal Code and the Anatomy Act to enhance punishments and define new offences. Furthermore, Malawi had developed a handbook for investigators, prosecutors and magistrates on handling offences against persons with albinism. The handbook contained information about amended laws and other critical pieces of legislation such as the Trafficking in Persons Act and the Childcare, Child Protection and Child Justice Act.

80. **Ms. Xu Daizhu** (China) said that all the problems raised in the report of the Independent Expert existed in China to a greater or lesser degree. Both the Government and civil society lacked measures specifically targeting the human rights of persons with albinism. China had established a public service platform named “Home of the children of the moon”, which aimed to help children with albinism and foster exchanges about their protection. China also had a relief fund for persons with albinism and other rare conditions. Nonetheless, much more needed to be done.

81. **Ms. Ero** (Independent Expert on the enjoyment of human rights by persons with albinism) said that,

because persons with albinism constituted such a small group, and they had been left out for so long, there was a great thirst for equality. As the cost of addressing the situation was minimal, States could have a considerable impact on countering discrimination against persons with albinism and other groups that had been left the furthest behind.

82. The key was to form partnerships with the stakeholders themselves, namely, persons with albinism and their civil society organizations, and allow them to formulate national action plans and monitor their implementation. National action plans translated conventions into tangible measures that enabled real-life people to enjoy their human rights in a life of dignity. The thirst for equality was such that the stakeholders would find the funding for their own programmes, as was the case in Kenya, the United Republic of Tanzania and, to some extent, in Argentina. As that approach would not entail much work for Governments, they would not run into capacity issues.

83. Following that pattern, civil society in Malawi had raised funding for home security measures as a way of countering the risk that persons with albinism faced of being attacked in their own homes. In other countries, funds had been raised to give persons with albinism sunscreen. Another advantage of national action plans was that partners were easier to find, because priorities had been set and specific measures determined by the stakeholders themselves. The same process had been followed successfully in at least five countries.

84. Censuses had been conducted in several countries where the Washington Group on Disability Statistics had modified its set of questions to include a question on whether the respondent had albinism. That had been the case for Kenya, Malawi, Namibia and the United Republic of Tanzania, and the results had been surprising.

85. **The Chair** invited the Committee to engage in a general discussion on the item.

86. **Ms. Azucena** (Philippines) said that human rights and development were interdependent. That fact had been acknowledged in the Sustainable Development Goals and was echoed in her country’s national development plan. The country’s socioeconomic agenda was aimed at countering generational poverty, improving living standards, promoting peace, maintaining law and order and sustaining high economic growth by investing in the development of human capital, countering criminal trends that undermined that development and improving social protection programmes. Human rights issues must be addressed within the global context following a

constructive, non-confrontational and non-politicized dialogue-based approach, in a fair and equal manner.

87. The Philippines was deeply concerned about the selective adoption of country-specific resolutions in the Third Committee and the Human Rights Council. Country-specific resolutions should not be used as tools to exploit human rights issues for political purposes. Impartiality, objectivity and cooperation were essential principles to effectively promote and protect all human rights. The Philippines was likewise concerned that developing countries, which bore the brunt of a politicized human rights agenda, were being censured for their so-called human rights violations on the basis of false information and biased reports, and, no less, by States whose own unparalleled human rights violations were engraved in the annals of history with instruments of torture and mass murder. The universal periodic review was an important cooperative mechanism that was based on objective and reliable information and interactive dialogue with the full involvement of the countries under review and conducted in an impartial, transparent, non-selective, constructive, non-confrontational and non-politicized manner.

88. The Philippines was also deeply concerned about the growing resistance to the recognition, promotion, protection and fulfilment of the human rights of migrants. That resistance was demonstrated by initiatives to erase migrants or migration from United Nations resolutions, while ignoring the fact that the Global Compact for Safe, Orderly and Regular Migration had been adopted by an overwhelming majority of States. She called on all States not only to recognize and protect the human rights of migrants in line with the Global Compact for Migration, but also to protect and empower women, children, young people, persons with disabilities, older persons, indigenous peoples and other vulnerable or marginalized groups. It appeared that the current approach was to accomplish the extinction of those vulnerable groups by leaving them to the mercy of the elements of nature and the perils of their forlorn journeys to safety.

