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Held at Headquarters, New York, on Thursday, 14 November 2019, at 10 a.m.

Chair: Mr. Braun (Luxembourg)

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

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

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)
(A/C.3/74/L.26, A/C.3/74/L.27, A/C.3/74/L.28 and A/C.3/74/L.29)

1. **Ms. Mammadaliyeva** (Azerbaijan), speaking on behalf of the Movement of Non-Aligned Countries, said that, during the Eighteenth Summit of Heads of State and Government of Non-Aligned Countries, held in Baku in October 2019, the Heads of State and Government had expressed their deep concern about the continuation and proliferation of the selective adoption of country-specific resolutions in the Third Committee of the General Assembly and in the Human Rights Council, in breach of the principles of universality, impartiality, objectivity and non-selectivity in addressing human rights issues. Greater coherence and complementarity between the work of the Committee and the Council should be promoted in order to avoid unnecessary duplication and overlapping of their activities.

2. The universal periodic review was the main intergovernmental cooperative mechanism for reviewing human rights issues in all countries without distinction. The review should be conducted as an interactive dialogue with the full involvement of the country concerned and in an impartial, transparent, non-selective, constructive, non-confrontational and non-politicized manner. States under review should outline in their reports any unilateral coercive measures that they applied against other countries and include an assessment of their human rights impact.

3. All human rights, including the right to development, were universal, inalienable, indivisible, interdependent and interrelated. Human rights issues must be addressed within the global context through a constructive, non-confrontational, non-politicized and non-selective dialogue-based approach, with objectivity, respect for national sovereignty and territorial integrity, non-interference in the internal affairs of States, impartiality, non-selectivity and transparency as the guiding principles, taking into account the political, historical, social, religious and cultural particularities of each country.

Draft resolution A/C.3/74/L.26: Situation of human rights in the Democratic People's Republic of Korea

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

5. **Mr. Terva** (Finland), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro, North Macedonia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia and the Republic of Moldova, introducing the draft resolution on behalf of the European Union and its member States, said that, despite the encouraging dialogue on advancing peace and security on the Korean Peninsula that had taken place before the adoption of the previous resolution and the fact that the Democratic People's Republic of Korea had undergone its third universal periodic review in May 2019, there was no proof that the human rights situation for North Koreans on the ground had improved. Food insecurity was at an alarming level, universally accepted freedoms continued to be denied, political prison camps were reportedly still operated by State authorities, and no progress had been made with regard to the international abduction cases and the separated families.

6. The international community should support the accountability work pursued by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Seoul. Information- and evidence-gathering and the professional processing thereof in a central repository were vital for any future accountability process. People in need of humanitarian assistance should not be abandoned. The recent action taken by the Democratic People's Republic of Korea to reduce the number of staff of United Nations agencies in the country and to impose obstacles and restrictions on the activities of non-governmental organizations was a cause of concern. The primary responsibility for the critical humanitarian situation lay first and foremost with the authorities of the Democratic People's Republic of Korea. Support should be maintained for the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. Granting the Special Rapporteur access to the country would be a first step towards reassuring the international community that the authorities of the Democratic People's Republic of Korea were genuinely committed to improving the human rights situation in the country. The European Union pursued a policy of critical engagement with regard to the Democratic People's Republic of Korea and stood ready to help to bring about change.

7. **Mr. Mahmassani** (Secretary of the Committee) said that Andorra, Argentina, Benin, Bosnia and Herzegovina, Chile, Georgia, Israel, Mexico, Micronesia (Federated States of), New Zealand, Palau, the Republic of Moldova, Samoa, San Marino, Serbia

and Tuvalu had joined the sponsors. Subsequently, Maldives joined the sponsors.

8. **Ms. Nemroff** (United States of America) said that the human rights situation in the Democratic People's Republic of Korea was egregious. The meticulous account by the commission of inquiry on human rights in the Democratic People's Republic of Korea of the violations and abuses of human rights committed by the regime continued to inform the international community's understanding of the current situation in the country. With the draft resolution, the international community would again send a clear message to the regime that human rights violations and abuses must stop and that those responsible should be held accountable. The Government of the Democratic People's Republic of Korea should demonstrate respect for human rights, honour the commitments it had made during the universal periodic review and cooperate with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. With regard to the reference in the draft resolution to the International Criminal Court, her delegation had addressed its concerns in a general statement delivered at the 44th meeting.

9. **Mr. Gafoor** (Singapore) said that, as a matter of principle, Singapore did not agree with country-specific resolutions as they were selective in nature, driven by political considerations, divisive and counterproductive. The content of country-specific resolutions should be addressed by the universal periodic review. Although Singapore would for that reason abstain on all country-specific draft resolutions that would be adopted by vote in the Committee, that could not be construed as taking a position on the substance of the human rights issues raised in any of the draft resolutions.

10. **Mr. Kawamura** (Japan) said that his delegation welcomed the fact that both the report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (A/74/275) and the report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea (A/74/268) contained references to the abductions of Japanese citizens by the Democratic People's Republic of Korea in the 1970s and 1980s. The victims and their families were growing older, and some had passed away without ever seeing their loved ones again. The Democratic People's Republic of Korea should accept the views expressed by the international community in the draft resolution and immediately return all abductees in cooperation with the international community.

11. **Mr. Zhang Zhe** (China) said that it was the consistent position of China that differences in the area

of human rights should be resolved through constructive dialogue and cooperation on the basis of equality and mutual respect. China was against the politicization of human rights, the exertion of pressure on other countries under the pretext of human rights and the adoption of country-specific resolutions. His delegation therefore disassociated itself from the consensus on the draft resolution.

12. **Ms. Goldrick** (Nicaragua) said that it was regrettable that the Committee was once again focusing on individual States and presenting draft resolutions on developing countries with a view to exerting political pressure. Her delegation rejected the presentation each year to the Committee of reports and draft resolutions concerning the human rights situations in specific countries, which was a harmful practice that lent itself to selectivity and politicization. Dialogue and cooperation between the parties concerned was the best solution for any situation. The universal periodic review was the appropriate mechanism for the examination of all countries on an equal footing, on the basis of the principles of universality, impartiality, objectivity and non-selectivity. Consistent with its principled position, her delegation continued to firmly oppose the politicization of human rights issues.

13. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that, in line with its principled position with regard to resolutions, special procedures and any other mechanisms on the human rights situation in specific countries, his country rejected politicized and selective approaches to human rights issues, which violated the principles of the Charter of the United Nations. Cooperation and dialogue were the appropriate means for the effective promotion and protection of human rights. The persistent practice of adopting country-specific resolutions violated the principles of universality, objectivity and non-selectivity. Venezuela called for efforts to build on the progress made since the creation of the Human Rights Council, for cooperation on human rights matters to be based on the universal periodic review mechanism, and for the elimination of the selective adoption of country-specific resolutions. On the basis of its principled position, his delegation disassociated itself from the consensus on the draft resolution.

14. **Mr. Swai** (Myanmar) said that his delegation opposed mandates and resolutions on the human rights situation in a particular Member State. The universal periodic review was the most effective and comprehensive intergovernmental process for addressing the human rights issues of Member States. The principles of non-politicization, non-selectivity and

impartiality should be strictly adhered to when addressing human rights issues.

15. **Ms. Ndayishimiye** (Burundi) said that her delegation opposed the draft resolution in accordance with its principled position against country-specific resolutions. Such politicized and selective resolutions were counterproductive, did not ensure the promotion and protection of human rights and contravened the Charter of the United Nations. Her delegation was against all the country-specific resolutions that would be examined in the meeting.

16. **Mr. Khoumakoun** (Lao People's Democratic Republic) said that his delegation welcomed the completion of the third cycle of the universal periodic review of the Democratic People's Republic of Korea in 2019. The universal periodic review was the only appropriate mechanism for effectively reviewing and addressing the human rights situation in every Member State on an equal footing. His delegation was therefore not in favour of country-specific resolutions. Work on human rights at the United Nations should be conducted in an objective, transparent, non-selective, constructive, non-confrontational and non-politicized manner.

17. **Mr. Kuzmenkov** (Russian Federation) said that his delegation did not support the practice of considering selective, one-sided draft resolutions on human rights situations in specific countries. It believed them to be ineffective and capable only of exacerbating confrontation between Member States. The United Nations already possessed a proven platform for the consideration of human rights situations in all countries, namely, the universal periodic review, which provided opportunities for constructive, mutually respectful dialogue. Accordingly, his delegation disassociated itself from the consensus on the draft resolution.

18. **Mr. Ja'afari** (Syrian Arab Republic) said that his delegation reiterated its rejection of the use of the Committee and human rights mechanisms to target specific States for political purposes in order to destabilize them. Meanwhile, widespread crimes and violations of human rights by other States were ignored. His delegation also reaffirmed its firm position of rejecting politicization and flagrant double standards in addressing human rights, which were reflected in the draft resolution. His delegation would therefore vote against the draft resolution.

19. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the universal periodic review was a functioning mechanism for addressing human rights situations on an equal basis without recrimination or "naming and shaming". The continuation of the counterproductive and confrontational practice of the

selective adoption of country-specific resolutions and the exploitation of the Committee for political ends undermined cooperation and dialogue and contravened the principles of universality, non-selectivity and objectivity in addressing human rights issues. The draft resolution brought no added value to efforts to promote and protect human rights. His delegation therefore disassociated itself from the consensus on the draft resolution.

20. **Mr. Kim Song** (Democratic People's Republic of Korea) said that his delegation categorically rejected the draft resolution, which had nothing to do with the protection and promotion of genuine human rights and was a typical manifestation of politicization, selectivity and double standards. The draft resolution contained fabrications and grossly distorted the human rights situation in the Democratic People's Republic of Korea. The main sponsors of the draft resolution were countries that committed human rights violations, yet their actions were not called into question in the Committee. Furthermore, the serious crimes against humanity committed by Japan during its occupation of Korea remained unresolved.

21. Although his delegation attached importance to dialogue and cooperation for the promotion and protection of human rights, it could not condone confrontational approaches such as the adoption of draft resolutions aimed at undermining his country's dignity and overthrowing its system by citing non-existent human rights issues. His delegation resolutely rejected the draft resolution but did not feel the need to call for a vote. His delegation opposed and rejected all country-specific resolutions, including those against the Islamic Republic of Iran, the Russian Federation and the Syrian Arab Republic, on the basis of its principled position against politicization, selectivity and double standards in the consideration of human rights.

22. *Draft resolution A/C.3/74/L.26 was adopted.*

23. **Mr. Yarkovich** (Belarus) said that his country had always opposed country-specific mandates, which undermined objectivity, increased confrontation and created artificial barriers to equitable and constructive dialogue. The universal periodic review had proved to be the most suitable instrument for analysing a country's human rights situation in a balanced way and encouraging its Government to resolve existing problems. His delegation therefore disassociated itself from the consensus on the draft resolution.

24. **Mr. Gonzalez Behmaras** (Cuba) said that his delegation disassociated itself from the consensus on the draft resolution in accordance with its opposition to the imposition of selective, politically motivated resolutions

and mandates. Genuine international cooperation, based on the principles of objectivity, impartiality and non-selectivity, was the only way to effectively promote and protect human rights. The universal periodic review mechanism should be given an opportunity to foster debate without politicization or confrontation and encourage respectful cooperation with the country concerned. The draft resolution continued to pursue sanctions and the dangerous, counterproductive involvement of the Security Council on matters beyond its mandate. Cuba could not be complicit in attempts to deny the people of the Democratic People's Republic of Korea their right to peace, self-determination and development. Its opposition to the selective and politicized mandate did not imply any value judgement concerning the pending issues referred to in the twenty-fourth preambular paragraph of the draft resolution, which called for a just and honourable solution with the agreement of all interested parties.

Draft resolution A/C.3/74/L.27: Situation of human rights in the Islamic Republic of Iran

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

26. **Mr. Arbeiter** (Canada), introducing the draft resolution, said that every country faced challenges in meeting its human rights obligations, including Canada, which was working to address its problems. Nevertheless, certain situations merited the attention of the Committee, including the situation in the Islamic Republic of Iran. The draft resolution was based on credible information from the report of the Secretary-General on the situation of human rights in Islamic Republic of Iran (A/74/273) and the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran (A/74/188) and from other reliable sources. While some positive steps had been taken by the Government of the Islamic Republic of Iran to improve human rights, as acknowledged in the draft resolution, the situation had not improved in a number of areas. For example, juvenile offenders continued to be sentenced to death and execution, with at least nine children killed since 2018, which was particularly troubling given that 2019 marked the thirtieth anniversary of the adoption of the Convention on the Rights of the Child. As a State party thereto, the Islamic Republic of Iran was in violation of its obligations under the Convention.

