

Human Rights Council Begins General Debate On Thematic Reports And Promotion And Protection Of All Human Rights

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The Human Rights Council this afternoon heard a presentation by the Deputy High Commissioner for Human Rights of thematic reports by the High Commissioner and the United Nations Secretary-General, followed by a general debate on these reports and on the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.

Flavia Pansieri, the Deputy High Commissioner for Human Rights, introducing the reports by the High Commissioner and the Secretary-General, said they included the quadrennial report on conscientious objection to military service; the report on discrimination against women with regards to nationality; the summary report of the panel discussion on the negative impact of corruption on the enjoyment of human rights; the report on the synergies between mechanisms of the Council on the question of violence against women and girls; the report on the panel discussion on Nelson Mandela International Day; the report on the full-day meeting on the rights of children; the report on the workshop on regional arrangements for the promotion and protection of human rights; the report on national institutions; the report on the panel discussion on the twentieth anniversary of the Vienna Declaration and Programme of Action; the report on the seminar on international cooperation and human rights; and the report on the Voluntary Fund for Participation in the Universal Periodic Review.

In the general debate, speakers raised issues concerning the rights of the child and in particular the focus on violence against girls; the rights of lesbian, gay, bisexual and transgender persons; the right to development; the Universal Periodic Review; the United Nations Special Fund to meet the needs of women who had survived violence; female genital mutilation; early

child enforced marriage; internal displacement; corruption; limitations on freedom of expression; the linkage of women's rights with human rights; the right to self-determination; external debt and its impact on the fulfilment of human rights; women used as sex slaves during the Second World War; violence against women and girls; cultural rights and harmful traditional practices; freedom of expression; the right to health; and sport as a universal language.

Speaking in the general debate were Ireland on behalf of the European Union, Austria on behalf of itself, Croatia and Slovenia, Iran on behalf of the Non-Aligned Movement, Gabon on behalf of the African Group, Burkina Faso on behalf of a group of States, Ethiopia on behalf of a group of States, Algeria on behalf of the Arab Group, Morocco on behalf of itself and Austria, Brazil, Indonesia and Poland, United States, Montenegro, Pakistan, Argentina, Republic of Korea, Spain, Sierra Leone, Malaysia, Thailand, Costa Rica, Qatar and Romania on behalf of a group of States.

Speaking in right of reply were China, Azerbaijan, Japan and the Republic of Korea.

The Human Rights Council will next meet on Tuesday, 4 June 2013, at 9 a.m., to continue this general debate on the thematic reports of the High Commissioner and the Secretary-General and on the promotion and protection of all human rights. After that it will hold an interactive dialogue with the Commission of Inquiry on Syria.

Documentation

The Council has before it the **report of the United Nations Entity for Gender Equality and the Empowerment of Women on the activities of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women - Note by the Secretary-General** ([E/CN.6/2013/8 - A/HRC/23/17](#)).

The Council has before it the **report on the Workshop on regional arrangements for the promotion and protection of human rights** ([A/HRC/23/18](#)).

The Council has before it the **report of the seminar on enhancement of international cooperation in the field of human rights (Geneva, 15 February 2013)** ([A/HRC/23/20](#)).

The Council has before it the **Quadrennial analytical report of the OHCHR on conscientious objection to military service** ([A/HRC/23/22](#)).

The Council has before it the **report on discrimination against women on nationality-related matters, including the impact on children** ([A/HRC/23/23](#)).

The Council has before it the **report on creating and/or strengthening synergies and linkages on violence against women and girls** ([A/HRC/23/25](#)).

The Council has before it the **Summary report of the Human Rights Council panel discussion on the negative impact of corruption on the enjoyment of human rights** ([A/HRC/23/26](#)).

The Council has before it the **report of the High Commissioner on the Summary of the Human Rights Council full-day meeting on the rights of the child** ([A/HRC/23/59](#)).

The Council has before it a **Letter dated 15 May 2013 from the Permanent Representative of Mongolia to the United Nations Office at Geneva addressed to the President of the Human Rights Council** ([A/HRC/23/G/1](#)).

Presentation of the Reports of the High Commissioner for Human Rights and the Secretary-General

FLAVIA PANSIERI, Deputy High Commissioner for Human Rights, introducing the reports of the High Commissioner and the Secretary-General, said that the quadrennial report on conscientious objection to military service outlined new developments, best practices and challenges in the area and set out the international legal framework. The report on discrimination against women with regards to nationality found that in some countries women did not enjoy equal rights of men in this and were not authorized sometimes to transmit their nationality to their children or spouse on the same basis, which often led to cases of statelessness. The summary

report of the panel discussion on the negative impact of corruption on the enjoyment of human rights contained a summary of the panel discussion and stressed that no country was free of corruption, which was an enormous obstacle to the realization of all human rights. The report on the synergies between mechanisms of the Council on the question of violence against women and girls set forth concrete recommendations on the means to reinforce the links between the Council and other intergovernmental processes. Other reports on events organized by the Council provided information on the panel discussion on the Nelson Mandela International Day, the full-day meeting on the rights of children, and the workshop on regional arrangements for the promotion and protection of human rights.