89. **Mr. Moussa** (Egypt) said that the seventy-fifth anniversary of the United Nations in 2020 would provide a unique opportunity for the international community to reaffirm its commitment to the principles set forth in the Charter of the United Nations and to evaluate the progress made in the international human rights system. The Vienna Declaration and Programme of Action of 1993 had marked a milestone in the development of the human rights system, putting economic, social and cultural rights, including the right to development, on an equal footing with civil and political rights. A country's development priorities and

economic and social conditions were the main factors in determining its priorities in the field of human rights. As the right to development was intrinsically linked to other rights, a comprehensive approach to the promotion and protection of all human rights should be adopted.

90. Any impartial and honest assessment of the progress made in relation to the promotion and protection of human rights would conclude that, despite the advances made, many challenges remained, chief among them the escalation of terrorism and extremism. Climate change continued to cast a shadow over the enjoyment of human rights, water poverty affected the livelihoods of millions of people and fuelled tensions between countries and extreme poverty and unemployment continued to rise as a result of imbalances in the global economic system. Other challenges included organized crime, human trafficking, racism, discrimination, intolerance, Islamophobia and xenophobia.

91. Human rights violations persisted in many countries and many parts of the world. His delegation wished to express its grave concern at the growing number of people being killed by law enforcement agents in the United States. African Americans and members of other minorities faced discrimination in many fields, especially in the criminal justice system. His delegation also hoped that the countries of the European Union would address the problems they faced in integrating and combating discrimination against minorities, particularly in the light of the growth in extreme right-wing movements and the alarming rise of racist hate speech. Addressing those challenges and promoting human rights required an approach based on dialogue, consultation, mutual cooperation and respect for the principles of non-politicization, non-selectivity, objectivity and inclusiveness.

92. **Ms. Matar** (United Arab Emirates) said that, as the international community prepared to celebrate the seventy-fifth anniversary of the United Nations in 2020, her country looked forward to working with Member States and other stakeholders to ensure that the outcome document included elements that contributed to the protection and promotion of human rights. The United Arab Emirates was firmly committed to promoting human rights at the national, regional and international levels.

93. Under the Constitution, all individuals were equal before the law, irrespective of their gender, race, nationality, religion or social status. Many laws had been enacted in recent years to promote and protect human rights, including the law on combating discrimination and hatred and amendments to the law on

combating trafficking in persons and the law on domestic workers. A bill on the establishment of an independent national human rights institution, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), had also been drafted.

94. A number of strategies and policies had been introduced to promote the rights of women, children, persons with disabilities and older persons, and work was under way on the development of a comprehensive national human rights plan. With respect to the rights of persons with disabilities, Abu Dhabi had hosted the Special Olympics World Games in 2019. With regard to women's empowerment, under a new presidential directive, women must now occupy 50 per cent of seats in the Federal National Council. The Government also attached importance to protecting and promoting the rights of migrant workers. Efforts were being made to apply best practices under the Abu Dhabi Dialogue consultative process for bilateral and multilateral cooperation between sending and receiving States.

95. The United Arab Emirates cooperated with various United Nations agencies and mechanisms and had submitted a number of periodic reports to the human rights treaty bodies, including to the Committee against Torture in 2018. The Government had also issued a standing invitation to the Special Rapporteur on the rights of persons with disabilities and the Special Rapporteur on the right to education to visit the country.

96. **Ms. Inanç Örnekol** (Turkey) said that her country remained deeply concerned about the re-emergence of extremist political currents and ideologies, especially across the European Union, which translated into new forms of racism, such as xenophobic nationalism and anti-Islamic and antisemitic movements. Fuelled by the growing far-right and anti-migrant discourse, especially in Western countries, migrants and other vulnerable groups were continuing to fall victims to unequal treatment, prejudice, stereotyping, stigmatization, discrimination, intolerance, hostility, violent attacks and hate crimes at alarming levels.

