



General Assembly

Seventy-second session

Official Records

Distr.: General
12 December 2017

Original: English

Third Committee

Summary record of the 31st meeting

Held at Headquarters, New York, on Wednesday, 25 October 2017, at 3 p.m.

Chair: Mr. Gunnarsson (Iceland)

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The meeting was called to order at 3 p.m.

Agenda item 72: Promotion and protection of human rights (*continued*) (A/72/40 and A/C.3/72/9)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/72/127, A/72/128, A/72/131, A/72/132, A/72/133, A/72/135, A/72/137, A/72/139, A/72/140, A/72/153, A/72/155, A/72/162, A/72/163, A/72/164, A/72/165, A/72/170, A/72/171, A/72/172, A/72/173, A/72/187, A/72/188, A/72/201, A/72/202, A/72/219, A/72/230, A/72/256, A/72/260, A/72/277, A/72/280, A/72/284, A/72/289, A/72/290, A/72/316, A/72/335, A/72/350, A/72/351, A/72/365, A/72/370, A/72/381, A/72/495, A/72/496, A/72/502, A/72/518, A/72/523 and A/72/540)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/72/279, A/72/281, A/72/322, A/72/322/Corr.1, A/72/382, A/72/394, A/72/493, A/72/498, A/72/556, A/72/580-S/2017/798, A/72/581-S/2017/799, A/72/582-S/2017/800, A/72/583-S/2017/816, A/72/584-S/2017/817, A/72/585-S/2017/818, A/72/586-S/2017/819, A/72/587-S/2017/852, A/72/588-S/2017/873), A/C.3/72/11 and A/C.3/72/14)

1. Ms. Lee (Special Rapporteur on the situation of human rights in Myanmar), introducing her report (A/72/382), said that much had happened since the report had been finalized in late August 2017. Amid allegations of terrible human rights violations, some undeniable facts had come to light. Hundreds of thousands of Rohingya Muslims had fled from northern Rakhine State to Bangladesh, and hundreds of their villages had been burned down since the alleged attacks by Rohingya militants on 25 August 2017. However, high-level officials from the Government of Myanmar had downplayed the situation and suggested that the number of those who had fled was exaggerated and that they must have left because they felt safer in Bangladesh. A minister had even speculated that those hundreds of thousands of people had fled as a ploy to give an appearance of ethnic cleansing.

2. With regard to the content of her report, she said that constitutional and legislative reform must proceed in order to allow for the proper operation of the rule of law and a complete transition to democracy. Officials and lawmakers should consider repealing or amending

the laws she had identified to be in contravention of international human rights standards. Although democratic space had widened in the country, the protection of reputation in national legislation appeared to go beyond what was permissible under international law, effectively resulting in the criminalization of legitimate expression.

3. Communities negatively affected by the preparatory work on special economic zones needed to receive information on a regular basis, be genuinely consulted and given the opportunity to suggest alternative options. The more than 9,000 pending cases on land confiscation and land compensation remained a major concern, leaving communities frustrated.

4. It was currently unclear whether the peace process had advanced in the two years since the signing of the Nationwide Ceasefire Agreement. She was extremely concerned at the escalation of conflict in Kachin and Shan States and the growing number of reports of serious rights violations and decreasing humanitarian access, as well as the reports of violent clashes between the Tatmadaw and ethnic armed groups, including against a group who was party to the ceasefire.

5. There appeared to be an increasing number of cases of civilians being killed or injured by mortars or artillery shells. The regularity of incidents raised concerns that parties to the conflict, including the Tatmadaw, either were not distinguishing between military and civilian targets or were not systematically taking precautions to protect the civilian population. In addition, people continued to be displaced by conflict, and the large numbers of long-term displaced people in Kachin State, northern Shan State and Kayah State remained unchanged. She encouraged efforts to address factors preventing returns, including the continued presence of the military in areas of origin, concerns about housing, land and property rights, and difficulties in accessing civil and identification documents.

6. Hate speech directed against the Rohingya population had reportedly been widely used, and amounted to incitement to hostility and even violence. Nevertheless there seemed to be little sympathy or empathy for the Rohingya people in Myanmar. It had been cultivated in the minds of the Myanmar people that the Rohingya were not indigenous to the country and therefore had no rights that they could claim.

7. She had also been receiving reports from across the country of incidents against Muslims and Christians, including religious-intolerant signage and forced closures of mosques, rarely with any warning, that had been standing for generations. Christian worshippers had been deemed unlawful protestors and converts to

Christianity had been threatened and subjected to State-sanctioned violence. Local Rakhines had been punished for interacting and trading with Muslims, including by public humiliation and shaming and allegations of treachery.

8. In the wake of the mass exodus of Rohingya individuals and others from northern Rakhine, there has had been much analysis and debate about who exactly was responsible for the violence that had caused those people to flee so quickly. It had been repeatedly highlighted that the Constitution was such that the military remained very much in control over the issues of national security and State law and order, with little oversight by the so-called civilian part of the Government. However, the civilian Government could make use of public messaging that embraced the entire make-up of the Myanmar population, including its various ethnic groups and faiths. She encouraged the Government to use displays of interfaith alliance and solidarity to combat prejudice and bigotry, and to take advantage of the majority in the parliament to strike down discriminatory laws in order to show that all groups in Myanmar had equal rights.

9. In the past she had visited villages in northern Rakhine State where people had appealed to her and shared their desire for the opportunity to live in peace, work, move freely to visit friends and family, access doctors and medicine and help their children receive an education, or even simply feed them a proper meal regularly. Undoubtedly some of those people were now among those who had fled during the torching and destruction of the villages. The events of the previous few weeks had been devastating.

10. She made a strong appeal for an honest and impartial accounting of what had happened and for the responsible parties to answer for their actions. Allowing access to the Independent International Fact-Finding Mission on Myanmar would be a good start.

11. Her main concern was the current situation of the Rohingya community and what would happen to them next. The genuine implementation of the comprehensive set of recommendations provided by the Advisory Commission on Rakhine State in its interim and final reports would have done much to address not only the root causes of the cycles of violence in Rakhine State but also the protracted statelessness and persecution of the Rohingya population. She was also concerned that only a fraction of that population would be allowed back into Myanmar, and how long it might take for the Government to ensure that the conditions for their return would be safe and dignified, and their capability to rebuild their broken lives. She had been informed that

the Myanmar Government had insisted that the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration be excluded from the bilateral discussions on the repatriation process. That insistence was unreasonable and unacceptable.

12. The Rohingya population in Cox's Bazar had had their food supply blocked, had been starving, had been shot at while fleeing, had walked for weeks to reach safety, had lost family members while seeking refuge, and were now living under plastic sheets. They should not be made to meet stringent requirements if they wished to return to Myanmar. Citizenship verification should be a different process for them to undergo, voluntarily and upon consultation once they were home. It should not be a part of repatriation. Once they returned they must be permitted to go back to their places of origin and not made to live in temporary camps. Such camps might turn out not to be temporary, as those who had been displaced in 2012 had learned.

13. Most importantly, the Myanmar Government must take steps to let the Rohingya population know that they were welcomed back and that necessary steps would be taken to ensure their safety and protection. Their welfare and well-being, as well as that of the other communities in Rakhine State, including the Rakhine, the Kaman, the Mro, the Hindu and the Daignet, should be assured equally ahead of efforts to reconcile them and advance the economic development of the region.

14. Given the critical situation of the Rohingya population and the fact that it was unlikely to be resolved in the near future, she asked the General Assembly to remain seized of the situation not only in Rakhine State but in all of Myanmar. The duality in the structure of the Government in Myanmar, of which Kofi Annan, Chair of the Advisory Commission, had spoken, had an impact in Rakhine State and the rest of the country.

