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## Third Committee

### Summary record of the 14th meeting

Held at Headquarters, New York, on Wednesday, 17 November 2021, at 3 p.m.

*Chair:* Mr. Doualeh ..... (Djibouti)

## Contents

Agenda item 74: Promotion and protection of human rights (*continued*)

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

Agenda item 65: Report of the United Nations High Commissioner for Refugees,  
questions relating to refugees, returnees and displaced persons and humanitarian  
questions (*continued*)

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*The meeting was called to order at 3.10 p.m.*

**Agenda item 74: Promotion and protection of human rights** (*continued*)

**(c) Human rights situations and reports of special rapporteurs and representatives (continued)**  
([A/C.3/76/L.30/Rev.1](#), [A/C.3/76/L.31/Rev.1](#) and [A/C.3/76/L.69](#))

*Draft resolution A/C.3/76/L.30/Rev.1: Situation of human rights of Rohingya Muslims and other minorities in Myanmar*

1. **Ms. Dale** (Norway) said that the country-specific resolutions of the Committee were important in directing attention to serious human rights violations wherever they might occur. Such dialogue should not be limited to the universal periodic review. While the strong wording related to the situation of the Rohingya in the draft resolution was welcome, her delegation would have been in favour of a text that better reflected the deteriorating situation in Myanmar following the military coup. The political, economic, humanitarian and human rights situations were devastating, and the civilian population were suffering the most. The military leadership should immediately return to civilian rule, stop all attacks on civilians, respect human rights and fundamental freedoms, release political detainees, including the President and the State Counsellor, ensure safe and unimpeded humanitarian access to all people in need and create conditions to ensure the safe, voluntary, dignified and sustainable return of Rohingya refugees in accordance with international standards.

2. **Mr. Da Costa Tilman** (Timor-Leste) said that his country was deeply concerned at the continuing reports of widespread and systematic human rights violations and abuses against the people and leaders of Myanmar, including Rohingya Muslims and other minorities, and the escalating tension in the country. Those who had been arbitrarily detained, charged or arrested, both before and after the declaration of a state of emergency in February 2021, should be released immediately. His delegation welcomed the appointment of Noeleen Heyzer as the new Special Envoy of the Secretary-General on Myanmar and called upon Myanmar to cooperate meaningfully with her by facilitating an immediate and unconditional visit to the country. Myanmar should swiftly implement the five-point consensus reached during the Association of Southeast Asian Nations (ASEAN) Leaders' Meeting on 24 April 2021 and engage in constructive and genuine dialogue in the spirit of reconciliation to facilitate a peaceful solution in the interests of the people of Myanmar. All stakeholders in Myanmar should cooperate with

ASEAN, the Special Envoy of the ASEAN Chair on Myanmar and the Special Rapporteur on the situation of human rights in Myanmar.

3. **Ms. Brisbane** (Australia) said that her country condemned the ongoing human rights abuses by the regime in Myanmar and called for the de-escalation of violence and the release of those arbitrarily detained, including the Australian professor Sean Turnell and other foreigners. The regime should engage in dialogue with all stakeholders in line with the five-point consensus agreed with ASEAN leaders and create conditions to allow the voluntary, safe, dignified and sustainable return of the Rohingya and other displaced persons.

4. Her delegation was pleased that the draft resolution had been strengthened with respect to civil society, accountability, conditions for returns, the release of detainees, including foreign nationals, and the role of ASEAN. It was disappointing, however, that it had not been possible to explicitly name the events of 1 February 2021 a "military coup". The fact that the coup continued to affect the promotion and protection of human rights across Myanmar could have been better reflected in the text.

5. Her delegation reiterated the call in General Assembly resolution [75/287](#) upon all Member States to prevent the flow of arms into Myanmar and was disappointed that such wording could not be included in the draft resolution. Efforts to restrict the flow of arms into Myanmar would be a meaningful step towards de-escalating violence and creating conditions for the return of the Rohingya and other displaced persons.

6. The Committee was an appropriate forum for the international community to raise and discuss human rights violations in countries of concern.

7. **Ms. Xu Daizhu** (China) said that, since the political situation in Myanmar had changed, her country had consistently taken an objective and impartial position, actively engaging with all parties in Myanmar and sparing no effort to promote peace through dialogue. The Special Envoy of the ASEAN Chair on Myanmar had a positive role to play in helping Myanmar to effectively address the current situation on the basis of ASEAN consensus. China had been engaging constructively in the relevant discussions and in consensus-building at the Security Council, and had urged the international community to respect the sovereignty of Myanmar and the choice of its people. Her Government had taken concrete steps to support the people of Myanmar in combating the coronavirus disease (COVID-19) pandemic, providing more than 38 million doses of COVID-19 vaccines and other

medical supplies, and was helping Myanmar to build a technically advanced and modern centre for disease control.

8. The issue of Rakhine State, which had a complex historical, ethnic and religious background, must be resolved only between Myanmar and Bangladesh through friendly consultations. China expected stability to be promptly restored in Myanmar and dialogue between Bangladesh and Myanmar to continue with a view to creating conditions for the achievement of sustainable repatriation at an early date.