97. As a party to core international human rights treaties, Turkey acted in accordance with its international human rights obligations even in the face of grave security threats and terrorism. Earlier in the year, Turkey had made public its judicial reform strategy, for which standards and norms of the Council of Europe, the United Nations and the European Union had been taken into account. The increased efficiency of the judiciary was among the main targets of the new strategy.

98. Turkey attached utmost importance to the maintenance of a vibrant and pluralistic civil society and

media, as well as to the work of human rights defenders. Even though confronted with multiple terrorist threats that called for strict security measures, the Government remained determined on that point. The priority was to strike a proper balance between maintaining public order and security, and protecting fundamental freedoms, including the freedom of expression and the freedom of the press, in compliance with the country's international obligations.

99. Operation Peace Spring, undertaken by her country in north-eastern Syria, was in compliance with the obligations of Turkey under international law and international humanitarian law. The protection of civilians and civilian infrastructure was a top priority and all necessary measures were being taken towards that end. At the same time, the Government was in constant contact with the Office for the Coordination of Humanitarian Affairs regarding the humanitarian situation on the ground. Those issues had also been discussed in depth during the recent visit to Turkey by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, who had made a statement after his visit in which he had underlined the assurances given by Turkey regarding the protection of civilians.

100. **Mr. Taleb Amar** (Mauritania) said that, having recently been elected to the Human Rights Council, Mauritania was committed to protecting and promoting all human rights during its three-year term. Mauritania had ratified all the international human rights treaties, chief among them the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. A national action plan had been developed to address the legacy of slavery, with a focus on reforming the legal framework, awareness-raising and economic and social programmes. The Tadamoun National Agency for the Eradication of the Consequences of Slavery, for Social Integration and for Action to Fight Poverty was tasked with building schools and health centres and establishing microcredit schemes for families in the most vulnerable areas.

101. A national social protection strategy had been formulated, seeking to protect the most vulnerable groups in society, such as children, persons with disabilities, women and older persons. The Government had also introduced a programme aimed at integrating vulnerable groups into active life and providing them with the conditions for a decent life. In view of the fact that young people made up 70 per cent of his country's population, a National Youth Council had been established in 2015 in an effort to integrate and engage them and leverage their energy in the process of nation building.

102. The Government had mainstreamed a gender perspective into all national policies and programmes and had launched a national strategy for the advancement of women aimed at freeing them from social and economic constraints and allowing them to participate effectively in the country's development. In an attempt to bridge the gap between men and women, the Government had adopted the principle of positive discrimination towards women and girls, which had yielded positive results in all fields. Women now had a strong presence in the legislative, executive and judicial branches and had also entered traditionally male dominated fields such as the police and the army.

103. Significant progress had been made in relation to freedom of the press in recent years following the opening up of the audiovisual sector, which had resulted in the proliferation of independent television and radio stations, and the decriminalization of press offences.

104. Mauritania cooperated fully with special rapporteurs and had extended standing invitations to them to visit the country and see for themselves the efforts that it was making to meet its international obligations.

105. **Ms. Nawal Ahmed Mukhtar Ahmed** (Sudan) said that the new transitional Government of the Sudan had strengthened its relations with the Human Rights Council. It had recently signed an agreement with the Office of the United Nations High Commissioner for Human Rights (OHCHR) to open a country office in the Sudan. Furthermore, to strengthen the freedoms of expression and of the press, the Government had signed the global pledge on media freedom on the margins of the high-level week of the seventy-fourth session of the General Assembly. To counter impunity and strengthen accountability, a commission had been established to investigate the violence committed on 3 June 2019. The prosecution of the previous President had been launched, the first woman had been appointed as Chief Justice, and a new Attorney General had been put in place. The Minister of Justice had started the review of all international conventions that had not yet been ratified and was overseeing the alignment of national frameworks with international law.