15. She also recommended that the Security Council should include the issue of Myanmar as an agenda item, and hoped that the Council would pass a strong resolution duly recognizing that the crisis in Rakhine State had been decades in the making and had been spilling over and continued to take place beyond the borders of Myanmar. For a very long time, the issue had not been merely a domestic affair.

16. **Mr. Pérez Ayestarán** (Bolivarian Republic of Venezuela), speaking on behalf of the Movement of Non-Aligned Countries, said that at their seventeenth summit meeting, the heads of State and Government of the Movement had stressed that the Human Rights Council was the United Nations organ responsible for

the consideration of human rights situations in all countries on the basis of cooperation and constructive dialogue. They had also reaffirmed that the selective adoption of country-specific resolutions in the Third Committee was a means of exploiting human rights for political purposes and, as such, breached the principles of universality, impartiality, objectivity and non-selectivity.

17. The universal periodic review was the main intergovernmental mechanism for examining human rights issues at the national level in all countries without distinction and was conducted with the full involvement of the country concerned and with due consideration for its capacity-building needs. As a cooperative mechanism, based on objective and reliable information and interactive dialogue, the review must be conducted in an impartial, transparent, non-selective, constructive, non-confrontational and non-politicized manner.

18. **Mr. Suan** (Myanmar) said that like many other delegations, his delegation steadfastly opposed country-specific mandates, which ran counter to the principles of universality, impartiality, objectivity, non-selectivity and non-politicization in addressing human rights issues. The Government had nevertheless cooperated with successive Special Rapporteurs, in line with the country's policy of prioritizing cooperation with the United Nations.

19. Myanmar had dissociated itself from the adoption of resolution [A/HRC/RES/34/22](#) on the situation of human rights in Myanmar. It had agreed, however, to accept the proposal for the sixth visit of the Special Rapporteur to facilitate her Human Rights Council mandate.

20. During her most recent visit, the Government had conveyed to the Special Rapporteur in clear terms the extensive steps the Government had taken to promote peace and development as well as the challenges it faced, which it was committed to overcoming. The goal was to achieve a peaceful, democratic and prosperous country for all the people of Myanmar. Forging a lasting nationwide peace was the priority of the Government, and it was committed to building a democratic federal union on the basis of the principles of freedom, equality and justice for all.

21. His Government had fully considered the recommendations made by the Special Rapporteur in her report and would be implementing them as the situation permitted. It would have been better if the report had reflected the difficulties of resolving problems that represented the legacy of decades of internal conflicts, isolation and underdevelopment. The Government was therefore disappointed with some recommendations

which could directly or indirectly hinder efforts in the area of democratic transition.

22. In spite of various constraints, Myanmar had made significant progress in the promotion and protection of the human rights and fundamental freedoms of its people over the previous few years, and would continue those efforts. In the short time since the new Government had come into office, it had set several ambitious goals and had begun reforming public institutions and strengthening the rule of law, and had made significant progress. The country was now much different from the time the first independent expert on human rights in Myanmar had been appointed 27 years ago. One of the important gains that had been made was the first and second sessions of the 21st-Century Panglong Conference, held in 2016 and 2017. A third session was in the preparatory stage. Democratic change did not happen overnight, and Myanmar still had a long way to go.

23. Turning to the current situation, he said that the premeditated terrorist acts committed on police outposts in northern Rakhine State in 2016 and 2017 by the so-called the Arakan Rohingya Salvation Army had triggered immense human suffering and humanitarian problems. His Government strongly condemned such acts and could not condone terrorism in any form or manifestation. It also condemned all human rights violations and unlawful violence. If there was concrete evidence, anyone who breached the law would be brought to justice. The Government was committed to a sustainable solution that would lead to peace, stability and development for all communities in Rakhine State.

24. The Central Committee for the Implementation of Peace, Stability and Development in Rakhine State, formed by the State Counsellor, and the Advisory Commission on Rakhine State, led by Kofi Annan, demonstrated the Government's firm commitment to resolving the situation. In addition, a ministerial-level committee had been established to ensure that the recommendations of the Commission would be implemented expeditiously and to the greatest possible extent in consideration of the situation on the ground.

25. Taking heed of the concerns of the international community regarding the current humanitarian situation at the border, the Government had identified three main tasks to be undertaken promptly: the repatriation and provision of humanitarian assistance to returnees; the resettlement and rehabilitation of all displaced communities; and the establishment of sustainable peace, stability and development in Rakhine State. To complete those tasks, the Union Enterprise for humanitarian Assistance, Resettlement and

Development in Rakhine State had been launched on 15 October 2017, and the Committee for the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine State had been established two days later. The Committee was working to effectively provide humanitarian aid, coordinate resettlement and rehabilitation efforts, and carry out development leading to durable peace. The business community had recently made a contribution of \$12 million to the efforts to achieve the goals of the Committee.

26. Moreover, the authorities of Myanmar and Bangladesh were working on the voluntary, safe and dignified return of displaced persons. The delegation headed by the Minister of Home Affairs of Bangladesh was currently in Myanmar for discussions on the issue of repatriation and border security cooperation between the two countries, and two memorandums of understanding, on the establishment of a border liaison office and on security cooperation and dialogue, had been signed during the visit.

27. The Association of Southeast Asian Nations Coordinating Centre for Humanitarian Assistance on Disaster Management was working with the Government of Myanmar to deliver humanitarian assistance to all displaced persons. Myanmar was collaborating with the Red Cross Movement and donor countries to provide assistance expeditiously and in accordance with humanitarian principles.

28. Cooperation with the United Nations was a major part of the foreign policy of Myanmar, and the Under-Secretary-General for Political Affairs had recently visited the country, met with its leadership and seen first-hand the situation on the ground in Rakhine State. The people of Myanmar understood the situation in their country more fully than anyone else, and they desired peace and development. Although Myanmar was a fledgling democracy and faced daunting challenges, the Government was determined to make every effort to overcome them. The understanding and support of the international community was critical to the sustainability of the democratic transition. Myanmar would implement all its commitments, including the promotion and protection of the rights of its people, in good faith and without fail.

29. **Mr. Manzlawy** (Saudi Arabia) said that his country was deeply concerned that the Rohingya Muslims in Rakhine state continued to suffer serious violations of their rights at the hands of the Myanmar authorities and extremist terrorist groups, which had launched a brutal ethnic cleaning campaign that had killed hundreds and forced more than 800,000 Rohingya

from their homes. Saudi Arabia welcomed all the recommendations of the Special Rapporteur regarding Rakhine state, and called for a full investigation of all violations of the rights of the Rohingya to be conducted at the earliest opportunity with a view to bringing the perpetrators of those crimes to justice. It was imperative to find a long-term solution to the ongoing crisis that would end the suffering of Rohingya Muslims and allow them to exercise their rights, including their right to citizenship. The international community and Member States must prevent any further crimes against the Rohingya and compel the Government of Myanmar to comply fully with its obligations under relevant international instruments.

30. **Mr. Islam** (Bangladesh) said that the report of the Special Rapporteur was a grim reminder of the early warning signs of the atrocities the world had witnessed in northern Rakhine State since 25 August 2017. The international community had not heeded those signs, resulting in what the United Nations High Commissioner for Human Rights had termed a textbook example of ethnic cleansing. The Myanmar security forces and vigilante groups had engaged in violence, killing, arson and rape, and the grave and systematic human rights violations demanded a strong response by the international community. The Rohingya issue was not being politicized; it was a matter of reaffirming the credibility of international human rights standards and mechanisms.