9. Any differences in the field of human rights should be addressed through constructive dialogue and cooperation on the basis of equality and mutual respect. China opposed politicization, selectivity, double standards and the provocation of confrontation. Human rights should not be used to exert pressure on other countries, and country-specific human rights mechanisms should not be established without the consent of the countries concerned. For those reasons, her delegation dissociated itself from the consensus on the draft resolution.

10. **Mr. Prongthura** (Thailand) said that his country had been following the potential implications of the current situation in Myanmar for Rakhine State and the return of displaced persons in Bangladesh. Inclusive dialogue among all relevant stakeholders in Myanmar was key to finding a peaceful solution in the interests of the people of Myanmar. His delegation welcomed the draft resolution's recognition of and support for the ongoing efforts of ASEAN in Myanmar, including the implementation of the five-point consensus. All parties in Myanmar and the international community should continue to support ASEAN efforts to address the situation in Myanmar, including by promoting a long-term sustainable solution that addressed the root cause of the problems in Rakhine State. His Government reaffirmed its commitment to doing everything possible, in close cooperation with Myanmar and the international community, to provide humanitarian assistance to those in need in Myanmar. Thailand fully supported ASEAN efforts to address the issues related to Rakhine State and to help Myanmar to achieve national reconciliation and peace.

11. **Mr. Kuzmin** (Russian Federation) said that the international community should take a careful and informed approach to the situation in Myanmar. All parties should avoid further violence and exercise maximum restraint and flexibility in order to find a peaceful solution through constructive dialogue. The Russian Federation sought to build long-term good-neighbourly relations with all countries. Following such

principles was a cornerstone of the foreign policy of the Russian Federation.

12. His delegation had repeatedly stated that it did not support the practice of considering selective, one-sided draft resolutions on human rights situations in specific countries. Such draft resolutions were contrary to the spirit of cooperation and capable only of exacerbating confrontation between Member States. Accordingly, his delegation dissociated itself from the consensus on the draft resolution.

*Draft resolution A/C.3/76/L.31/Rev.1: Situation of human rights in the Syrian Arab Republic*

13. **The Chair** drew attention to the statement of programme budget implications contained in document [A/C.3/76/L.69](#).

14. **Mr. DeLaurentis** (United States of America), introducing the draft resolution on behalf of the sponsors listed in the document, said that the horrors of the past decade in Syria, in particular the abuses and violations committed by the Assad regime, were accurately described in the text. Through the draft resolution, Syria would be rightfully maintained on the agenda of the Committee. Continued dialogue with the Independent International Commission of Inquiry on the Syrian Arab Republic was called for in the draft resolution. In addition, the Secretary-General was requested to present a report to the General Assembly in 2022 on ways to bolster efforts to make progress on the issue of missing persons and those arbitrarily detained. All Member States should carefully consider the recommendations of the report.

15. The regime's abuses, in particular its inhumane campaign of unjust detention and torture, which had been well documented by the Commission of Inquiry and civil society, affected every Syrian family. The Syrian Network for Human Rights had reported that nearly 150,000 Syrians were arbitrarily detained, but the actual figure was likely to be higher. The Special Envoy of the Secretary-General for Syria and the Office of the United Nations High Commissioner for Human Rights (OHCHR) should intensify efforts to hasten the release of detainees and obtain information on the whereabouts of the missing persons. The regime's pattern of violations and abuses, some of which amounted to crimes against humanity and war crimes, made it impossible for Syrians to return safely to their homes. An inclusive political resolution in Syria must include the release of those arbitrarily detained.

16. His delegation was pleased that the draft resolution included a request for a new study focusing on those arbitrarily detained by the Syrian regime and

missing persons. The United States stood with the Syrian people and the international community in condemning the atrocities and demanding that those responsible, including for the use of chemical weapons, be brought to justice and held to account.

17. **Ms. Nour Ali** (Syrian Arab Republic), speaking on a point of order, said that her delegation condemned the manner in which that forum was being abused by a certain State that continued to circumvent international norms and the rules of conduct and procedure of the United Nations, which were not political niceties, but strict rules. Syria was not in any way attempting to disrupt the work of the Committee; it merely wished to correct a clear error. To date, Syria had not obtained from the Chair of the Committee, from representatives of the Secretariat or from the legal counsel a straight answer to a simple question: did the rules of procedure authorize the use of a name for her country other than the one written on the nameplate in front of her? It was regrettable that an organization of such size, capacity and resources could not provide a satisfactory answer. Syria was a founding member of the Organization and rejected the use of unacceptable names. It should be noted that Syria was a member of the “United Nations” and not the “United Regimes”. For the purposes of facilitating the work of the Committee, the Syrian delegation would strive to adhere to the Chair’s directions while reserving the right of reply when appropriate.

18. **The Chair** said that the matter had been raised with the Office of Legal Affairs.

19. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Andorra, Estonia, Greece, Israel, Japan, Kuwait, Latvia, Liechtenstein, Malta, Montenegro, New Zealand, North Macedonia, Norway, Palau, Portugal, Republic of Korea, Romania, San Marino and Switzerland.

20. He then noted that Cyprus and Hungary also wished to become sponsors.

21. **The Chair** said that a recorded vote had been requested on the draft resolution by the Syrian Arab Republic.