27. The delegation of the Islamic Republic of Iran had often stated that the only appropriate mechanism for addressing human rights concerns was the universal periodic review. Recognizing its importance, Canada had engaged actively in the universal review process

since its inception. During each review of the Islamic Republic of Iran, Canada had raised its serious concerns with regard to juvenile executions, women's rights and respect for religious and ethnic minorities in the country. In the first two cycles, the Islamic Republic of Iran had received 511 recommendations, of which 180 had been accepted. Unfortunately, progress had yet to be seen on many of the issues raised. Other tools, including the draft resolution, must therefore be used to press for meaningful change.

28. **Mr. Mahmassani** (Secretary of the Committee) said that Andorra, Bulgaria, Cyprus, Czechia, Estonia, Germany, Greece, Iceland, Ireland, Israel, Italy, Latvia, Malta, Micronesia (Federated States of), Palau, Poland, Portugal, the Republic of Moldova, Romania, San Marino, Slovakia, Tuvalu and Ukraine had joined the sponsors.

29. **The Chair** said that a recorded vote had been requested on the draft resolution.

30. **Ms. Nemroff** (United States of America) said that her delegation shared the grave concerns expressed regarding the Iranian regime's continued repression of human rights and fundamental freedoms despite its treaty obligations and public pledges. The draft resolution highlighted a number of human rights violations against individuals in the Islamic Republic of Iran on the basis of their religion. Serious concern was expressed about the continued imposition of the death penalty on minors, widespread and serious restrictions on the right to freedom of peaceful assembly and association and the right to freedom of expression, and the ongoing persecution of women, members of ethnic and religious minority groups, striking or protesting workers, human rights lawyers, and journalists and other media workers. The Government of the Islamic Republic of Iran was urged to launch a comprehensive accountability process in response to human rights violations. In recognition of the dire human rights situation in the country, her delegation would vote in favour of the draft resolution.

31. **Mr. Al Habib** (Islamic Republic of Iran) said that the issue of human rights was once again being exploited by countries that could not care less about it. While it might be suggested that the genocide of the First Nations in Canada was a thing of the past, it was not possible to let bygones be bygones given the current despair of the indigenous people in Canada. Furthermore, how could a supporter of the Israeli apartheid in the State of Palestine pose as a human rights defender in the Islamic Republic of Iran? No amount of double-talk could conceal the racism, inconsistency and

hypocrisy that was so deeply rooted in the Canadian political system.

32. His Government had repeatedly expressed its willingness to engage in meaningful dialogue on human rights with all interested parties, but its proposals had largely fallen on deaf ears. Trust and dialogue could not be built on lies, intimidation and hypocrisy, yet the outcry over the human rights situation in the Islamic Republic of Iran in general and the draft resolution in particular bore all those trademarks. It was alarming that the faulty assumption that coercion worked – which was the motivation for the draft resolution – continued to make its way into United Nations human rights mechanisms.

33. The main proponent of the draft resolution represented a State that had stood against other nations time and again, yet its battles had never been for the promotion of democracy or the protection of human rights. Rather, that State had gone to war to secure its unhindered access to other nations' territories and resources and to make other nations relinquish their dreams for democracy and human rights. The Iranian quest for human rights and democracy had consistently been assaulted by precisely the chief proponent of the draft resolution, which had conveniently and repeatedly weaponized the human rights issue against Iranians. The Iranian people, especially the most vulnerable, were currently struggling with the full-fledged economic terrorism that was being waged by the major campaigner for the draft resolution, namely, the Government of the United States, which deliberately targeted civilians and violated their basic human rights. Nothing could be more farcical than to see those who had orchestrated the genocidal economic war against civilians in the Islamic Republic of Iran shed crocodile tears for their human rights.

34. In a few months, Iranians would exercise their right to democratically decide their future in the eleventh national parliamentary elections. The continued implementation of the provisions of the Charter on Citizens' Rights, the reform of the law on the control of narcotic drugs that had led to a substantial decrease in the number of death penalty sentences, and the adoption of the amendment to the Nationality Act to grant citizenship to children born to Iranian mothers with foreign spouses were but a few recent and notable examples reflecting the Government's commitment to further promote and protect human rights. On 8 November 2019, the Islamic Republic of Iran had presented its national report for the third cycle of the universal periodic review in Geneva, where an overwhelming majority of more than 100 countries had recognized and welcomed the outstanding human rights achievements in the country. Unlike the

proponent of the draft resolution, his Government continued to call for dialogue and mutual respect and understanding and to unambiguously support multilateralism and international law. It had expressed its willingness to cooperate with OHCHR, and several thematic special rapporteurs were finalizing plans to visit the country.

35. The draft resolution was purely politicized and counterproductive. No amount of pressure or intimidation to collect votes for the draft resolution would change the obvious fact that the text had nothing to do with human rights. His delegation called upon all delegations to deny the proponent of double standards, intimidation and coercion another opportunity to abuse human rights.

36. **Mr. Ja'afari** (Syrian Arab Republic) said that his country rejected the politicization of human rights issues and the exploitation of United Nations mechanisms to target specific countries in the interests of certain influential Member States and their allies. His country refused to address human rights issues with double standards, which could be clearly seen in the draft resolution. Conflict, animosity, accusations and attempts to isolate and slander countries were not conducive to achieving the common objectives enshrined in the Charter of the United Nations, including cordial relations and cooperation between Member States. In order to resolve disputes and guarantee the primacy of international law and the Charter, an approach of diplomacy and dialogue based on the principles of respect for national sovereignty and non-interference in the internal affairs of Member States and of upholding commitments stemming from multilateral international agreements should be pursued, rather than one of adopting unilateral approaches and making defamatory accusations against specific States. The authors of the draft resolution were serving a very dangerous agenda in the region and contributing to the exploitation of human rights to weaken the credibility of Member States under instruments for strengthening human rights. Certain States continued to use their economic and political influence to exploit United Nations human rights mechanisms and seemed to be attempting to annihilate the hopes of the founders of the United Nations, who had wanted dialogue and diplomacy to gain the upper hand over lies and hypocrisy in international relations.

37. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country reiterated its rejection of politicized and selective approaches to human rights issues, which violated the principles of the Charter of the United Nations. The persistent practice of adopting country-specific resolutions violated the principles of

universality, objectivity and non-selectivity. Venezuela called for efforts to build on the progress made since the creation of the Human Rights Council, for cooperation on human rights matters to be based on the universal periodic review mechanism, and for the elimination of the selective adoption of country-specific resolutions. Cooperation and dialogue were the appropriate means for the effective promotion and protection of human rights. On the basis of its principled position, his delegation would vote against the draft resolution.