31. The General Assembly must adopt draft resolution [A/C.3/72/L.48](#) in order to send a strong message against such violations. The General Assembly could not deny its responsibility to the most persecuted minority in the world, and should allow the Secretary-General to employ the services of a Special Envoy to speak for the Rohingya people until they were allowed to voluntarily return home in safety and dignity.

32. **Mr. Castillo Santana** (Cuba) said that the universal periodic review was the best framework for examining the human rights situation in each country on an equal basis. Cuba opposed country-specific special procedures, since they encouraged a confrontational approach. His delegation would address human rights issues through cooperation and respectful dialogue and adherence to the principles of equality, non-selectivity and impartiality.

33. **Mr. Wenaweser** (Liechtenstein) said that his delegation was alarmed by the statements made by the High Commissioner for Human Rights and welcomed the initiative by the Secretary-General to refer the issue to the Security Council for its consideration. His

delegation wished to know the most productive and promising message the Third Committee could send.

34. **Ms. Lendemann** (Switzerland) said that her delegation recognized the cooperation of the Government of Myanmar with the Special Rapporteur, but regretted that it had denied requests to visit certain places, including areas affected by conflict. Switzerland encouraged the Government of Myanmar to enhance its cooperation with the Special Rapporteur and other mechanisms of the Office of the High Commissioner for Human Rights and to cooperate with the Independent International Fact-Finding Mission on Myanmar. She called on the Government of Myanmar to ensure that the Mission had access to the entire country.

35. Her Government was seriously concerned at the grave human rights violations and abuses committed by all parties as well as the security and humanitarian situation in Rakhine State, and the situation in Kachin and Shan States was still very troubling. She called on the Myanmar Government to fully respect its obligations with regard to international law and to prevent all violations and infringements of human rights. Her delegation, like the Special Rapporteur, called on the Government to conduct speedy, independent and impartial investigations of all allegations. Quick and unhindered access should also be provided for humanitarian aid, and all communities should be protected equally and without discrimination.

36. **Mr. Hahn** Choonghee (Republic of Korea) said that his delegation, while acknowledging the complexity of the issue of Rakhine State, remained concerned at the current humanitarian crisis. The urgent needs of those who were suffering, especially women and children, should be addressed as quickly as possible. The recent establishment of the Committee for the Union Enterprise by the Government of Myanmar was welcomed. His delegation also took note of the State Counsellor's prioritization of the issues of the repatriation of refugees and the effective provision of humanitarian assistance; it was now important to take action. The Government of Myanmar should strengthen its cooperation with the international community. His Government would continue to work closely with all parties, and had contributed \$2 million for humanitarian assistance for refugees in 2017.

37. **Ms. Currie** (United States of America) said that her delegation was outraged by the reports of violence perpetrated against the Rohingya people by the Burmese security forces and vigilante groups. There were credible reports that the destruction of the villages in Rakhine State was well organized, coordinated and systematic and was intended to drive Rohingya out of

their homes and prevent them from returning. There were reports that remaining communities were being intentionally starved in order to force them to leave, which was unacceptable. Her delegation called on the Burmese authorities to end violence, provide unhindered access to the areas, and ensure the accountability of those responsible for human rights violations. It was also deeply concerned by reports of security forces committing human rights violations in Kachin and Shan States. Peace could not be built on abuse and impunity.

38. It would be helpful to know the views of the Special Rapporteur regarding the root causes of the crisis in Rakhine State, and how the international community could support Burmese efforts to address them.

39. **Ms. Morton** (Australia) said that a full, independent and verifiable investigation was needed to examine the reports of human rights abuses against civilians during security operations in 2016 and 2017. Sharing the concerns expressed by the Special Rapporteur, her delegation reiterated its call for Myanmar to cooperate with the Independent International Fact-Finding Mission, and welcomed the commitment of the Government to implement the recommendations of the Advisory Commission on Rakhine State. Her Government acknowledged the progress made at the 21st-Century Panglong Conference and encouraged an ongoing dialogue among the stakeholders, including non-signatories to the Nationwide Ceasefire Agreement.

40. Her delegation would be interested to hear the views of the Special Rapporteur regarding human rights considerations when repatriating refugees who had fled to Bangladesh since 25 August 2017.

41. **Ms. Petit** (France) said that her delegation wished to know how the Special Rapporteur assessed the implementation of her recommendations as well as those of the reports of the Advisory Commission. It was necessary to document the violations committed in Myanmar, especially in Rakhine State, in an independent manner so as to fully understand the extent of the crisis. Her Government encouraged the Burmese authorities to cooperate with the Special Rapporteur and to allow access to all areas she wished to visit.

42. The current crisis had its roots in the decades-long deprivation of the fundamental rights of the Rohingya people. The situation had been described as ethnic cleansing and the international community needed to take action. Her Government supported the four priorities for action as had recently been discussed with

the Secretary-General and Kofi Annan under the Arria formula.

43. **Mr. Whiteley** (Observer for the European Union) said that given the terrible human impact of the current crisis in Rakhine State, his delegation would like to know what more needed to be done to ensure the protection of the human rights of all people there, including those who would return from Bangladesh. In addition, although Myanmar had made progress in terms of freedom of the press, he wished to know what steps could be taken to further advance the freedom of expression and address hate speech. It would also be useful if the Special Rapporteur could elaborate on the proactive measures she would take to address the violations of the right to freedom of religion and belief which she had documented in her report.

44. His delegation believed that it was necessary to reform the legal system in Myanmar to bring it into line with human rights standards; European Union programmes were helping to support the Government of Myanmar in that regard.

45. **Mr. Dvořák** (Czechia) said that his delegation wished to know the ways in which Member States could assist the Government of Myanmar in promoting more constructive attitudes and ensuring unhindered access for the United Nations human rights mechanisms. His Government recognized the challenges in Myanmar/Burma, but was concerned by the critical shortcomings in the area of human rights, as documented by the Special Rapporteur. The role of the United Nations was indispensable, and it was unfortunate that in some areas of the country there were reservations towards the work of the Organization.

46. **Mr. Ustinov** (Russian Federation) said that fostering a constructive and mutually respectful dialogue between States and the special procedures mechanism of the Human Rights Council was a crucial prerequisite for resolving existing problems. It was understandable that authorities in Myanmar were compelled to take certain measures in response to numerous threats and to ensure national security. It was hoped that the authorities' focus on quickly resolving the situation in Rakhine State and engaging in dialogue with United Nations agencies and human rights bodies, including the Advisory Commission on Rakhine State, would soon bring stability to the region and prevent any further escalation of violence. The only way to resolve deep-seated, complex problems in Rakhine State was by fostering dialogue between the authorities and all ethnic and religious groups.

47. **Mr. Rosdi** (Malaysia) said that given that relations between the Government of Myanmar and the United

Nations were deteriorating, his delegation would like to know whether it might be useful for the General Assembly to benefit from a Special Adviser to the Secretary-General on Myanmar, as had been done in the past. Such an intermediary could better facilitate the mandate of the Special Rapporteur.

48. **Mr. Saito** (Japan) said that his Government was deeply concerned by the human rights and humanitarian situations in Rakhine State, and called for the restoration of security in a manner consistent with the rule of law, while ensuring transparency. His delegation stressed the importance of humanitarian access and the safe, voluntary and sustainable return of displaced persons. It was encouraging to see that the efforts of the Government of Myanmar had already produced some outcomes. Those should be supported on the basis of the recommendations of the Advisory Commission. His Government also commended the efforts of the Government of Bangladesh to respond to humanitarian needs and resolve the issue through dialogue with the Government of Myanmar.