*Statements made in explanation of vote before the voting*

22. **Ms. Nour Ali** (Syrian Arab Republic) said that, regrettably, the Committee had over 10 consecutive years continued to discuss the resolution on the human rights situation in the Syrian Arab Republic, submitted by the delegation of the United States of America. The Government of that country had blatantly violated the

provisions of the Charter of the United Nations and the principles of international law and international humanitarian law through its occupation of Syrian territory and its bombardment of civilians and destruction of infrastructure in the city of Raqqah. It had also imposed coercive measures on Syrians, depriving them of their most basic needs. The text under discussion had been drafted from behind closed doors and had not been made available to delegations for days after its submission, in violation of the principles of transparency and professionalism.

23. As usual, the sponsor of the draft resolution had continued to further its agenda by spreading lies about Syria and levelling baseless accusations at it. As in previous years, the draft resolution manipulated United Nations human rights mechanisms, promoted concepts that were not agreed upon, and relied on pressure, blackmail and the violation of the provisions of the Charter and the principles of international law. That was an abuse of the mandate and technical capacities of the Committee.

24. The current version of draft resolution was extremely politicized. Its content was entirely divorced from reality in its attack on the Syrian Government. It ignored the Government’s efforts in combating terrorism, its involvement in humanitarian action and its support for a political solution. It distorted the country’s commitment to an agreement regarding the prohibition of chemical weapons and deliberately disregarded the effects of the immoral and illegal blockade imposed on the Syrian people, which prevented Syrian institutions from securing basic goods and services and obstructed the dignified, safe and voluntary return of Syrian migrants and refugees to their homes.

25. The draft resolution was also politically hypocritical, as it neglected the situation of those living under the yoke of Israeli occupation in the Syrian Arab Golan since 1967. It said nothing of the crimes committed by the “international coalition”, led by the country that had submitted the text, such as the killing of innocent civilians, the destruction of cities and the theft of natural resources. It ignored the crimes of the Turkish occupation, the sponsorship by Turkey of terrorist organizations and that country’s use of water as a weapon against civilians.

26. It was unclear how the sponsor of the draft resolution, a State that violated the rights of the citizens of another State, could deliver lectures on human rights. That State had even violated the rights of refugees at its own borders and had withdrawn from international bodies when they had refused to acquiesce to that State’s agenda. How could such a State be qualified to speak

about human rights, while claiming that support for the Palestinian question was a politicization of human rights?

27. Syria believed that the principles of objectivity and non-selectivity must prevail when addressing human rights questions, and that the Human Rights Council, under its period review, was competent to consider human rights in all countries in a constructive manner that respected the territorial sovereignty, unity and independence of States. Her delegation utterly rejected the draft resolution. It urged delegations to reject politicization and selectivity and to adhere to the principles of the Charter.

28. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation reaffirmed its rejection of country-specific resolutions, which politicized human rights through selectivity and double standards and were aimed at putting pressure and imposing political interests on others. His country supported the continuous efforts of the Government of the Syrian Arab Republic to defend its sovereignty and territorial integrity and improve the human rights situation in the country. Politicization, selectivity and double standards in the consideration of human rights issues bore no relevance to the genuine promotion and protection of human rights. His delegation was firmly against all politicized attempts to infringe upon national sovereignty and interfere with the internal affairs of other sovereign States. All human rights issues must be discussed and resolved in an atmosphere of constructive dialogue and cooperation, from the principled position of respecting sovereignty, territorial integrity, peace and stability. His delegation would therefore vote against the draft resolution.

29. **Mr. Magham** (Islamic Republic of Iran) said that his delegation reiterated its principled position of rejecting the politicization of human rights issues and the use of United Nations mechanisms to target specific countries to serve the interests of the West and its allies. The desperate and stubbornly persistent endeavours of some States to advance their baseless arguments and use their political, economic and financial influence to whitewash their horrendous crimes in Syria were an attempt to subvert the principles set forth by the founders of the United Nations.

30. The security situation in Syria had significantly improved. However, the return of refugees and displaced persons had been slowed down by the country's economic and humanitarian situations, which had deteriorated owing mostly to the unilateral coercive measures imposed by the United States of America and the European Union. Such measures caused the most

harm to the most vulnerable, seriously undermined the activities of the Government of Syria and disrupted efforts to combat the COVID-19 pandemic. The international community must call for the withdrawal of all uninvited foreign forces from Syria and the immediate and full termination of the unilateral sanctions against the country.

31. His country would continue to support the Government and people of Syria in restoring unity, sovereignty and territorial integrity. In accordance with its consistent position of rejecting country-specific resolutions, his delegation would vote against the draft resolution.

32. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country reiterated its rejection of country-specific human rights mandates, which caused confrontation and hindered constructive dialogue with the States concerned. His country maintained the principled position of rejecting selectivity and politicization in the consideration of human rights issues and the establishment of country-specific mechanisms without the consent of the countries concerned. Politically motivated reports, mechanisms and resolutions that targeted specific countries violated the principles of universality, objectivity, impartiality, non-selectivity and non-confrontation that should be applied when addressing human rights issues. Using human rights for political ends was a violation of the principles and purposes of the Charter of the United Nations. Efforts should be made to build on the progress achieved since the creation of the Human Rights Council, as the Council's credibility was undermined by such mechanisms. Human rights should be examined within the framework of the universal periodic review and by the United Nations treaty bodies on the basis of cooperation and dialogue with the countries concerned. For those reasons, his delegation would vote against the draft resolution.