38. **Mr. de Souza Monteiro** (Brazil) said that his delegation took note of the progress achieved in recent years by the Government of the Islamic Republic of Iran in demonstrating its willingness to move towards a more just and tolerant society. However, his delegation remained concerned by the continued application of capital punishment for a wide range of offences and by the situation of religious minorities, who were not able to freely practise their religion and suffered discrimination both in law and in practice. The conclusions of the report of the Special Rapporteur (A/74/188) regarding systematic violations of norms such as the prohibition of torture and other cruel, inhuman or degrading treatment were a cause of concern. The Government of the Islamic Republic of Iran should cooperate with the Special Rapporteur and special procedures of the Human Rights Council and continue to address reported violations. His delegation would abstain from the voting.

39. **Mr. Butt** (Pakistan) said that the underlying principle of the United Nations human rights architecture was that States bore the primary responsibility to protect and promote the human rights of their citizens in accordance with their international obligations. External interference through country-specific resolutions could be counterproductive and contrary to the spirit of constructive engagement. The Islamic Republic of Iran had engaged constructively in the universal periodic review process and with treaty bodies and OHCHR, and had accepted the majority of the recommendations made during the universal periodic review. The best approach to addressing human rights concerns was engagement, not estrangement. The draft resolution under consideration did not demonstrate a constructive spirit, and his delegation would therefore vote against it.

40. **Mr. Zhang Zhe** (China) said that the efforts and progress of the Government of the Islamic Republic of Iran in the protection and promotion of human rights were welcome. His Government had consistently advocated for differences in the field of human rights to be addressed through constructive dialogue and cooperation on the basis of equality and mutual respect.

China opposed the politicization of human rights issues, the exertion of pressure on other countries under the pretext of human rights and the adoption of country-specific human rights resolutions. His delegation would therefore vote against the draft resolution.

41. **Mr. Yarkovich** (Belarus) said that his country had always opposed country-specific mandates, which undermined objectivity, increased confrontation and created artificial barriers to equitable and constructive dialogue. The universal periodic review had proved to be the most suitable instrument for analysing a country's human rights situation in a balanced way and encouraging its Government to resolve existing problems. His delegation would vote against the draft resolution.

42. **Mr. Kuzmin** (Russian Federation) said that it was counterproductive to adopt politicized country-specific draft resolutions that had nothing to do with protecting human rights. Instead of trying to isolate States, the international community should involve them in equal and mutually respectful dialogue on the full range of human rights issues. Human rights situations had never been improved by adopting a patronizing attitude to another Member State, and the practice of casting aspersions on them for political reasons discredited United Nations bodies which, under the Charter of the United Nations, were supposed to respect the sovereign equality of Member States. His delegation would vote against the draft resolution.

43. **Mr. Kim Song** (Democratic People's Republic of Korea) said that his delegation consistently opposed country-specific resolutions, which were a manifestation of politicization, selectivity and double standards in the consideration of human rights issues. Rather than promoting or protecting human rights, they led to confrontation and interference in the internal affairs of States, which hindered constructive dialogue and cooperation. For those reasons, his delegation would vote against the draft resolution.

44. **Mr. Cepero Aguilar** (Cuba) said that his delegation would vote against the draft resolution. Cuba maintained a principled position against country-specific resolutions, which encouraged a punitive and confrontational approach to the issue of human rights. The continued inclusion in the agenda of the situation of human rights in the Islamic Republic of Iran was politically motivated and did not stem from genuine concern or interest in cooperating with that country. Any mandate imposed on the basis of politicization and double standards was destined to fail. His delegation objected to the manipulation of human rights to advance a political agenda, to discredit Governments and to

attempt to justify strategies aimed at destabilizing some of those Governments. He called on States to promote respectful and constructive dialogue with that country based on collaboration and the exchange of good practices, which was the only way to successfully address the human rights challenges facing the international community.

45. **Ms. Ndayishimiye** (Burundi) said that her delegation reiterated its opposition to the practice of singling out certain countries, excessively politicizing human rights issues and publicly exerting pressure on other countries for political aims. Human rights should be strengthened while upholding the fundamental principles of universality, dialogue and mutual respect. Her delegation would vote against the draft resolution.

46. *A recorded vote was taken on draft resolution [A/C.3/74/L.27](#).*

In favour:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Timor-Leste, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu, Yemen.

Against:

Afghanistan, Armenia, Belarus, Brunei Darussalam, Burundi, Cambodia, China, Cuba, Democratic People's Republic of Korea, Eritrea, India, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Kyrgyzstan, Lebanon, Nicaragua, Oman, Pakistan, Philippines, Russian Federation, Serbia, Syrian Arab Republic, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Algeria, Angola, Benin, Bhutan, Brazil, Burkina Faso, Cabo Verde, Cameroon, Chad, Colombia, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Dominica, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea-Bissau, Guyana, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libya, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Papua New Guinea, Qatar, Rwanda, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Zambia.

47. *Draft resolution [A/C.3/74/L.27](#) was adopted by 84 votes to 30, with 66 abstentions.*

48. **Ms. Suzuki** (Japan) said that her Government welcomed the fact that the Islamic Republic of Iran was cooperating with OHCHR and that progress had been made in the protection and promotion of the rights of persons with disabilities. Her delegation hoped that more progress would be made through the steady implementation of the recommendations made during the universal periodic review. Japan had voted in favour of the draft resolution because it expected to see further positive developments in the human rights situation in the Islamic Republic of Iran. The Government of Japan would continue to engage in bilateral human rights dialogue with the Government of the Islamic Republic of Iran.

49. **Mr. Baror** (Israel) said that many troubling issues regarding human rights in the Islamic Republic of Iran had not been included in the draft resolution, such as the use by the Iranian Government of refugees as mercenaries and soldiers in the many wars it promoted around the Middle East and discrimination against members of the lesbian, gay, bisexual and transgender community, who faced imprisonment, flogging and the death penalty and were often forced to choose between undertaking "reparative therapy" to "cure" them of their non-traditional gender identity or undergoing sex reassignment surgery or sterilization. While his delegation strongly supported the draft resolution, there were many other human rights issues in the Islamic Republic of Iran that deserved attention.

50. **Ms. Nyagura** (Zimbabwe) said that her country did not condone human rights violations by any Member State. However, her delegation had voted against the

draft resolution because it did not support country-specific reports or resolutions, as they increased confrontation rather than dialogue based on mutual respect, cooperation and partnership. Constructive engagement was a better way to resolve human rights concerns with Member States.