49. **Mr. Uğurluoğlu** (Turkey) said that his delegation was alarmed by the plight of the Rohingya Muslims and the disturbing accounts of arson, extortion, harassment and looting, and that the disproportionate measures of the Myanmar armed forces had triggered the growing humanitarian tragedy. It was necessary to achieve progress in several areas. Military actions and violence against civilians must stop, unimpeded humanitarian access should be guaranteed, the safe and dignified return of internally displaced persons should be ensured, and a long-term solution based on the recommendations of the Advisory Commission should be sought. Turkey would continue to assist in humanitarian response efforts, including through cooperation with the Government of Myanmar.

50. **Mr. Torbergson** (Norway) said that it was necessary to conduct a credible, thorough and impartial investigation into the allegations of human rights abuses in Rakhine State and against the Rohingya people. His delegation welcomed the willingness of the Myanmar Government to implement the recommendations of the Advisory Commission, and it was crucial to solve the issues of citizenship and status. Reflections by the Special Rapporteur on how the international community could help find solutions would be appreciated. His Government was concerned by restrictions on the right to freedom of expression and opinion and the right to association and assembly, as well as by the reports of the silencing of human rights defenders and arrests of individuals in relation to the exercise of those rights.

51. His delegation welcomed the emphasis of the Government of Myanmar on interreligious dialogue, and encouraged it to continue to act against hate speech and negative sentiment against non-Buddhists, handling the situation in line with international standards and norms.

52. **Ms. Pham Anh Thi Kim** (Viet Nam) said that her Government appreciated the efforts made and commitment shown by the Government of Myanmar. Acknowledging the deep historical roots of the complex issues, constructive dialogue and cooperation between Myanmar and the concerned States was important. Her delegation called on all parties to put people at the centre of their considerations and support the efforts of Myanmar to provide the most effective humanitarian assistance to those in need. It also called for international support in the endeavor to furnish that assistance.

53. **Mr. Thammavongsa** (Lao People's Democratic Republic) said that the international community should engage with Myanmar in the area of human rights through constructive dialogue and cooperation, most importantly through the universal periodic review mechanism. The special procedures of the Human Rights Council should always act in accordance with the Charter of the United Nations, particularly the principles of respect for national independence, sovereignty, territorial integrity and non-interference, and uphold the human rights principles of objectivity, non-selectivity, non-discrimination and non-politicization.

54. **Mr. Ríos Sánchez** (Mexico) said that his delegation agreed that there was a need to resolve the legal status of habitual residents of Myanmar, to ensure that they had equal access to citizenship through a non-discriminatory and voluntary process. His delegation was deeply concerned about the conflict in Kachin and Shan States, the restrictions on humanitarian access, the fate of the Rohingya and the reports of human rights violations in Rakhine State. It was regrettable that the Special Rapporteur had not been allowed to visit certain parts of the country. He urged Myanmar to comply with its international obligations to protect civilians. His delegation would be grateful if the Special Rapporteur could elaborate on the representation of women in the peace process and the release of a number of children from the armed forces.

55. **Ms. Castan** (Ireland) said that her delegation was concerned about the human rights violations and the diminishing humanitarian access in Kachin and Shan States. The work of the Special Rapporteur was vitally important and the Government of Ireland regretted that the Government of Myanmar had not allowed her access

to all of the requested locations or a more conducive environment in which she could meet with non-governmental interlocutors.

56. Civilians must be fully protected in all areas of the country, and all allegations of serious human rights violations should be investigated, no matter who the alleged perpetrators were. It was crucial that the Government and the security forces cooperated with the Independent International Fact-Finding Mission. Her delegation was also deeply concerned at the humanitarian crisis in Rakhine State and neighboring countries, which had begun with the attacks of 25 August 2017. De-escalation of tensions and the resumption of humanitarian access were urgently needed.

57. **Ms Al-Nussairy** (Iraq) said that her Government strongly condemned the horrendous crimes — some of which amounted to crimes against humanity — that continued to be perpetrated against the Rohingya minority in Myanmar. She urged the United Nations and the international community to take all necessary measures to protect the Rohingya people, facilitate humanitarian access to alleviate their suffering and ensure that displaced Rohingya could return home. Iraq also called for the establishment of an international coalition to offer protection to the Rohingya minority and prevent their expulsion from Myanmar.

58. **Mr. Habib** (Indonesia) said that his Government was concerned by the humanitarian crisis in Rakhine State and condemned all acts of violence and destruction. His delegation fully understood the complex situations on the ground in Myanmar and Bangladesh and had been engaged with their Governments in addressing the crisis. The Government of Myanmar must succeed in its efforts to meet the needs of a very large number of refugees and internally displaced persons. The Association of Southeast Asian Nations Humanitarian Assistance Centre in Jakarta was playing a major role in coordinating the provision of assistance from the Member States of the Association. Finally, international support and concrete action were needed, and his country stood ready to contribute.

59. **Mr. Seth** (India) said that the primary responsibility for the promotion and protection of human rights lay with the States. India approached that task through dialogue and cooperation that adhered to the principles of universality, objectivity and non-selectivity. Country-specific mandates that had been established without the consent of the country concerned were not conducive to such dialogue. The universal periodic review mechanism, on the other hand, provided a forum for non-politicized, non-selective and

non-confrontational discussion among States and continued to show great promise.

60. **Mr. Oppenheimer** (Netherlands), reiterating that his Government was deeply concerned by the large-scale violence and gross human rights violations against the Rohingya minority, the hundreds of thousands of refugees and the limited humanitarian access to Rakhine State, urged the Myanmar Government to cooperate fully with the international fact-finding mission. The Netherlands called for an immediate end to all violence and urged the Myanmar military to protect all civilians. It was of the utmost importance that refugees could return to their homes voluntarily, in safety and in dignity. While the State Counsellor had stated her commitment to end impunity and had established the interministerial Committee for the Implementation of the Recommendations on Rakhine State, the authorities needed to take urgent actions to prove their willingness to resolve the humanitarian crisis in Rakhine State and other parts of the country. He wished to know what immediate measures the Myanmar authorities could take to show their commitment.

61. **Mr. Chandrtri** (Thailand) said that the Government of Myanmar had shown its commitment to democratic transition, national reconciliation, sustainable development and peace. His Government welcomed the establishment of the Central Committee for the Implementation of Peace, Stability and Development in Rakhine State, the interministerial Committee for the Implementation of the Recommendations on Rakhine State and the Committee for the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine, and encouraged the Government of Myanmar to continue to engage in dialogue and cooperate with various United Nations bodies, including with the Special Rapporteur.

62. **Mr. Teo** (Singapore), noting with concern that the humanitarian crisis in Rakhine State had resulted in the loss of lives and the displacement of large numbers of people, said that there were no quick fixes for the complex issue dating back more than half a century that lay at the heart of the crisis. All parties involved should immediately cease actions that aggravated the situation on the ground to allow humanitarian assistance to reach those in need. His Government welcomed the fact that the Myanmar Government had started to receive offers of humanitarian assistance. Together with the Association of Southeast Asian Nations (ASEAN), Singapore was working with the Governments of Myanmar and Bangladesh to help all those affected on both sides of their shared border, regardless of ethnicity and religion.

63. Comprehensive long-term solutions were needed to address underlying challenges and build trust among the different stakeholders, which could only be achieved through reconciliation and positive dialogue. Welcoming the Myanmar Government's acknowledgment of the need to address deep-seated issues in Rakhine State and its commitment to implement the recommendation of the Advisory Commission, Singapore hoped that meaningful progress would be made and stood ready to support the Myanmar Government.