33. **Mr. González Behmaras** (Cuba) said that his delegation would vote against the draft resolution. It was unacceptable that such resolutions were applied only against developing countries that were also subject to unilateral coercive measures. The draft resolution fostered a punitive and condemnatory approach that did not take into account the interests of the country concerned and failed to promote a coordination of efforts, which was essential to addressing human rights challenges. A political solution to the conflict, taking into account the interests and aspirations of the Syrian people, could not be achieved through resolutions that undermined the country's sovereignty and territorial integrity. A peaceful and negotiated solution should be

found, and the Committee should foster cooperation with full respect for the sovereignty of the country and abolish such politically motivated practices.

34. **Mr. Kuzmin** (Russian Federation) said that his delegation would vote against the draft resolution, which was based on unproven accusations, lies and speculation, distorted the situation on the ground and vilified the legitimate Government supported by the people of Syria. The situation in Syria was gradually returning to normal, with 2,326,000 Syrian citizens having returned to their places of permanent residence in their homeland to date. The country would be restored much faster if the authors of the draft resolution would refrain from stifling the Syrian economy.

35. The illegal military presence on Syrian territory of foreign troops was also hindering the country's recovery. Human rights defenders should be drawing attention to the medievalism and disregard for human life that prevailed outside the territory controlled by Damascus. Women and children must not be killed under the pretext of countering terrorism. As described in a New York Times article of 13 November 2021, the authors of the draft resolution had dropped 500- and 2,000-pound F-15 bombs on women and children in a camp in Baghuz and had subsequently downplayed the death toll, delayed, sanitized and classified reports, and bulldozed the blast site.

36. All delegations that were genuinely interested in stabilizing the situation in Syria and improving the situation of its people should vote against the draft resolution.

37. **Ms. Xu Daizhu** (China) said that any differences in the field of human rights should be addressed through constructive dialogue and cooperation on the basis of equality and mutual respect. Her country opposed politicization, selectivity, double standards and the provocation of confrontation. Human rights should not be used to exert pressure on other countries. China opposed country-specific human rights mechanisms and resolutions.

38. External interference, the provocation of confrontation and the imposition of sanctions had proved to bring nothing but suffering to the Syrian people. The only realistic way out of the Syrian crisis was to seek a political solution while maintaining and respecting the sovereignty, independence and territorial integrity of Syria and refraining from interference with its internal affairs in the name of human rights. Her delegation would therefore vote against the draft resolution.

39. **Ms. Wagner** (Switzerland), making a general statement before the voting, said that her country remained deeply concerned by the violations of human rights and international humanitarian law committed by all parties to the conflict in Syria. Those responsible must be held to account, and victims must be compensated. In that context, her country supported the work of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic, and the efforts of Syrian civil society to establish accountability. Her country also remained very concerned by the humanitarian situation in Syria, which had been exacerbated by the economic crisis and the COVID-19 pandemic, and called upon all parties to the conflict to uphold their obligations under international law and ensure rapid and unimpeded humanitarian access to all persons in need.

40. Her delegation was pleased that, in the draft resolution, all parties to the conflict were encouraged to enhance engagement with the Special Envoy of the Secretary-General for Syria on the issue of missing persons. Her delegation also welcomed the increased integration of a gender perspective on the consequences of the conflict and the political process and the emphasis on the important role of civil society in the political process. For those reasons, her delegation would vote in favour of the draft resolution. Nevertheless, it was regrettable that several paragraphs weakened the overall impact of the text. It was important for the text to address the violations of international law committed by all parties to the conflict and to reflect adequately the obligations of international humanitarian law. The transparency and inclusiveness of the negotiations process could still be considerably improved.

41. All parties to the conflict and all powers with influence in Syria should continue the negotiations under the auspices of the United Nations to find a viable and durable solution to the conflict.

42. **Mr. Sylvester** (United Kingdom), making a general statement before the voting, said that 15 March 2021 had seen the tenth anniversary of the conflict in Syria, marking a decade of appalling atrocities. The Assad regime's horrific attacks against civilians and its use of chemical weapons no less 32 times were utterly deplorable. The United Kingdom strongly supported efforts to hold the perpetrators of war crimes and crimes against humanity to account. The deteriorating human rights situation over the past 12 months was of deep concern. The Syrian people had been subjected to

unthinkable human rights violations, including attacks against the civilian population, arbitrary detention, torture and sexual and gender-based violence.

43. The use of country-specific resolutions in the Committee was absolutely critical to defending human rights globally. The Committee's remit focused on the examination of human rights issues that affected people all over the world. Such resolutions were introduced only for the most serious violators. They complemented the work of the Human Rights Council and other forums, providing scrutiny of adherence to human rights obligations. Through the adoption of the draft resolution, the international community could hold the Syrian regime to account and help to ensure that it complied fully with its international legal and human rights obligations.