Ms. Pansieri said that the report on national institutions contained information on the activities undertaken by the Office of the High Commissioner to establish and strengthen national human rights institutions and on the cooperation between such institutions and the international human rights system. Other reports provided information on the panel discussion on the twentieth anniversary of the Vienna Declaration and Programme of Action. The seminar held in Geneva on 15 February 2013 provided a space for further dialogue for States, experts from the Human Rights Council Advisory Committee, treaty bodies and Special Procedures as well as academic and civil society, to further clarify the legal definition of international cooperation and human rights as well as to identify the areas and the role of key actors, in international cooperation. Other issues concerned the two distinct voluntary funds, the Voluntary Fund for Participation in the Universal Periodic Review and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. At this session the Council would consider the report on the operations of the Voluntary Fund for Participation, a very important fund with a straight forward mandate.

General Debate on the Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, including the Right to Development

Ireland, speaking on behalf of the European Union, said that children required particular protection and thanked the High Commissioner for her report on the rights of the child, in particular its focus on violence against girls. Reports on discrimination against stateless women and also the importance of strengthening regional mechanisms were also welcomed.

Austria, speaking on behalf of itself, Croatia and Slovenia, said that it wanted to remind the Human Rights Council of the importance of lesbian, gay, bisexual and transgender rights. Unfortunately, States did not always uphold the rights of these groups. The countries said they were mindful that persecution of minorities led to catastrophic results and all States had a responsibility to the human rights of sexual minorities in this respect.

Iran, speaking on behalf of the Non-Aligned Movement, said that the right to development was a top priority and underpinned the furtherance of human rights. The Non-Aligned Movement recognised the importance of the Universal Periodic Review and other mechanisms for the enhancement of the human rights agenda. Strengthening technical assistance by the United Nations system of developing nations and those in transition was of paramount importance, but non-interference in internal State matters was also important.

Gabon, speaking on behalf of the African Group, welcomed the work accomplished by the United Nations Special Fund to meet the needs of women who had survived violence. The Group was happy to see the number of Member States making contributions to the Fund, which reflected the commitment of the United Nations to fight violence against women. The African Group also welcomed the report on the thematic discussion to discuss new ways and means of international cooperation, the report on women's ability to give their nationality to their spouses and children, and the report on the reinforcement of national institutions for the promotion and protection of human rights.

Burkina Faso, speaking on behalf of a Group of States, said that female genital mutilation violated the physical and mental integrity of women. Many women and girls continued to suffer from this practice. The insufficiency of the money set aside for the fight against female genital mutilation, among others, was among challenges that the international community should address. Several texts had been put together to eradicate this scourge but were not sufficient; the Group of States welcomed the enactment of legislation in many countries against this practice.

Ethiopia, speaking on behalf of a Group of States, said that early child enforced marriage could amount to the violation of human rights. Although the consequences were graver for girls, early child marriage also affected

boys in a number of ways. Of particular concern were the complications associated with pregnancies that posed significant risks to young girls' lives. Synergies among all relevant stakeholders were necessary in order to address the root causes of this negative practice. Measures and increasing attention was necessary to address this problem.

Algeria, speaking on behalf of the Arab Group, said that the problem of internal displacement was a phenomenon known for centuries, due to natural disasters but also violence, and solutions to this had to be found. Sustainable peace was something that had to take economic factors into account and this was how the problem should be addressed. The Arab Group reiterated the need to fight against violence against women; this was a priority and the Arab countries had adopted a number of awareness-raising measures.

Morocco, speaking on behalf of Morocco, Austria, Brazil, Indonesia and Poland, said that the panel on corruption had been a success, with a heated discussion, and the goals of this panel had been met. The debate gave rise to appropriate recommendations on means of combating corruption. The most important point was the consensus whereby there was a close link between corruption and human rights. It was deemed necessary for the Council to remain apprised by this matter.

United States said that limitations on freedom of expression impeded societal progress leading to economic stagnation and unrest from those impeded from fully participating in the society. Women's participation was often unduly restricted by limitation to the freedom of expression. Freedom of expression was crucial for reaping the benefits from the Internet and to harness its transformative power. Threats to internet freedom were increasing in number and complexity, including restrictions imposed on online discourse and the ability to seek information by a number of States.

Montenegro said violence against women took a dismaying variety of forms, from domestic abuse and rape to female circumcision and trafficking. All were violations of human rights. The alarming global dimensions of female targeted violence were not explicitly acknowledged by the international community until 1993 when the Declaration on the Elimination of Violence against Women was adopted.

Montenegro fully supported the recommendations of the report on strengthening synergies on violence against women and girls.

Pakistan said the right to self-determination was an inalienable human right and therefore was indivisible from other rights. The Kashmiri people had been denied these rights for more than six decades. The denial of their right to self-determination needed the urgent attention of the Human Rights Council. Pakistan extended support to the Kashmiri people.

Argentina referred to the matter of external debt and its impact on the fulfilment of human rights. Servicing foreign debts must not be an obstacle toward the right to development. Tailor-made solutions did not always adhere to the spirit of this and international financial institutions had to be mindful of their obligations.