64. **Ms. Andreyeva** (United Kingdom) said that the Special Rapporteur had put a spotlight on a spectrum of human rights concerns in Burma relating to the freedom of expression, land rights, the rights of women and children, legal reform and the situation in Kachin and Shan States. While recognizing that Burma had made some progress, including the ratification of the International Covenant on Economic, Social and Cultural Rights, her Government had strongly condemned the violence in Rakhine at the recent session of the Human Rights Council and had taken clear follow-up action.

65. Her Government was extremely concerned by the serious human rights violations and limited humanitarian access to the area and urged the Myanmar security forces in Rakhine to protect civilians and abide by international norms. It was vital to ensure the safe, dignified and voluntary return of all displaced persons. Urging full cooperation and access to be given to the international fact-finding mission, she wished to know how the international community could best support the resolution of the Rohingya crisis.

66. **Ms. Qu Jiehao** (China) said that her Government advocated for all countries to resolve human rights issues through constructive dialogue and cooperation, and opposed the politicization of those issues. China supported Myanmar in choosing a development path suited to its own national conditions, and wholeheartedly hoped for political stability, national harmony and economic development in Myanmar. The question of Rakhine State involved complex historical, ethnic and religious factors, and would not be solved overnight. The Government of Myanmar had notably undertaken a series of measures to alleviate the situation, which would in turn facilitate a long-term solution.

67. The international community should remain patient and provide assistance. The Chinese Government appreciated the efforts made by Bangladesh to improve the humanitarian situation of refugees, and as a friendly neighbor of Bangladesh and

Myanmar, China had consistently advocated for a negotiated settlement of the situation, which was already improving. All parties should play constructive roles to consolidate progress towards further improvement of the humanitarian situation, and China was willing to work with the parties to restore order, peace and stability in Rakhine State.

68. **Mr. Mohamed** (Maldives) said that, according to the Office of the United Nations High Commissioner for Human Rights (OHCHR), the situation in Myanmar was a textbook example of ethnic cleansing and the ongoing attacks against the Rohingyas might amount to crimes against humanity. He wished to know whether progress had been achieved with respect to the Special Rapporteur's recommendation that the United Nations and its partners be granted independent and predictable access to those in need of humanitarian assistance and whether the establishment of a country office with a full mandate would supplement those efforts.

69. **Mr. Ri Song Chol** (Democratic People's Republic of Korea) said that his Government was strongly opposed to all politically-motivated country-specific procedures. Under the universal periodic review mechanism human rights situations in all countries were considered on an equal and impartial basis. The guiding principles of non-politicization, non-selectivity, impartiality and non-interference in internal affairs of other States must be observed when considering human rights situations. The Myanmar Government's positive progress and constructive approach to protect and promote the human rights of its own people should be fully respected and supported.

70. **Ms. Lee** (Special Rapporteur on the situation of human rights in Myanmar) said that the Third Committee and the General Assembly should remain seized of the situation in Rakhine State and throughout Myanmar. Measures that would help Myanmar to resolve the situation in Rakhine State included stopping all violence, allowing humanitarian and human rights assistance to reach the affected areas and giving access to international media and to the fact-finding mission as soon as possible.

71. The historical marginalization of Rakhine State and the systematic discrimination and discriminatory laws targeting the Rohingya population were among the root causes of the crisis. The international community should address those human rights concerns and generally view human rights as the engine behind all development efforts.

72. With respect to protecting the human rights of refugees, she strongly urged the international community to refrain from building a 'mega camp' in

Bangladesh. She urged the international community to take immediate action to aid some 1,400 unaccompanied and orphaned children in Cox's Bazaar, as children in such camps had been traumatized by their experiences and were vulnerable to trafficking, sexual exploitation and radicalization.

73. She had presented the new Myanmar Government with a list of 124 legislative reform recommendations. Some of the laws had not been completely amended or reformed, while others dated back to the colonial era and were no longer applicable. While she had sought to develop joint benchmarks together with the new Government, as had been requested by the Human Rights Council, cooperation had been limited and progress was not being measured using the joint benchmarks. The 30 per cent target for the participation of women in the peace process had not yet been achieved, but the Government was doing its best to reach it.

74. Following the Advisory Commission's recommendation that three camps for internally displaced persons from the Kaman Muslims, Rohingya and Rakhine communities be closed, the Rakhine camp had been relocated to a low-lying area where shelters were susceptible to flooding during heavy rain, the Kaman community had been relocated to Yangon without prior consultation, and the Rohingya camp was still in operation, contrary to the Government's assurances.

75. Both Muslims and Christians were victims of limitations on their freedom of religion. Many mosques and madrasas, which had been used as alternative places of worship, had been closed during Ramadan. Members of the Rohingya community had prayed in the streets instead, resulting in heightened tensions. Hate speech, amplified by the increased use of internet technology, needed to be addressed as a matter of priority. While the Government had adopted a hate speech law, it was not fully in compliance with international norms.

76. No one wanted to see the democratic process in Myanmar derailed. Recalling the hope-filled eyes of a toddler she had met in Cox's Bazaar who had been rescued by his mother after having been thrown into a fire, she insisted that that little boy should have an opportunity to join in the country's democratic transition and to enjoy his inherent rights.

77. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran), speaking on a point of order, noting that some people in the room had been photographing or filming the proceedings, wished to know who was in fact permitted to do so.

78. **Mr. Khane** (Secretary of the Committee) said that the Committee's meeting was open and was being webcast live. In addition, duly accredited film crews were permitted to film the proceedings from the gallery. He would ensure that no one else in the room was filming or photographing the proceedings.

79. **Ms. Jahangir** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran) said that the Iranian Government had responded to 20 of her 28 communications. She hoped that the ongoing dialogue would culminate in the granting of her request to visit the country.

80. Welcoming the Iranian President's stated intention to utilise the Charter on Citizens' Rights as human rights guidelines for the executive branch, she expressed the hope that the Charter would be implemented and enforced. Reports she had received, including reports of 435 persons having been executed in the Islamic Republic of Iran, indicated a pressing need for institutional reform. Although a recent anti-narcotics law could reduce the number of death sentences being handed down, and the authorities had intervened in the executions of two juvenile offenders, several others had been executed and scores remained on death row. She reiterated her request to the Iranian authorities to provide a list of all juvenile offenders on death row and appealed to them to abolish the sentencing of children to death and to commute all such death sentences in line with juvenile justice standards.

81. With regard to the case of Mohammad Ali Taheri, whose appeal before the Supreme Court was pending, she noted that the trial had been troubled by serious due process concerns and coerced confessions and called for the immediate withdrawal of the charges against him and his unconditional release, as well as the withdrawal of charges against all individuals that were being held for their peaceful exercise of freedom of expression, religion or belief.

82. With regard to violations against the rights to freedom of the press, she had met with journalists, including those working for the Persian Service of the British Broadcasting Company (BBC), who had described harassment and intimidation by agents of the State, threats against their family members and imposition of asset freezes to prevent them from selling their property in the country. All journalists had met with her in private for fear of the consequences of being identified as having provided information to the Special Rapporteur.

83. The arbitrary deprivation of liberty of dual nationals had continued. She called for the release of Ms. Zaghari-Ratliffe, who was facing new charges that

could lead to sixteen years of imprisonment in addition to the five-year sentence she was serving. The recent conviction of Dr. Ahmadreza Djalali to death following a trial marred by violations of due process was deeply disturbing.