44. **Mr. Al-maawda** (Qatar), making a general statement before the voting, said that, for the eleventh year in a row, his country had sponsored the draft resolution on the human rights situation in the Syrian Arab Republic. The reasons that had originally given rise to that resolution were still in effect, including grave violations of human rights and even war crimes, such as the 2021 attack on Shifa' hospital. United Nations reports continued to document serious crimes, such as the repeated use of chemical weapons against civilians. The draft resolution fell within the remit of the Committee, as it concerned grave violations of human rights and international law. The only way out of the humanitarian and human rights crisis in Syria was through a comprehensive, Syrian-led political process under the auspices of the United Nations that fulfilled the aspirations of the Syrian people, implemented Security Council resolution [2254 \(2015\)](#) and preserved the country's unity, sovereignty and independence.

45. **Mr. Alateek** (Saudi Arabia), making a general statement before the voting, said that for years, the Syrian people had continued to suffer. March 2021 had marked 10 years since the beginning of armed conflict in Syria, which had had a devastating impact on civilians as a result of grave violations of international human rights law and humanitarian law. The delegation of Saudi Arabia was concerned about the OHCHR report that there had been more than 350,000 persons killed in the conflict between March 2011 and March 2021, including approximately 30,000 children and tens of thousands of women. Saudi Arabia emphasized that the only way to end the Syrian crisis was through a political solution sponsored by the United Nations in line with Security Council resolution [2254 \(2015\)](#). Saudi Arabia hoped that the current draft resolution and United Nations efforts would help the Syrian people achieve

their legitimate aspirations towards justice, freedom and stability.

46. **Ms. Korac** (United States of America), introducing an oral revision to the draft resolution, said that "and to present the report to the General Assembly by 1 March 2022" at the end of paragraph 64 should be replaced with "and to present an interim oral update to the General Assembly by 1 March 2022, to be followed by a report within the first half of 2022".

47. *At the request of the representative of the Syrian Arab Republic, a recorded vote was taken on draft resolution [A/C.3/76/L.31/Rev.1](#), as orally revised.*

*In favour:*

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Myanmar, Nauru, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Saudi Arabia, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen.

*Against:*

Algeria, Belarus, China, Cuba, Democratic People's Republic of Korea, Eritrea, Iran (Islamic Republic of), Nicaragua, Russian Federation, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe.

*Abstaining:*

Angola, Armenia, Azerbaijan, Bangladesh, Belize, Bhutan, Brunei Darussalam, Burundi, Cameroon, Congo, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Grenada, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Mali, Mauritania,



Mauritius, Mongolia, Mozambique, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Tajikistan, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Viet Nam, Zambia.

48. *The draft resolution, as orally revised, was adopted by 95 votes to 13, with 66 abstentions.*

49. **Mr. Malovrh** (Slovenia), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro and North Macedonia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, said that any sustainable solution to the conflict required a genuine political transition in line with Security Council resolution [2254 \(2015\)](#). The Syrian regime, its sponsors and all parties to the conflict should engage fully and in good faith in the Syrian-led political process.

50. The reports of social and demographic engineering and mass waves of displacement were a cause for serious concern. The Independent International Commission of Inquiry on the Syrian Arab Republic had found that conditions for safe, voluntary and dignified return had not been met. The European Union condemned the serious breaches of international law, which might amount to war crimes and crimes against humanity, by the Syrian regime, its allies and other parties to the conflict. All parties to the conflict, in particular the Syrian regime, must allow safe, full, rapid, unimpeded and sustained cross-line and cross-border access. The failure of the Security Council to reauthorize border crossings was worsening the humanitarian situation.

51. The European Union condemned the consistent and systematic use of arbitrary detention, torture, sexual and gender-based violence, involuntary or enforced disappearance and summary executions by all parties to the conflict, in particular the Syrian regime, and welcomed the request in the draft resolution for a study on how to bolster efforts to clarify the fate and whereabouts of missing persons. The situation in Syria should be referred to the International Criminal Court. The Syrian regime must cooperate fully with all investigation and accountability mechanisms.

52. The European Union remained committed to the unity, sovereignty and territorial integrity of the Syrian State, and stood ready to assist in the reconstruction of Syria only when a comprehensive, genuine and inclusive political transition was under way.

53. **Mr. Galstyan** (Armenia) said that the gross violations of human rights and international humanitarian law, including the mass persecution of communities on the basis of ethnicity, religion or belief, perpetrated in Syria by terrorist organizations and other groups and individuals associated with terrorist networks were of grave concern. His country condemned in the strongest terms the hate crimes and genocidal acts perpetrated against Christians, Yazidis and other religious and ethnic groups, including Syrian Armenians.

54. Foreign terrorist fighters and mercenaries affiliated with terrorist networks had been extensively exploited by external supporters outside Syria and used as proxies in conflicts in other regions. Thousands of foreign terrorist fighters and mercenaries had been transferred from the territories of northern Syria occupied by Turkey and employed during the military aggression against Nagorno-Karabakh in 2020, as extensively documented by several national law enforcement agencies, reported by independent observers and reflected in a statement by the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination.

55. The perpetrators of heinous crimes against ethnic and religious groups, as well as their supporters, must be held accountable. His country would continue to contribute actively to the efforts of the international community to address mass human rights violations by terrorist networks and their supporters.