106. Efforts by the Government to achieve gender equality and the empowerment of women had gained momentum with the appointment of a number of women as ministers in key ministries such as foreign affairs, labour and social development, higher education, and youth and sports. Forty per cent of the legislative council consisted of women. Two women, one of them a Christian, had been appointed to the sovereign council, the highest power in the country. Sincere efforts were

ongoing to rescind all national laws restricting the freedom and rights of women.

107. The Government was engaged in a constructive dialogue with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict to strengthen women's rights and their protection against gender-based violence in the area around Jebel Marra in Darfur, which was controlled by the Sudan Liberation Army-Abdul Wahid. The Government was striving to improve children's lives and safeguard their protection and well-being by supporting the implementation of the standing operating procedures, including by conducting awareness-raising campaigns and efforts to launch a national prevention plan in cooperation with United Nations system agencies and offices, such as the United Nations Children's Fund and the Special Representative of the Secretary-General for Children and Armed Conflict.

108. **Mr. Sigurdsson** (Iceland) said that his country had based its very first 15-month membership of the Human Rights Council on gender equality and women's rights, the rights of the lesbian, gay, bisexual, transgender and intersex community and the rights of the child. Together with seven other countries, Iceland had put forward the resolution on the principle of equal pay for equal work in line with Sustainable Development Goals 5 and 8, in particular target 8.5 of the Goals on achieving equal pay for work of equal value by 2030. He looked forward to the consideration by the General Assembly of a follow-up resolution to proclaim 18 September international equal pay day. Iceland had also been pleased to see the Council approve its resolution on the human rights situation in the Philippines and was looking forward to a report on that topic by OHCHR by June 2020.

109. As the midpoint of the 2030 Agenda was approaching, Iceland was alarmed to see internationally agreed norms and standards, including the Sustainable Development Goals, being challenged. Iceland was particularly worried that previously achieved milestones with respect to human rights and reproductive freedom for women were under threat in far too many places. Within the Commission on the Status of Women, for example, efforts had been stepped up to roll back advances made with regard to bodily autonomy, comprehensive sexuality education, sexual and reproductive health and rights, and gender-based violence. Women's rights could not be allowed to erode, or the Sustainable Development Goals would never be achieved.

110. He expressed deep concern at the latest developments in the bloody conflict in the Syrian Arab Republic, a tragedy that had already lasted more than

seven years and had not only led to the loss of thousands of lives, but had also caused such a terrible erosion of the human rights of ordinary people. The recent military operation launched by Turkey in the north-eastern part of the country was threatening to destabilize the region. Moreover, it would without a doubt deepen the humanitarian crisis and increase the risk of further displacements. Iceland recognized and appreciated the important role that Turkey was playing in hosting millions of refugees. At the same time, Turkey must act in accordance with international humanitarian law and international human rights law and fully cease its military campaign. As a first step, the current ceasefire must be upheld and extended. Iceland also called for dialogue about the withdrawal of Turkey from the Syrian Arab Republic and for the right of Kurds and other minorities to remain.

111. **Mr. Chekeche** (Zimbabwe) said that a commission of inquiry into the post-election violence of 1 August 2018 had been appointed, and, based on its recommendations, 30 laws had been implemented on law and order, media freedom and democratic rights. The hitherto controversial Public Order and Security Act had been replaced by the Maintenance of Peace and Order Act, while the Access to Information and the Protection of Privacy Act was already being repealed. The commission of inquiry had established the complicity of the opposition party in the violence and the liability of the security forces for the killing of six civilians.

112. Various independent commissions had been established, such as the Zimbabwe Human Rights Commission, the National Peace and Reconciliation Commission and the Zimbabwe Gender Commission, in order to support democracy, transparency and accountability and to entrench human rights. Following his visit to Zimbabwe at the invitation of the Government, the Special Rapporteur on the rights to freedom of peaceful assembly and of association had acknowledged that the Government had actively cooperated during his visit.

113. Recently, there had been a spate of suspicious abductions and kidnappings in which all the alleged victims had “disappeared” and “resurfaced”. The police were investigating the allegations while political demonstrations, which had invariably been violent, were being banned temporarily.