84. Noting the Iranian President's pledge to address the rights of women, and the State's commitment to Sustainable Development Goal 5, she called upon the Government to address continuing inequalities in practice and in legislation by ratifying the Convention on the Elimination of All Forms of Discrimination against Women and to repeal all laws and policies that discriminated against women and girls.

85. Earlier in the year she had met with Iranians who had recently left their countries in Norway and Sweden and had received detailed information that confirmed many of the issues raised in her report with regard to the independence of the judiciary, the repression of human rights defenders and the discrimination faced by the Baha'i community. She paid tribute to those who continued to provide her with information in spite of the intimidation directed at them and their families and also reiterated her appreciation for the ongoing dialogue with the Government.

86. While the human rights situation in the Islamic Republic of Iran was of deep concern, there were some encouraging developments. She stood ready to offer her assistance through increased engagement and dialogue with the Iranian authorities and a country visit.

87. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that his Government's legitimacy was validated by the vibrant democracy in his country, where the people's vote governed peaceful, democratic processes. The landslide re-election in 2017 of President Rouhani further reinforced the genuine will of the Iranian people to promote and protect human rights at home and engage in constructive dialogue abroad.

88. His country was nonetheless the target of a politicized charade as four practically identical reports were produced each year on the situation of human rights there. The Special Rapporteur had continued that counterproductive practice and had carried out her ill-intended mandate with disregard for the principles of impartiality and professionalism — the main pillars of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council. The report was biased and distorted the real situation on the ground.

89. While the report recognized the Iranians' attachment to democracy and human rights, it did not acknowledge the fact that the open and yet hotly contested presidential and municipality elections in

2017 had the unequivocal backing of the entire political establishment. The Government viewed the protection of and respect for all human rights of its citizens as indispensable in ensuring its national security and prosperity.

90. Reports by Special Rapporteurs were expected to be all-inclusive and address all human rights of all Iranians without distinction, but the report in question was selective, failing to mention the bigoted Muslim ban and the illegal unilateral sanctions targeting Iranians which had been imposed by the United States, although those actions had an indisputable impact on the basic economic and social rights of ordinary Iranians.

91. Much of the report had sought to defend the rights of those who had committed heinous crimes against innocent Iranian citizens and to disparage his Government's dedication to protecting its people's safety and security. Victims of those crimes had the right to question the veracity and credibility of the report. The report also disregarded the thousands of Iranians who had fallen victim to a terror cult that had bombed buses, streets and mosques in the 1980s and had allied with Saddam Hussein in his war against the Islamic Republic of Iran. The report also ignored the plight of the victims' families.

92. His country had always appreciated and recognized its ethnic, linguistic and religious minorities and had been a safe haven for them. Practically every Iranian belonged to a minority group, but that did not mean they could act with impunity. Activities that ran counter to the objectives and principles of the United Nations Charter and the principles of international law could not be excused under the pretext of human rights activism.

93. Followers of all faiths enjoyed equal freedom to worship in his country; however, leaders could not order their followers to adhere to rules that made them akin to agents of secret organizations. When faiths were turned into clandestine entities terrible consequences followed, so his Government could not ignore the harm such organizations, including ones headquartered abroad, notably in occupied Palestine, could cause.

94. The report ignored the fact that a few governments, in particular that of the United States, continued to exploit the vulnerabilities of their citizens with Iranian backgrounds by engaging them in suspicious activities that threatened his country's national security. The report should have called for an end to the abuse of those individuals instead of targeting the Iranian Government for attempting to ensure the security of its citizens against external interference.

95. The report disregarded the rights of the families of Iranian police officers who had been murdered by armed drug traffickers or the fate of young people who had fallen victim to addiction. Drug users received support and medical treatment, while capital punishment was reserved for traffickers of large quantities of drugs. Legislation had been revised recently to apply the punishment only to high-calibre criminals.

96. The specific cases mentioned in the report were similar to cases in other countries and did not warrant country-specific reports or resolutions. No country was perfect. The Government had sought to address possible excesses and regretted them whenever they occurred.

97. His country was committed to cooperating with the universal periodic review mechanism, the treaty bodies to which it was a party and the Office of the High Commissioner. While the appointment of the country-specific rapporteurs was harmful to constructive dialogue, his Government was nonetheless planning to invite the three thematic Special Rapporteurs to visit his country.

98. Iranians were the only legitimate stakeholders in the effort to promote human rights in their country. There was no room for external players, countries that had failed to uphold basic human rights in their own societies and abroad and morally-bankrupt countries whose communities were awash with racism, xenophobia, Islamophobia and torture. Manipulation from the outside distorted and could even defeat home-grown processes. His country sought to enhance the credibility of the human rights discourse, welcomed respectful dialogue without recrimination and sought meaningful engagement with serious partners. The report did not serve such a purpose.

99. **Ms. Sison** (United States of America) said that her delegation condemned the imprisonment of peaceful activists, including Narges Mohammadi, and the detention of American citizens and dual nationals. There were reports that prisoners were subject to physical and mental torture and other forms of cruel, inhuman or degrading treatment or punishment, including amputation, stoning and flogging. The pattern of denial of medical treatment to prisoners of conscience was also a cause for concern. The country had one of the highest execution rates in the world and imposed the death penalty for crimes that did not meet international thresholds and for juvenile offenders. Her delegation was concerned about the repression of religious minorities, in particular the Baha'i community, who experienced severe treatment at the hands of the Government, including harsh jail sentences and confiscation of property.

100. **Mr. AlKadi** (Saudi Arabia) said that, rather than using its financial resources to promote development and the welfare of the Iranian people, the Government of Iran was employing those resources to promote terrorism around the globe. In particular, Iran was exacerbating instability and disseminating hate speech across the Middle East, and its handiwork could be perceived in all the problems besetting the region. Iran also continued to shirk its responsibilities pursuant to international human rights instruments, while the country's minorities, including the Ahwazi Arab minority suffered widespread ethnic and religious discrimination.

101. Saudi Arabia shared the deep concern of the Special Rapporteur regarding the 1988 massacre by the Iranian regime of thousands of political prisoners who had voiced their opposition to the regime of Ayatollah Khomeini, and called on the international community to conduct a comprehensive investigation into that massacre, which must be condemned in the strongest possible terms.

102. **Mr. Mori** (Japan) said that his Government had been holding regular bilateral meetings with the Iranian Government with a view to improving the human rights situation in the country and fostering mutual understanding. In February 2017, bilateral discussions had taken place at the ministerial level on initiatives to promote the empowerment of women. Japan would continue to engage in such dialogue. His delegation welcomed the adoption of the Charter on Citizens' Rights, but expected to see concrete progress towards the protection and promotion of human rights. He would be interested to know what issues were of particular importance in terms of the promotion of women's rights.

103. **Ms. Gebrekidan** (Eritrea) said that human rights should be addressed in a fair and equitable manner, with respect for national sovereignty. The universal periodic review remained the sole platform for enhancing cooperation and partnership in the promotion of human rights. Her country maintained its strong opposition to the practice of country-specific mandates, which was politicized, confrontational and counterproductive. Such mandates served no useful purpose but rather vilified and antagonized countries, derailing their efforts to improve the human rights situation of their people. The Human Rights Council was the appropriate body for addressing human rights issues. Raising such issues in the General Assembly resulted in a duplication of effort. Eritrea would redouble its efforts to promote respect for human rights while intensifying its opposition to politicization and double standards.