Draft resolution A/C.3/74/L.28: Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine

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

52. **Mr. Kyslytsya** (Ukraine), introducing the draft resolution, said that the situation in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, had further deteriorated. The Russian Federation had failed to implement the provisions of relevant resolutions and decisions of international organizations, specialized agencies and bodies in the United Nations system, including the three previous resolutions adopted by the General Assembly. The same patterns of abuse persisted, with murder, torture, harassment, sexual violence, arbitrary detentions and arrests, enforced disappearances and persecution of journalists, human rights defenders, social media workers and other activists among the most widespread human rights violations in temporarily occupied Crimea. The Russian Government's practice of forcing residents of Crimea to serve in its armed and auxiliary forces and to participate in its military operations was aimed at further strengthening its overall policy of intimidation in the peninsula.

53. Under international humanitarian law, an occupying Power must not deport or transfer its own civilian population into the territory it occupied. In the report of the Secretary-General on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (A/74/276), it was reported that, during 2014–2018, 140,198 people had changed their residency registration from regions of the Russian Federation to “the Republic of Crimea” or the city of Sevastopol. The report explicitly highlighted the promotion by the Russian Federation of policies aimed at changing the demographic structure in Crimea. Ukraine believed the actual figures to be much higher, as such policies extended to other occupied territories of Ukraine. For example, Russian officials had recently acknowledged the issuance of 170,000 Russian passports to Ukrainian citizens living in the occupied parts of the Donetsk and Luhansk regions.

54. Russian counter-terrorism legislation continued to be widely used by the occupying administration as a

cover for its political repression of representatives of the Crimean Tatar people. On 12 November 2019, six Ukrainian citizens, including Emir-Usein Kuku, had been convicted by a Russian court on completely fabricated charges of terrorist activities. The suppression of the Mejlis, as well as the intimidation, expulsion and incarceration of its members, continued despite the order of the International Court of Justice of 19 April 2017. On 8 November 2019, the Court had delivered a judgment in which it had definitively rejected the objection raised by Russia that the Court lacked jurisdiction and had found that the claims made by Ukraine were admissible. The Court had firmly rejected the attempt by Russia to escape accountability for its grave human rights violations under the International Convention on the Elimination of All Forms of Racial Discrimination in Crimea. There would be a full hearing on the merits, which was a landmark decision because the Court would for the first time evaluate the role of Russia in human rights violations.

55. The Russian delegate would no doubt claim that Crimea was a part of Russian territory and that all Crimean residents supported Russia. Why then did Russia continue to discriminate against and mistreat the residents of Crimea and to violate and abuse their human rights and fundamental freedoms? Why would it transfer its own population in staggering numbers to the peninsula? The answer was clear: the Russian occupation could last only at gunpoint. The Government in Moscow ignored General Assembly resolutions, its obligations under international and humanitarian law and the calls of the international community. What mattered was the huge military base into which Crimea was gradually being transformed.

56. Despite the occupation and the imposition of the Russian legal framework on the peninsula, Crimean residents remained Ukrainian citizens, and the Government of Ukraine was obligated to preserve and protect their rights and freedoms by all means possible. The draft resolution was a diplomatic, political and legal mechanism through which Ukraine endeavoured to implement its obligations. As in the previous three resolutions, every word in the text was grounded in existing United Nations documents, in particular the relevant report of the Secretary-General (A/74/276). The draft resolution was not country-specific because it did not target the territory of a third country; it concerned only the territory of Ukraine. Ukraine would spare no efforts to put an end to the Russian occupation by peaceful diplomatic and legal means, in full compliance with international law.

57. **Mr. Mahmassani** (Secretary of the Committee) said that Belgium, Italy, Japan, Micronesia (Federated States of) and Romania had joined the sponsors.

58. **Mr. Jürgenson** (Estonia) said that his delegation strongly supported the draft resolution. Estonia reiterated its unwavering support for the sovereignty, territorial integrity, unity and independence of Ukraine within its internationally recognized borders. Estonia condemned the occupation of the Crimean peninsula, which was a clear violation of Ukrainian sovereignty and territorial integrity and a violation of international law that carried grave implications for the international legal order. For that reason, Estonia remained committed to fully implementing the non-recognition policy of the European Union, including through restrictive measures.

59. It was regrettable that Russia had not implemented any of the recommendations made in previous relevant resolutions of the General Assembly, the first report of the Secretary-General submitted pursuant to General Assembly resolution [73/263](#) or the reports of OHCHR. In November 2019, a Russian court had sentenced six individuals belonging to a peaceful organization banned in Russia, including Emir-Usein Kuku, to excessive prison sentences of from 7 to 19 years. Estonia did not recognize the transfer of Crimeans to courts in Russia. The illegal persecution by the Russian Federation of individuals, including Crimean Tatars, pro-Ukrainian activists and journalists who criticized the Russian authorities, must stop, and all political prisoners should be released immediately. The policies pursued by the Russian Federation aimed at changing the demographic structure in Crimea were of deep concern. Article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War stipulated that the occupying Power should not deport or transfer parts of its own civilian population into the territories it occupied. Regional and international human rights monitoring mechanisms and non-governmental human rights organizations must have unimpeded access to Crimea.

60. **Ms. Agladze** (Georgia) said that her country was deeply concerned about the human rights situation in Crimea and the city of Sevastopol, Ukraine, which were temporarily occupied by the Russian Federation. Of particular concern was the so-called “passportization” process and the subsequent expulsion of Crimean residents from the peninsula. It was deplorable that the Russian Federation encouraged the transfer of its own population to the peninsula, which was a direct violation of the Geneva Conventions relating to the protection of victims of international armed conflicts and a clear attempt to change the demographic structure in Crimea.

Russia must allow international monitoring mechanisms full, unhindered and immediate access to the occupied territories of Ukraine and implement all the recommendations contained in the relevant reports of the Secretary-General and OHCHR. Georgia reiterated its unwavering support for the sovereignty and territorial integrity of Ukraine within its internationally recognized borders. Her delegation would vote in favour of the draft resolution.

61. **The Chair** said that a recorded vote had been requested on the draft resolution.

62. **Mr. Kuzmin** (Russian Federation) said that he would not comment on the nonsense regarding the so-called mass violations of human rights included by the Ukrainian delegation in the draft resolution. It was clear even from reports of the human rights monitoring mission in Ukraine that, unlike in Ukraine, in Crimea residential areas were not fired upon with high-calibre guns and mortars, people were not burned alive as they had been in Odessa on 2 May 2014, journalists were not murdered, Nazi marches were not held and people were not prohibited from speaking their native languages. The people of Crimea had exercised their right to self-determination through a free and peaceful referendum conducted in accordance with all international standards. The Republic of Crimea and the city of Sevastopol were fully integrated into the Russian political, legal and economic space.