114. Significant progress had already been made under the re-engagement policy, as had been acknowledged by the Secretary-General of the Commonwealth of Nations. With that in mind, Zimbabwe was strongly opposed to country-specific resolutions, which were counter-productive, and called for dialogue, mediation and

constructive engagement based on mutual respect, trust and cooperation rather than confrontation and disrespect of the national sovereignty of Member States.

115. Regrettably, among the country’s critics were Member States that had chosen to maintain unjustified sanctions against Zimbabwe in order to undermine past and present initiatives towards economic recovery. He saluted the countries of the Southern African Development Community for their collective call for the unconditional removal of those “lose-lose” sanctions.

116. **Ms. Cartwright** (Bahamas) said that her country had recently ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Her Government had an interdepartmental working committee in place to revise and update information relevant to the implementation of the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. Her Government was working to increase staff at the National Commission for Persons with Disabilities and was continuing work on legislation that would further ensure the inclusion of older persons and persons with disabilities. The roles of the Urban Renewal Commission and the Department of Gender and Family Affairs had been expanded.

117. As a small island developing State, the Bahamas faced unique challenges and had unique needs. The nexus between climate change and human rights was clear; to the Bahamas, the threat was existential. The increased frequency and intensity of hurricanes, the accelerating rise of sea levels and other life-threatening consequences of climate change required an international focus on resilience, humanitarian assistance and recovery. If not mitigated, those and other threats would deny her country the opportunity to realize human rights and achieve sustainable and inclusive development. She welcomed the fact that the Human Rights Council, at its current meeting in Dakar, was focusing on the relevance of the environment and climate change to human rights.

118. **Mr. Al Khalil** (Syrian Arab Republic) said that his country, an active participant in the establishment of the Human Rights Council and a staunch defender of its impartiality, remained committed to promoting and protecting the human rights and fundamental freedoms of all Syrians, in line with its Constitution and international obligations. The Syrian Arab Republic firmly rejected the use of human rights mechanisms to target specific States. His delegation also rejected the blatant selectivity and double standards on display in the treatment of human rights issues, evidenced by the focus on specific States while ignoring the grave violations

committed by others. The coalition spearheaded by the United States, illegally established outside the United Nations framework, indiscriminately killed civilians and destroyed civilian infrastructure with impunity. Moreover, his delegation strongly condemned the imposition of unilateral coercive measures by the United States and some of its allies, as well as that Government's collective punishment of migrants, including children who had been separated from their parents in violation of their human rights.

119. The war of aggression waged by Turkey against his country, an independent and sovereign State, constituted a flagrant violation of international law and Security Council resolutions on the crisis in Syria. Turkish aggression and threats of occupation and ethnic cleansing in the Jazira region of Syria would certainly have political and humanitarian repercussions. Indeed, the claim made by the representative of Turkey, namely, that the Turkish operation complied with human rights standards, flew in the face of her Government's actual handling of the Syrian crisis. Eight years after opening its borders with Syria to over 70,000 terrorists, Turkey continued to violate the sovereignty of a neighbouring country in a manner opposed by all Member States, invoking Article 51 of the Charter of the United Nations to justify aggression in the service of the political agenda of the ruling Justice and Development Party. That party, which belonged to the international Muslim Brotherhood organization, was behind much of the terrorist activity in Syria.

120. Given the professionalism, credibility, objectivity and impartiality required to address human rights issues, which were of a comprehensive nature, his delegation strongly condemned the pressure placed by certain Governments on human rights mechanisms, seeking to cover up their own crimes by withdrawing or threatening to withdraw from said mechanisms or to cut off funding to them.

121. **Mr. Foshanji** (Afghanistan) said that his country was on the front lines in the fight against terrorism and extremist groups. In conducting operations against hostile targets, Afghanistan treated the protection of civilians as a matter of the highest priority. He expressed grave concern at the targeting of civilians by terrorist groups and their affiliates. Unfortunately, in one such act, a mosque in Haskah Mena district in the Jalalabad area had been attacked in recent days, causing the death of 62 worshippers, including children, and injuring dozens more.

*The meeting rose at 1 p.m.*