56. **Mr. Pilipenko** (Belarus) said that his delegation had always opposed the consideration of country-specific resolutions at the United Nations, as they served only to increase confrontation. The draft resolution currently under consideration gave rise to budget implications amounting to \$114,700, which could be added to the millions that had already been wasted, including on the work of the Independent International Commission of Inquiry on the Syrian Arab Republic. Already a decade had passed, and yet the Committee continued to duplicate country-specific resolutions and squander the severely limited funds of the United Nations. Such approaches were unacceptable, and his delegation had therefore voted against the draft resolution.

57. **Mr. Chimbindi** (Zimbabwe) said that his delegation maintained a principled position against country-specific resolutions and reports. Such reports not only were divisive and politicized human rights issues, but also eroded the credibility of the treaty bodies, which were essential for the promotion and



protection of human rights, and made it difficult for them to work in an impartial, non-selective, non-partisan and independent manner. Dialogue premised on mutual respect and a genuine desire to address human rights issues should be the only option for the establishment of deep-rooted respect for all fundamental freedoms and rights. Genuine, earnest and respectful engagement by all parties concerned was required to achieve lasting and robust solutions to human rights situations.

58. **Ms. González** (Argentina) said that her country had always striven to promote the instruments and policies necessary to put an end to the violence, deaths and suffering in the Syrian Arab Republic. Humanitarian actors must be allowed to carry out their work effectively and unimpeded, especially in the context of the COVID-19 pandemic. Argentina reiterated its support for the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic. Momentum towards a negotiated peace must be regained, while avoiding actions that could cause tensions to escalate. Her country attached particular importance to the talks held in Geneva under the auspices of the United Nations and recognized the contribution of the agreements reached in Astana and other ceasefire agreements to de-escalating the violence and alleviating the humanitarian situation. It firmly supported the efforts of the Special Envoy of the Secretary-General for Syria and agreed with him on the need for constructive international diplomacy that bridged existing divides to achieve peace for the Syrian people.

59. **Ms. Inanç Örnekol** (Turkey) said that the draft resolution served as a stark reminder of the violations of international human rights and humanitarian law by the Syrian regime and sent a strong message to the Syrian people of the international community's support for their pursuit of accountability. As a result of her delegation's efforts during the negotiations, the recent increase in violence in north-west Syria, the unprecedented human suffering throughout the country, the work of the Constitutional Committee to advance the political process and the attacks carried out by the regime and the terrorist organization People's Protection Units (YPG) (an offshoot of the Kurdistan Workers' Party (PKK)) had been duly reflected in the text and emphasis had been placed on life-saving United Nations cross-border assistance.

60. The continued insecurity in north-east Syria had been inflicted by YPG, which was posing an increasing threat to the territorial integrity of Syria and had forcibly displaced the local population from the areas under its control and prevented Syrian Yazidis and Syrian Kurds

from returning home. Those atrocities had been widely documented by the United Nations and human rights organizations. At least 120 civilians had been killed by the terrorist organization in 2021 alone. YPG had also disrupted water and electricity supplies and had usurped the country's natural resources. The situation in the Hawl refugee camp, under the de facto control of YPG, continued to be a source of major concern. Family reunification and repatriation remained crucial to a lasting solution to the humanitarian catastrophe.

61. Turkey would never condone supporting terrorism under the pretext of fighting Da'esh and would continue to resolutely combat all terrorist organizations. Despite the humanitarian and security implications of the Syrian crisis for Turkey, her Government continued to address the needs of the millions of Syrians in Turkey and along its borders with Syria.

62. Lastly, her delegation refuted the baseless allegations made by the representatives of Armenia and the Syrian regime against Turkey in their entirety.

63. **Mr. Ichiba** (Japan) said that his country hoped that the violence in Syria would come to an end as soon as possible and that human rights would be ensured for all people in the country. All parties to the armed conflict must respect international human rights and humanitarian law in all areas in Syria. His delegation hoped that the Secretary-General would conduct an effective study on the fate and whereabouts of missing persons in Syria and present a report with practical recommendations.

*Statements made in exercise of the right of reply*

64. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that few would doubt that draft resolution [A/C.3/76/L.28](#) was in direct contravention of the basic principles of human rights. Through the draft resolution, so-called human rights champions had sought to further whitewash their own egregious human rights violations by targeting States that had chosen independence over yielding to interference. Human rights had once again been abused to pursue the unjust interests of those who traditionally and historically had supported colonialism, slavery, racism and apartheid. Once again, there had been a deafening silence with regard to the hardship of the innocent civilians in Iran whose lives were at stake, even during the COVID-19 pandemic, owing to the inhuman and illegal unilateral coercive measures imposed by the United States.

65. Few would regard such absurd politicization of human rights as a genuine attempt to protect and promote human rights. Beyond political motives, there were no credible grounds for adopting such a flawed

draft resolution. In addition to undermining the credibility of the United Nations, the draft resolution upheld recrimination and ignorance of the inescapable facts on the ground. The level of complacency shown by the main and other sponsors, with their dark human rights records, was painfully striking, especially when they remained largely heedless of the alarming increase in marginalization, social exclusion, xenophobic tendencies and racism as breeding grounds for atrocities and terrorism in their own societies. The draft resolution could neither dissuade Iran from further protecting and promoting the human rights of its people, nor cause it to accommodate its high and decent human rights standards to those of the supporters of the draft resolution. Her delegation would continue its constructive cooperation with relevant United Nations human rights mechanisms on the basis of mutual respect and on an equal footing.