63. The people of Crimea should not be punished for freely voting in favour of Russia. Since 2014, the United States and European countries – the authors of the draft resolution – had been imposing targeted sanctions that harmed the interests of the population of the peninsula, purportedly to alleviate their plight under occupation. As for Ukraine, it had behaved simply appallingly towards the citizens of Crimea over the past five years. In the winter of 2015, it had switched off the electricity supply to 575 residential areas, in which almost half the population of the peninsula resided. The water supply from the North Crimean Canal, which delivered 85 per cent of the water supply of the Republic of Crimea, had been shut off since April 2014. The human rights rhetoric employed by the authors of the draft resolution was therefore utter nonsense.

64. The Russian Federation reiterated once again its willingness to consider all requests to visit Crimea without discrimination and under the same conditions as for other Russian territorial entities. Independent bodies, non-governmental organizations, parliamentary and business delegations from all regions of the world and even representatives of European human rights institutions were able to enter the country without

encountering any obstacles. It was the draft resolution that was standing in the way of the United Nations. The text on the non-existent “Autonomous Republic of Crimea” was full of misstatements. Of particular concern was the misuse by Ukraine of military terminology and its attempts to present the situation in Crimea as some kind of armed conflict, using the words “aggression”, “occupation” and “annexation”.

65. Any State that voted in favour of the draft resolution would be opposing the Russian Federation and its territorial integrity and would be indicating that State’s willingness to allow relations to be defined as Kyiv desired, including in accordance with Kyiv’s interpretation of the provisions of the Geneva Conventions relating to the protection of victims of international armed conflicts and the Protocol additional thereto. Delegations should think seriously about their vote.

66. **Ms. Mehdiyeva** (Azerbaijan) said that her country condemned in the strongest terms extremism, radicalism and separatism in all their forms and manifestations and firmly opposed the acquisition of territories by the use of force. Azerbaijan reaffirmed its full support for the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders. The conflicts in the territory of Ukraine must be resolved on the basis of the sovereignty and territorial integrity of Ukraine within its internationally recognized borders, in accordance with the core principles of the Charter of the United Nations and the Final Act of the Conference on Security and Cooperation in Europe, and in line with relevant United Nations resolutions. Azerbaijan called for the settlement of all conflicts between Member States through political dialogue, in accordance with the aforementioned principles of international law.

67. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country reiterated its rejection of politicized and selective approaches to human rights issues, which violated the principles of the Charter of the United Nations. The persistent practice of adopting country-specific human rights resolutions violated the principles of universality, objectivity, non-selectivity and non-politicization. Venezuela called for efforts to build on the progress made since the creation of the Human Rights Council, for cooperation on human rights matters to be based on the universal periodic review mechanism, and for the elimination of the selective adoption of country-specific resolutions. Cooperation and dialogue were the appropriate means for promoting and protecting human rights. On the basis of its principled position, his delegation would vote against the draft resolution.

68. **Mr. Ja’afari** (Syrian Arab Republic) said that his delegation rejected the draft resolution, which was nothing but another politicized attempt to target the Russian Federation and which bore no relation whatsoever to the promotion and protection of human rights. The Human Rights Council had been established in the hope of moving away from excessive politicization and establishing a universal mechanism for addressing the human rights situations in all Member States without selectivity, politicization or discrimination. The drafting of additional controversial and contrived reports was placing a burden on the United Nations and impeding its efforts to maintain international peace and security. Some countries persisted in presenting country-specific draft resolutions on human rights in New York, which weakened the credibility of the Human Rights Council. All human rights issues should be discussed exclusively in Geneva. For those reasons, his delegation would vote against the draft resolution.

69. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the counterproductive recriminations and the naming-and-shaming approach regularly seen in such country-specific resolutions destroyed the atmosphere of dialogue, understanding, mutual respect and cooperation. The involvement of the Committee in issues that fell outside its purview to exert political pressure on the parties to a dispute was unacceptable. The persistent adoption of country-specific resolutions and the exploitation of the Committee for political ends contravened the principles of non-politicization and objectivity in addressing human rights issues. For those reasons, his delegation would vote against the draft resolution.

70. **Mr. Kim Nam Hyok** (Democratic People’s Republic of Korea) said that country-specific resolutions were a manifestation of the politicization, selectivity and double standards in the consideration of human rights issues. They served only to encourage confrontation, rather than creating an atmosphere favourable to considering human rights issues. Work on human rights in the United Nations should be conducted in an objective, transparent, non-selective, non-confrontational and non-politicized manner. His delegation would vote against the draft resolution.

71. **Mr. Yelchenko** (Ukraine) said that, in the statement made by the representative of the Russian Federation, the report of the Secretary-General had been described as “nonsense”, which was extremely disrespectful to the Organization and to the Secretary-General. Furthermore, at the end of his statement, the representative of the Russian Federation had issued a direct threat to the members of the Committee, which should not be ignored.

72. *A recorded vote was taken on draft resolution A/C.3/74/L.28.*

In favour:

Albania, Andorra, Antigua and Barbuda, Australia, Austria, Barbados, Belgium, Belize, Bhutan, Botswana, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Panama, Poland, Portugal, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Against:

Armenia, Belarus, Burundi, Cambodia, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Eritrea, India, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Myanmar, Nicaragua, Philippines, Russian Federation, Serbia, Sudan, Syrian Arab Republic, Uganda, Venezuela (Bolivarian Republic of), Zimbabwe.

Abstaining:

Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Cabo Verde, Cameroon, Chad, Chile, Colombia, Comoros, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea-Bissau, Haiti, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lesotho, Libya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Oman, Pakistan, Palau, Papua New Guinea, Paraguay, Peru, Qatar, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Yemen, Zambia.

73. *Draft resolution A/C.3/74/L.28 was adopted by 67 votes to 23, with 82 abstentions.*

74. **Ms. Ndayishimiye** (Burundi) said that her delegation had voted against the draft resolution because the text had nothing to do with human rights.

75. **Mr. Zhang Zhe** (China) said that his country consistently opposed country-specific human rights resolutions and had therefore voted against the draft resolution.

76. **Ms. González** (Argentina) said that her delegation shared OHCHR concerns regarding the human rights situation in Crimea and Sevastopol, in particular the alleged violations committed against minorities, including violations of fundamental freedoms, and a lack of access for and cooperation with international human rights mechanisms. Argentina called for the human rights of all the inhabitants of Crimea to be upheld and protected, in accordance with international human rights law and international humanitarian law; for the violations and abuses identified by OHCHR to be investigated; and for those responsible to be brought to justice.