104. **Mr. Sarufa** (Papua New Guinea), noting that the report of the Special Rapporteur was based on information gathered from various sources, said that his delegation wondered how credible those sources were and what criteria had been applied to determine whether the information obtained was accurate. In the report, the Special Rapporteur highlighted the drastic lack of response from the Iranian Government to 21 communications transmitted jointly with other thematic special procedures mandate holders. He would be interested to know the Special Rapporteur's thoughts on why the Government had not responded. Many of the recommendations directly challenged the sovereignty of the Islamic Republic of Iran, such as the call for a moratorium on the use of the death penalty and judicial reforms. His delegation wondered whether the Special Rapporteur was considering adopting a less confrontational approach or taking measures to encourage dialogue.

105. **Ms. Righini** (United Kingdom) said that her delegation supported the call for a freeze on the use of the death penalty and the immediate and unconditional abolition of the sentencing of children to death. The penalties for drug-related offences must comply with relevant international standards. Her delegation was concerned about the treatment of religious minorities, including Sunni Muslims, the Baha'i and Christian communities. She urged the Government to recognize that freedom of religion or belief was a right and to comply with its obligations under article 26 of the International Covenant on Civil and Political Rights. The Islamic Republic of Iran must also adhere to its international obligations to respect the rights to freedom of expression, opinion and peaceful assembly. Her delegation would be interested to know whether there was any indication that the Government was taking steps to implement the Charter on Citizens' Rights.

106. **Mr. Ali** (Pakistan) said that the promotion of human rights was a shared responsibility that could only be achieved through cooperation and inclusion, rather than politicization and selectivity. The Iranian Government's cooperation with the universal periodic review process, the treaty bodies and the Office of the United Nations High Commissioner for Human Rights was reflective of its determination to engage with international mechanisms, while the recent free, fair and impartial presidential elections were evidence of its commitment to the democratic process. Human rights issues should be addressed through a constructive, non-confrontational, dialogue-based approach, in a fair and equal manner, with respect for national sovereignty and territorial integrity. There was a need for greater coherence between the work of the Third Committee and

the Human Rights Council to avoid duplication. The universal periodic review was the main intergovernmental mechanism for reviewing human rights issues at the national level.

107. **Mr. Qassem Agha** (Syrian Arab Republic) said that the Special Rapporteur had overstepped her mandate, jeopardizing the credibility of human rights mechanisms. Human rights issues should be dealt with by the Human Rights Council, not the Third Committee. The Special Rapporteur should have acted in a transparent manner and should not have referred to unverified information. She had relied on fabricated reports provided by the intelligence agencies of States that sought to destabilize the Islamic Republic of Iran. Before establishing a Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, it would have been better to look at the actions of other States, such as Saudi Arabia.

108. **Mr. AlKadi** (Saudi Arabia), speaking on a point of order, asked the representative of the Syrian Arab Republic to refrain from making references to other States that were not relevant to the matter at hand, which was the consideration of the report on the situation of human rights in the Islamic Republic of Iran.

109. *The meeting was suspended at 5.05 p.m. and resumed at 5.15 p.m.*

110. **Mr. Higgins** (Ireland) said that his delegation was concerned about the continued use of the death penalty and the alarming level of executions, in particular of juvenile offenders. He called on the Government to establish a moratorium on the use of the death penalty. He also urged the Government to release Baha'is imprisoned on the basis of their faith and to cease persecuting minorities, including Baha'is, Sufis, Kurds and Iranian Christians. His delegation was concerned by the deterioration in the situation of persons exercising their right to freedom of opinion and expression or carrying out their activities as human rights defenders and the lack of progress in the area of women's rights, and called on the Government to ratify the Convention on the Elimination of All Forms of Discrimination against Women.

111. **Ms. Ndayishimiye** (Burundi), stressing the importance of dialogue and cooperation, said that her delegation favoured consensual mechanisms such as the universal periodic review. The growing politicization of human rights issues to further the political interests of certain States was hampering the efforts of countries such as Burundi. Her delegation opposed the use of country-specific resolutions and mandates. Politicization, selectivity and double standards in the promotion of human rights increased tensions among

States and undermined collective efforts. Instead, the international community should engage in dialogue with the State concerned.

112. **Mr. Torbergsen** (Norway) said that his delegation opposed the use of the death penalty in all circumstances and was deeply concerned about the high number of executions, in particular of juvenile offenders. In that connection, he would be interested to know if the Special Rapporteur had seen signs of change regarding the treatment of juvenile offenders. Norway was also concerned about the situation of women's rights, the prevalence of censorship and the arbitrary detention of human rights defenders and lawyers, many of whom were serving prison sentences based on insufficiently defined criteria, such as spreading propaganda against the establishment. He would be interested to know the Special Rapporteur's thoughts on the use of such criteria in the context of the rule of law.

113. **Mr. Glossner** (Germany) said that his delegation acknowledged the legislative changes and political developments in the Islamic Republic of Iran and the Government's efforts to host large numbers of refugees. However, the human rights situation remained critical. Executions were still taking place at an alarming rate; he urged the Government to lift all death sentences handed down to minors and to consider alternative punishments. He recalled that the Islamic Republic of Iran had an international obligation to respect the human rights of all detainees. Women and members of ethnic or religious minorities continued to face discrimination. It was regrettable that the Government had not responded positively to the Special Rapporteur's requests for a country visit. In that connection, he asked the Special Rapporteur to elaborate on her engagement with Iranian officials since the start of her mandate and her thoughts on future engagement.

114. **Ms. Le-Ngoc** (Canada) said that despite incremental developments, the human rights situation remained serious. Her delegation was deeply concerned about ongoing human rights violations in the country, including the execution of juvenile offenders, arbitrary arrest and detention, the lack of due process, and discrimination against women and ethnic and religious minorities. Her delegation was also concerned by reports of measures being taken to prevent individuals from obtaining information about past human rights violations and seeking accountability for such acts. Noting the need to maintain dialogue with the Islamic Republic of Iran, she wondered whether there was a country visit planned.

115. **Mr. Ustinov** (Russian Federation), reiterating his Government's disapproval of the practice of politicized

consideration of national human rights situations by United Nations bodies, said that placing the Islamic Republic of Iran under unmoderated scrutiny ran counter to the principles of equal cooperation, neutrality and objectivity that underpinned international efforts to promote and protect human rights. Taking a holier-than-thou attitude had never furthered the cause of human rights, while politically-motivated mudslinging discredited United Nations bodies. Instead of isolating individual States, the international community should draw them into a respectful dialogue on human rights, particularly when a State showed an interest in it. The Islamic Republic of Iran had repeatedly demonstrated its readiness to engage constructively with United Nations human rights bodies and such resolve should be encouraged in every way.

116. **Ms. Kirianoff Crimmins** (Switzerland) said that her delegation was concerned by the continued restrictions on fundamental freedoms and the use of the death penalty, particularly in cases where the offender had been a minor at the time of the crime. Her delegation condemned the use of corporal punishment and called on the Government to respect the rights of detainees. In July 2016, the Government had put forward a bill on juveniles and children, under which the judiciary would consider alternative punishment of two to eight years' imprisonment in a juvenile correctional facility for juvenile offenders convicted of crimes that carried the death penalty or life imprisonment. She urged the Government to speed up the process of adopting the bill and to establish a moratorium on the use of the death penalty in cases where it might apply. She would be interested to know if the Special Rapporteur had any new information on the process of amending the country's criminal code.