Republic of Korea said that the remarks made recently by Japanese officials about the women used as sex slaves during the Second World War were deplorable. Sexual slavery constituted an inhumane act and a crime against humanity. Japan should pay compensation to the victims, identify and punish perpetrators, amend school curricula to reflect historical realities, and make a public apology. The Republic of Korea called on Japan to provide redress to victims of that sad chapter of history.

Spain said that the report on the creation and strengthening of synergies in relation to violence against women and girls demonstrated that much work still remained to be done. The worrying phenomenon of violence against women required many measures, including protection and prevention measures but also measures to combat impunity. Special measures should be adopted to ensure that impunity ceased.

Sierra Leone said that the issue of cultural rights should also be looked at in the light of harmful traditional practices, because it was necessary to understand the forces at play before deciding how best to address the problem. Legislation should be put in place to address the most harmful components of these practices. At the same time, public awareness efforts should be intensified. There was also need for a multi-sectoral approach. Sierra Leone would support all efforts made in that direction.

Malaysia said that in Malaysia the exercise of fundamental rights and liberties was not absolute and should not impinge upon the rights of others. It had been alleged that Section 114A of the Evidence Act violated international standards on the right to freedom of expression. It was not a

Government policy to block or censor the internet. However, claiming or purporting to be a human rights defender did not and should not automatically accord immunity to individuals.

Thailand reaffirmed the importance it attached to all human rights. The continuing financial crisis had affected the full realization and the enjoyment of many rights, particularly of the most vulnerable sections of society. Protecting and improving the well-being of women and children would enable them to take part in the development of their local communities and help promote and protect their rights. Thailand underscored the importance of ensuring the right to education and health for all.

Costa Rica said it had abolished its army and manifested a total opposition for military service and support for international legal instruments to ensure peace. Costa Rica as a pacifist nation could only support those who expressed the objection to be drafted into military service and thanked the Office of the High Commissioner for its efforts in this regard. Costa Rica was interested in recent work on conscientious objection and found it was consistent with paragraph 81 of the International Covenant on Civil and Political Rights.

Qatar said that it was proceeding with reforms at a fast pace, both nationally and regionally. The reforms were the product of bilateral cooperation with the Office of the High Commissioner for Human Rights. A newly established centre was responsible for technical cooperation in the field of human rights. Qatar recently hosted a conference on the mechanisms of work employed by the League of Arab States. The conference called for greater cooperation and recognized the role played by civil society organizations.

Romania, speaking on behalf of a Group of States, said that sport as a universal language had the potential to increase respect for diversity, tolerance and fairness and to inspire young people to believe in themselves. Romania affirmed the need for the Council to reflect on the value of sport in achieving universal respect and realization of all human rights, including the right to health. Romania encouraged the Office of the High Commissioner to liaise with bodies specializing in sport and development.

Right of Reply

China, speaking in a right of reply, said that it strongly rejected the accusations made against it by a non-governmental organization in today's morning meeting. China did not interfere with artistic creation and the Chinese constitution protected citizens' right to freedom of expression. Laws also protected the people's right to criticize the Government and prohibited the incrimination of people on the basis of exercising their right to freedom of expression. Nevertheless, China had to bring to justice those who carried out criminal activities under the pretext of exercising their right to freedom of expression.

Azerbaijan, speaking in a right of reply, responded to the allegations by the German delegation concerning the situation of freedom of expression in Azerbaijan. Freedom of expression and opinion was one of the priorities for the Government and thousands of journalists informed the general public without being subjected to any kind of harassment or restrictions. Circulation of information from different sides of society was a clear example of the realisation of the right to freedom of expression and issues between citizens and the media were resolved in court. Azerbaijan urged Germany to address human rights in its own country.

Japan, speaking in a right of reply, responded to the statement made by the Republic of Korea, acknowledging the damages caused during a certain period to a number of Asian countries. The Government had expressed its apologies and condolences. The question of reparations had been resolved through the San Francisco Treaty of 1951. In 1995, it had been decided to address this issue through the Asian Women's Fund and Japan continued to provide support to this fund.

Republic of Korea, speaking in a right of reply, recalled the incidents of sexual slavery imposed by Japan's imperial army during Second World War to women in the Republic of Korea. The Republic of Korea was concerned that the Japanese Government refused calls from the international community to address its responsibilities in this regards, already in 1996 reports from mandate holders had noted that none of the bilateral treaties had been concerned with such violations. The Government of the Republic of Korea had proposed twice to hold bilateral meetings to address this issue, but had not received a response from Japan.

Japan, speaking in a second right of reply, said that it had already replied to the matter raised by the Republic of Korea, therefore it would refrain from repeating its position on the matter.

Republic of Korea, speaking in a second right of reply, said that various human rights treaty bodies believed that the issue of sexual slavery enforced by Japan still remained unresolved. Therefore, the matter should be addressed by Japan. The Republic of Korea also called on Japan to educate future generations so that they would refrain from acting in a similar way in the future.