77. **Mr. Yarkovich** (Belarus) said that his country had always opposed country-specific mandates. Draft resolutions on the situation of human rights were invariably politicized, serving only to increase confrontation and not helping to resolve the actual problems on the ground.

78. The settlement of the conflict in Donbass was essential for European security, and the Minsk agreements played a key role in that regard. Belarus supported the efforts of the Trilateral Contact Group and its working groups, which regularly held meetings in Minsk. Belarus welcomed the unlimited ceasefire agreement and the commencement of landmine clearance in Stanytsya Luhanska, the exchange of prisoners between Russia and Ukraine in September 2019, the Steinmeier Formula agreement, and the development of human and material resources in Zolote and Petrivske. The Organization for Security and Cooperation in Europe Special Monitoring Mission to Ukraine, in which representatives of Belarus served, played an important role in implementing the agreements. The ongoing negotiations within the Trilateral Contact Group and the implementation of the agreements in the conflict area would create the conditions necessary for negotiations under the Normandy format and would put the Ukrainian peace process on a sustainable, positive path.

79. On the basis of its principled position of rejecting confrontational country-specific human rights resolutions, his delegation had voted against the draft resolution.

80. **Ms. Nyagura** (Zimbabwe) said that, in line with its principled position of opposing country-specific reports and resolutions, her delegation had voted against the draft resolution. Zimbabwe would continue to encourage engagement in constructive dialogue to resolve human rights concerns with any Member State.

81. **Ms. Al-Nesf** (Qatar) said that her delegation had abstained from the voting because it believed in the peaceful settlement of disputes. Parties should be encouraged to work constructively towards a peaceful solution on the basis of international law and the Charter of the United Nations. It was also important to respect international instruments, the Charter and international law; the principle of non-use of force or of the threat of use of force; and the sovereignty and territorial integrity of States.

82. **Ms. Ali** (Singapore) said that her delegation had voted in line with its consistent and principled position against country-specific resolutions, which were highly selective and driven by political rather than human rights considerations. Nevertheless, its vote should not be interpreted as taking a position on the substance of the human rights issues raised in the various draft resolutions, nor did it imply any derogation from or altered position on General Assembly resolution 68/262 on the territorial integrity of Ukraine.

83. *The meeting was suspended at 12.15 pm and resumed at 12.20 pm.*

Draft resolution A/C.3/74/L.29: Situation of human rights of Rohingya Muslims and other minorities in Myanmar

84. **The Chair** drew attention to the statement of programme budget implications contained in document A/C.3/74/L.68.

85. **Mr. Al-Mouallimi** (Saudi Arabia), introducing the draft resolution, said that the international community was currently witnessing the displacement, killing and torture of Muslim and other minorities in Myanmar by the Myanmar authorities in contravention of the most basic principles of human coexistence. In the light of such continued violations by the Myanmar authorities, his delegation, together with the delegations of the Organization of Islamic Cooperation and the European Union, had submitted the draft resolution, which was intended to be objective and balanced, welcoming, on the one hand, the positive steps taken by the Government of Myanmar, while stressing, on the other hand, the need for a decisive solution to the tragedy of the Rohingya Muslims with recognition of their rights to citizenship, return and a life of dignity. The civilian Government in Myanmar should uphold its

responsibilities towards minorities and embrace all citizens without discrimination.

86. **Mr. Mahmassani** (Secretary of the Committee) said that Andorra, Argentina, Australia, Bosnia and Herzegovina, Canada, Haiti, Iceland, the Marshall Islands, Mexico, New Zealand, Norway, the Republic of Korea, San Marino, Switzerland and the United States of America had joined the sponsors.

87. **The Chair** said that a recorded vote had been requested on the draft resolution.

88. **Ms. Wagner** (Switzerland) said that her Government remained gravely concerned by allegations of genocide, crimes against humanity and war crimes in Myanmar. Swift, independent and credible investigations must be conducted into all allegations of violations of human rights and international humanitarian law. One of the reasons for her delegation's support of the draft resolution was the considerable emphasis placed on accountability mechanisms, which were key to restoring sustainable peace in Myanmar. However, it was regrettable that there was no explicit mention of the efforts made by the International Criminal Court in the area of accountability. Switzerland noted that the International Criminal Court had authorized an investigation into the forced deportation of Rohingyas to Bangladesh and that the Gambia had brought a case against Myanmar before the International Court of Justice.

89. **Ms. Kocyigit Grba** (Turkey) said that the draft resolution was a key instrument for urging the Government of Myanmar to comply with its obligations to end the vicious cycle of violence and forced displacement in Myanmar. It reflected the expectations of the international community with respect to finding a lasting and just solution to the Rohingya crisis on the basis of the safe, dignified, voluntary and sustainable return and reintegration of Rohingya Muslims. A new element of the draft resolution was the request for the Special Envoy of the Secretary-General on Myanmar to submit a report to the General Assembly at its seventy-fifth session, and Turkey looked forward to receiving more information on the results of the Special Envoy's work. Her delegation had been pleased to be part of the negotiating team for the draft resolution, which had endeavoured to produce an inclusive and balanced text.

90. Since the onset of the crisis, Turkey had taken a constructive approach to the issue with a focus on the humanitarian aspect. Ongoing escalation of violence in Rakhine State risked worsening the humanitarian situation and creating a new wave of refugees. Turkey commended the Government of Bangladesh for its role in hosting a high number of refugees under difficult

circumstances. Turkey would closely monitor initiatives to be undertaken by the authorities of Myanmar to create the conditions necessary for the voluntary, safe, dignified and sustainable return of Rohingyas and internally displaced persons. The root causes of the conflict should be addressed in accordance with the recommendations of the Advisory Commission on Rakhine State.

91. Accountability was at the core of efforts to reach a lasting solution to the crisis. Turkey therefore extended its full support for the endeavours to bring the issue to the attention of international judicial bodies, such as the most recent initiative of the Organization of Islamic Cooperation with regard to the International Court of Justice. The Government of Turkey remained committed to working with the Governments of Myanmar and Bangladesh and all other stakeholders to find an enduring solution to the Rohingya crisis and to support the democratic transition of Myanmar and its economic development. Member States should demonstrate their determination to protect and uphold the rights of Rohingya Muslims and other minorities in Myanmar by sponsoring and voting in favour of the draft resolution; her delegation would do the same.