66. **Ms. Nour Ali** (Syrian Arab Republic) said that several delegations had expressed a wish for trials and accountability when it came to the issue of Syria. If they truly wanted accountability, however, there should be an international investigation into all parties that had helped terrorists travel to Syria, all parties that had bought, sold or profited from oil smuggled over Syrian borders and all parties that had sold Syrian antiquities on the black market. In addition, those who planned, coordinated and organized military operations in Raqqah, Idlib, Rif Dimashq and other Syrian regions deserved to be called war criminals. It also should be asked whether Western intelligence agencies had been powerless to cut off the huge sums flowing into Syria from organizations and States, as well as the weapons, ammunition and transportation that had enabled Da'esh to recruit cadres from every part of the world to its medieval caliphate. An international court should be convened to try any State that had contributed to the destruction of Syria or that had sent terrorists to Syria, Yemen or Libya. Instead of wasting time the time of the Committee, States should help Syria combat terrorism and rebuild its infrastructure and make vaccines available to address the COVID-19 pandemic.

67. It was doubtful whether the States that had voted in favour of draft resolution [A/C.3/76/L.31/Rev.1](#) had even read it. Although the Syrian delegation harboured no illusions when it came to political realities, it had hoped to see a different voting pattern in 2021. Unfortunately, the situation was almost that of an open auction, where a yes vote was given in exchange for a reward. The Syrian delegation was disappointed with those States that had voted in favour of the draft resolution because its errors were so blatant that no sane person could accept them. Anyone capable of careful

reading and mathematical calculation would discover that the content did not make sense.

68. While the draft resolution had largely been reproduced from those of preceding years, it contained new material. For example, the sixth preambular paragraph referred to "more than 500,000 fatalities, including the killing of more than 29,000 children". However, the same paragraph of the previous year's resolution had alleged that 17,000 children had been killed out of a total of 500,000 fatalities. According to the text, then, an additional 12,000 children had been killed, with no corresponding change to the total number of fatalities. The sponsor of the draft resolution had evidently produced numbers arbitrarily, disdaining the intelligence of all those present and assuming that no one would actually read the text.

69. Even worse, the following paragraph, which had been newly added, contained the claim that "the United Nations High Commissioner for Human Rights has identified 350,209 individuals...who were killed in the conflict in the Syrian Arab Republic...of those... 27,126 were children." Two consecutive paragraphs therefore contained conflicting information on the same subject, and each contained an outright lie. Two equally distasteful scenarios were possible: either mendacity, or indifference. Those present could judge for themselves which was the case.

70. **Ms. Ahangari** (Azerbaijan) said that the baseless accusations made by the representative of Armenia regarding the use of mercenaries were complete fabrications. In September and November 2020, her country had taken all the measures necessary to defend its sovereignty and territorial integrity. Armenia had transported mercenaries to the occupied territories of Azerbaijan as part of its policy of illegal settlement and had used them in combat operations against her country and its civilian population. The evidence collected throughout those hostilities clearly testified to the recruitment by Armenia of foreign terrorist fighters and mercenaries. The Armenian diaspora, operating under the guise of charity and non-governmental organizations, had been engaged in the recruitment and transfer process and in fundraising for terrorist and mercenary activity. Detailed information regarding the use of foreign terrorist fighters by Armenia had been provided to the international community, including in documents of the General Assembly and the Security Council. Her country had been affected by mercenary activities for decades. The 1994 report of the Special Rapporteur on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination had included information on the active use by Armenia of mercenaries in its aggression against

Azerbaijan. The post-conflict realities had paved the way for Armenia to release its racist prejudice. Compliance with international law and good-neighbourly relations were the main objectives to which Armenia should begin to aspire.

71. **Mr. Galstyan** (Armenia) said that, by exercising the right of reply, the delegation of Azerbaijan had acknowledged that Azerbaijan was the beneficiary referred to by his delegation in its explanation of vote of the use of foreign terrorist fighters during the aggression against Nagorno-Karabakh in 2020. While his own delegation's explanation of vote had been to the point and relevant to the work of the Committee, the statement made in exercise of the right of reply by the representative of Azerbaijan was neither a reply to anything, nor did it have any relevance to the Committee's work. His delegation rejected the usual falsifications propagated by Azerbaijan in an attempt to deny the fundamental right of the people of Nagorno-Karabakh to live freely on their ancestral homeland.

72. Given that Azerbaijan had decided to take the blame and participate in the discussion, he wished to refer to the statement made by the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination in November 2020, in which the Group had said that there were widespread reports that the Government of Azerbaijan, with the assistance of Turkey, had relied on Syrian fighters to shore up and sustain its military operations in the Nagorno-Karabakh conflict zone, including on the front line, and that the fighters deployed to Azerbaijan were allegedly affiliated with armed groups and individuals who, in some cases, had been accused of war crimes and serious human rights abuses during the conflict in Syria, thus seemingly perpetuating a cycle of impunity and risking further abuses of international law.