117. **Mr. Taranda** (Belarus) said that his country welcomed the Iranian Government's progress in the area of human rights, including its implementation of recommendations following from universal periodic review cycles, enhancement of national legislation, adoption of the Charter on Citizen's Rights and cooperation with the Human Rights Council and human rights treaty bodies. The holders of country-specific mandates that were not recognized by the governments concerned did not have in-country access and were not impartial. Their monitoring functions were limited to collecting information from secondary or untrustworthy sources, resulting in one-sided reports that misrepresented the real human rights situation on the ground. He called for the Committee and the Human Rights Council to discontinue its politicized consideration of the human rights situation in the Islamic Republic of Iran.

118. **Ms. Qu Jiehao** (China) said that her Government had consistently advocated for constructive dialogue and cooperation based on equality and mutual respect so as to effectively protect and promote human rights and resolve disputes in that area. Her delegation objected to the imposed establishment of special procedures without the consent of the countries involved, which was not conducive to dialogue and cooperation and did not facilitate the promotion of human rights in the countries concerned.

119. China welcomed the progress made by the Iranian Government and appreciated the measures it had taken with regard to minority groups in the context of the Charter on Citizens' Rights, its implementation of country-specific human rights recommendations, and its invitation to the special procedures of the Human Rights Council to conduct a country visit.

120. Her delegation hoped that the international community would remain objective in its views on the progress made and challenges faced by Iran, respect the religious and cultural traditions of that country, and play a constructive role in the area of its human rights.

121. **Mr. Castillo Santana** (Cuba) said that the clearly political motivation underlying the establishment of the mandate was not compatible with the spirit of cooperation and respectful dialogue that should be a hallmark of the Third Committee. Such initiatives, which were conducted without the consent of the State concerned and at the expense of efforts to maintain relations of cooperation with the basic universal human rights mechanisms, were an obstacle to the promotion of genuine international cooperation and the promotion and protection of human rights globally. He exhorted Member States to join forces to ensure that the international climate for tackling such issues was not impaired by selectivity and manipulation. Some countries were determined to politicize discussions on human rights.

122. **Ms. Seppäläinen** (Observer for the European Union) said that the European Union welcomed the Iranian Government's pledges to protect human rights defenders and ensure freedom of opinion, expression and assembly and acknowledged the legislative and administrative changes. However, the human rights situation remained a cause for concern. Action must be taken to transform such pledges into tangible results. The European Union urged the Islamic Republic of Iran to abolish the death penalty, in particular for juvenile offenders. Iranian law permitted the imposition of the death penalty for drug-related offences, which accounted for the majority of executions, and the so-called crimes of adultery, premarital sex, apostasy,

blasphemy and homosexuality. She asked the Special Rapporteur to elaborate on the amendments to the Law to Combat Drugs, which, once adopted, could replace the death penalty with prison sentences for drug-related offences.

123. **Mr. Dvořák** (Czechia) said that his delegation welcomed the positive changes in the human rights situation, namely the adoption of the Charter on Citizens' Rights and the high rate of participation in the presidential and local elections. However, it remained deeply concerned about human rights violations and the continued use of the death penalty, including for juvenile offenders. As noted in her report, the Special Rapporteur had met with the Iranian authorities and civil society organizations operating both inside and outside the Islamic Republic of Iran; his delegation would be interested to know what could be done to enhance such dialogue.

124. **Mr. Ri Song Chol** (Democratic People's Republic of Korea) said that his delegation strongly opposed country-specific procedures, which were politically motivated and confrontational. Human rights issues should be discussed in an impartial manner through the universal periodic review process, not by the Third Committee. The positive and constructive efforts of the Islamic Republic of Iran should be recognized. Attempts to impose unfair pressure should be discouraged.

125. **Ms. Gonzalez Tolosa** (Bolivarian Republic of Venezuela) said that her delegation rejected selectivity in the treatment of human rights issues for political purposes and opposed the use of country-specific procedures, which violated the Charter of the United Nations and the principles of universality, objectivity and non-selectivity. Noting the importance of cooperation and dialogue for ensuring the promotion and protection of human rights, she urged Member States to press ahead with the advances achieved within the framework of the Human Rights Council. The most appropriate instrument for addressing human rights issues was the universal periodic review.

126. **Mr. Chekeche** (Zimbabwe) said that his delegation was concerned about the practice of country-specific reports and resolutions. Dialogue was the best way for the international community to engage with the Islamic Republic of Iran, or indeed any other State. The Special Rapporteur had acknowledged that the Iranian Government had cooperated with her mandate; in his view, that precluded the need for country-specific reports and resolutions in the future. Constructive engagement remained a more viable option than counterproductive and confrontational approaches.

127. **Ms. Jahangir** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran) said that her meetings with representatives of the Iranian Government had been extremely useful and aided mutual understanding. She urged the Government to arrange a country visit so that she could better understand the situation, which could only be resolved through dialogue. Given the Government's failure to observe human rights in certain critical areas, such as due process, she suggested that it might also be beneficial for one of the thematic special rapporteurs to visit the country.

128. In response to the question about the credibility of her sources, she said that Iranians living inside and outside the country contacted her in vast numbers with information, at great risk to themselves. All of the information received was checked. Until it had been verified, it did not go into her reports. With regard to the Government's responsiveness to communications, she said that she did not feel the response rate was low. Indeed, out of a total of 28 communications, she had received responses to 20, which was fairly high.

129. Women's rights were a real concern. Women continued to face discrimination in both private and public life. Laws that discriminated against women must be repealed, which was not easy owing to the legislative system in place. The Charter on Citizens' Rights was comprehensive and, if enforced, would go a long way towards improving the situation. A mechanism had been set up to implement the Charter but it had yet to yield any results. Engagement with the Government was critical. The issue of freedom of expression was at the top of her agenda. In particular, she was concerned about efforts to intimidate people, even those living in other countries.

130. With regard to executions for drug-related offences, legislation had been passed that imposed the death penalty only for individuals convicted of trafficking large amounts of drugs, which should reduce the number of executions. There was also legislation in the pipeline on executions of juvenile offenders, which she hoped would be passed shortly. The Government had played a positive role in the case of two juvenile offenders on death row, whose executions had been postponed thanks to the Government's efforts to get the families of the victims to grant forgiveness.

131. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that more substantive and less erroneous reports could have been prepared on some of the self-proclaimed human rights champions that had spoken in support of the mandate, notably the United States and Saudi Arabia. The delegation of the United States

seemed to be suffering from historical amnesia. Recent history included cases of sadistic and blatant abuses of prisoners, torture, kidnapping, pre-emptive attacks and false and fabricated intelligence. In addition, the United States supported the last apartheid regime in the world, Israel.

132. Meanwhile, Saudi Arabia killed more children in Yemen than Al-Qaida, Islamic State in Iraq and the Levant and the Nusrah Front put together, and fuelled sectarianism in the Persian Gulf and the Middle East. The similarities between the atrocities committed by Saudi Arabia and Islamic State in Iraq and the Levant, such as beheadings and crucifixions, were not accidental; they were rooted in a common ideology and world view that considered other Muslims and non-Muslims as infidels and heretics. Saudi Arabia had an abhorrent human rights record that included beheadings of peaceful political opponents and systematic anti-Shia campaigns. Moreover, virtually all major terrorist groups, from Al-Qaida and its offshoots in the Syrian Arab Republic to others in Africa, Europe and Asia, had been inspired by teachings originating in Saudi Arabia.

133. With regard to the issue of a country visit, he said that his Government would welcome the Special Rapporteur if there were a rapporteur for each Member State. He strongly challenged the Special Rapporteur's argument regarding the validity of her sources. His Government continued to believe that her mandate was counterproductive to the advancement of human rights in the Islamic Republic of Iran.

The meeting rose at 5.45 p.m.