73. The delegation of Azerbaijan had said repeatedly during the current session that Nagorno-Karabakh and the conflict did not exist, but denying the existence of something would not make it cease to exist. The term "Nagorno-Karabakh" as a distinct entity had been used in the trilateral statement of 9 November 2020. There was no room for censorship in the Committee.

74. **Ms. Ahangari** (Azerbaijan) said that, when one delegation referred to the territory of another, it was natural for the latter to exercise the right of reply. What the representative of Armenia had referred to as the "homeland" or "Nagorno-Karabakh" was the sovereign territory of Azerbaijan. In accordance with her country's Constitution, the territory of Azerbaijan was unitary, inviolable and indivisible. The references by Armenia to

the localities within the internationally recognized territory of Azerbaijan under fake names were invalid and clearly inconsistent with international law and the Constitution and laws of Azerbaijan.

75. Concerning the allegations regarding the use of mercenaries, the Prime Minister of Armenia, in an interview on 15 October 2021, had publicly acknowledged that foreign nationals had been involved in the military campaign against Azerbaijan, thus testifying to the serious violation by Armenia of its obligations under international law, including humanitarian law and the relevant resolutions of the Security Council concerning foreign terrorist fighters.

76. So-called Nagorno-Karabakh had long ceased to exist as an administrative and territorial unit. All delegations should read the report of Azerbaijan to the United Nations Group of Experts on Geographical Names, which contained the names of Azerbaijani geographical entities officially standardized by the competent national institutions.

77. **Mr. Galstyan** (Armenia) said that his delegation rejected the statement just made by the representative of Azerbaijan, which had been full of the usual falsifications and was an attempt to divert the discussion. The right thing to do would be to bring the discussion back to the draft resolution that had been adopted.

78. In its statement of November 2020, the Working Group on the use of mercenaries had also said that the way in which individuals had been recruited, transported and used in and around the Nagorno-Karabakh conflict zone appeared consistent with the definition of a mercenary set out in relevant international legal instruments; the fighters had appeared to be motivated primarily by private gain; and, in the event of death, their relatives had reportedly been promised financial compensation and Turkish nationality.

**Agenda item 65: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions** (*continued*)  
(A/C.3/76/L.60/Rev.1)

*Draft resolution A/C.3/76/L.60/Rev.1: Assistance to refugees, returnees and displaced persons in Africa*

79. **The Chair** said that the draft resolution had no programme budget implications.

80. **Mr. Nze** (Nigeria), introducing the draft resolution on behalf of the Group of African States, said that the draft resolution focused on the needs of refugees,

returnees and displaced persons in Africa and the efforts to mitigate the challenges facing them. The continued rising number of refugees and displaced persons on the continent, owing to intractable armed conflicts, poverty, natural disasters, violent extremism and the adverse effects of climate change, was of grave concern. Africa was home to more than one third of the world's refugees and forcibly displaced persons. The humanitarian impact of and risks posed by the COVID-19 pandemic had exacerbated the existing challenges facing refugees, returnees and displaced persons. African countries had continued to host refugees and displaced persons despite their limited resources and overstretched infrastructure. The draft resolution therefore contained three new paragraphs relating to the pandemic.

81. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Antigua and Barbuda, Canada, Georgia, Greece, Japan, Luxembourg, Nicaragua, Norway, Palau, Portugal, Sweden, Turkey, United States of America and Venezuela (Bolivarian Republic of).

82. *Draft resolution [A/C.3/76/L.60/Rev.1](#) was adopted.*

83. **Mr. De La Mora Salcedo** (Mexico) said that comprehensively addressing domestic and international migration was a priority of his country's multilateral efforts. In the past, his delegation had highlighted the need for open, inclusive and transparent consultations on the draft resolution. During the current session, several delegations had indicated that they would have liked more time to work together to produce a robust, up-to-date and practical text.

84. His delegation had reservations with regard to paragraph 14 of the draft resolution. Extensive immunization was an individual biological process and could not therefore be a global public good. His country reaffirmed its commitment to treating vaccination as a global public good, in line with the Political Declaration on Equitable Global Access to COVID-19 Vaccines, adopted by the General Assembly. The urgency of the work of the Committee should not be allowed to compromise the veracity of its draft resolutions.

85. Had it been possible, his delegation would have proposed the inclusion of recommendations of the High-level Panel on Internal Displacement. The failure to take into account documents and initiatives relevant to the populations referred to in the draft resolution was an area for improvement. His delegation reiterated its call for appropriate consultations in the future.

86. **Mr. Mogyorósi** (Hungary) said that his delegation was deeply concerned by the increasing number of

refugees and displaced persons in Africa and had accordingly joined the consensus on the draft resolution. Nevertheless, Hungary had not endorsed and was not participating in the implementation of the global compact on refugees and could not therefore accept any references to it in international documents. The expression "diversity mainstreaming" had not been defined and was unclear, and his delegation therefore did not consider it to be agreed language. In view of the above, his delegation dissociated itself from paragraphs 4 and 17 of the draft resolution.

*The meeting rose at 4.45 p.m.*