92. **Mr. Hao Do Tuan** (Myanmar) said that his delegation had called for a vote on the draft resolution, which it utterly rejected as politically motivated and extremely biased. The title of the draft resolution was clear testimony to the true intent and biased attitude of the sponsors. The situation in Rakhine State was not an issue of religious persecution, but rather a complicated political and economic issue involving cross-border migration, poverty, absence of the rule of law and security issues. The adoption of the draft resolution would lead to further escalation of tensions among religious communities in the country. As in previous years, the draft resolution was subjective, intrusive and unconstructive. Much of it was based on unbalanced reports, including sweeping allegations from the orchestrated report of the independent international fact-finding mission on Myanmar.

93. His Government was determined to address the root causes of the displaced persons in Rakhine State. Soon after assuming office, the democratic Government had taken the historic and bold step of setting up the Advisory Commission on Rakhine State to find a lasting solution to the long-neglected problem. On the very day that the Commission had presented its recommendations, the Arakan Rohingya Salvation Army had launched multiple armed attacks in Northern Rakhine, triggering a mass outflow of people to Bangladesh. It should not be forgotten that the Arakan Rohingya Salvation Army was the real culprit behind the massive displacement.

Nonetheless, the Government had made addressing the humanitarian situation and facilitating the early repatriation of displaced persons top priorities. Preparations were being made for their safe, voluntary and dignified return on the basis of the bilateral agreements reached with the Government of Bangladesh. The Government of Myanmar was also working closely with the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP) and the Association of Southeast Asian Nations (ASEAN) to facilitate the implementation of the bilateral agreements with Bangladesh and was implementing the recommendations of the Advisory Commission. The evidence collection and verification team of the Independent Commission of Enquiry, established by the Government of Myanmar in July 2018 to investigate allegations of human rights violations following the terrorist attacks by the Arakan Rohingya Salvation Army, would soon visit Cox's Bazar to collect statements and evidence from alleged victims.

94. Myanmar steadfastly opposed country-specific resolutions, which were contrary to the principles of universality, impartiality, objectivity and non-selectivity in addressing human rights issues. The best way to promote and protect human rights was through constructive cooperation and engagement, not confrontation or coercion. The adoption of the draft resolution would neither contribute to solving the current humanitarian crisis in Rakhine State, nor offer a practical solution to the root causes of the problems. It would only create a hostile atmosphere and exacerbate the already complicated situation in Rakhine.

95. **Mr. Terva** (Finland), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro, North Macedonia and Turkey; and the stabilization and association process country Bosnia and Herzegovina; said that the draft resolution sent a message of compassion and solidarity from the international community to the Rohingya people and other minorities in Myanmar, including in Kachin and Shan States. The Government of Myanmar was urged to end the continuous violations and abuses of human rights and international humanitarian law in the country and to tackle the root causes of those violations and abuses. Redress and justice for the mass atrocity crimes perpetrated by the security and armed forces in Rakhine, Kachin and Shan States were also needed. In that regard, the Independent Investigative Mechanism for Myanmar must be given the means and access necessary to play its crucial role in collecting and analysing evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011. Such evidence should expedite

fair and independent criminal proceedings in national, regional or international courts or tribunals that had or could have jurisdiction over those crimes, including the International Criminal Court.

96. Much more must be done by the Government of Myanmar to create conditions enabling refugees and other forcibly displaced persons to return to their places of origin or a place of their choice voluntarily and in safety and dignity. The European Union commended the way in which the Government and people of Bangladesh had opened their borders and displayed solidarity with the Rohingya despite the country's stretched resources. The European Union would continue to support the democratic transition in Myanmar and to engage with the Government of Myanmar, including through dialogue on human rights. Ahead of the 2020 elections in Myanmar, the international community must continue to send a strong message that it did not accept the Government's failure to hold to account those responsible for past and ongoing crimes, the spread of hate speech against minorities in Myanmar tolerated by the authorities or the denial of citizenship and related rights of the Rohingya and other people of Myanmar.

97. After visiting Cox's Bazar in 2018, the Secretary-General had asked the international community to never forget the ethnic cleansing suffered by the Rohingya. By voting in favour of the draft resolution, Member States had the opportunity to send exactly that message.

98. **Ms. Pritchard** (Canada) said that her country remained deeply concerned by the ongoing violence in Rakhine, Kachin and Shan States, reports of international humanitarian law violations, including sexual and gender-based violence, and the increased use of landmines. All parties to the conflict should de-escalate tensions, respect their obligations under international law and address grievances through inclusive political dialogue. The independent international fact-finding mission on Myanmar had warned of the continued threat of genocide in Myanmar. Canada therefore welcomed the recent submission by the Gambia of an application to the International Court of Justice to institute proceedings against the Government of Myanmar for alleged violations of the Convention on the Prevention and Punishment of the Crime of Genocide. Canada also welcomed the extension of the mandate of the Special Envoy of the Secretary-General on Myanmar. The Government of Myanmar should cooperate with the Independent Investigative Mechanism for Myanmar and all mandate holders and grant unhindered humanitarian access.

99. **Ms. Nemroff** (United States of America) said that her delegation was proud to sponsor the draft resolution.

The United States condemned the continuing serious human rights violations and abuses across Myanmar, including in Rakhine, Kachin and Shan States, which had been documented in credible independent reports, including by the United Nations. The United States expressed its appreciation for the work of the independent international fact-finding mission on Myanmar, welcomed the operationalization of the Independent Investigative Mechanism for Myanmar and commended the Special Rapporteur on the situation of human rights in Myanmar, with whom the Myanmar authorities should resume cooperation.

100. While the United States did not take a position as to whether all the ongoing violence in Myanmar could be characterized as an armed conflict, it supported efforts to advance peace and national reconciliation and strongly supported the resolution's urgent call for accountability. Consistent with the draft resolution, the United States called upon the Myanmar authorities to deepen democratic reforms, establish civilian control of the military and hold those responsible for human rights violations and abuses to account, removing those responsible for human rights violations and abuses from positions of authority and barring them from public office. Furthermore, the Government of Myanmar should protect and promote human rights and fundamental freedoms, allow unhindered access across Myanmar for United Nations, humanitarian and human rights organizations and media groups, implement the recommendations of the Advisory Commission on Rakhine State and work to ensure that all displaced persons could return voluntarily to their places of origin in safety and dignity. The United States encouraged the Special Envoy of the Secretary-General for Myanmar to facilitate progress on those matters. Lastly, she recalled the general statement made by her delegation at the 44th meeting of the Committee.

101. **Mr. Kuzmin** (Russian Federation) said that his country understood the complexity of the situation of Muslim Rohingyas and other minorities in Myanmar. Rather than criticizing the situation, the international community should engage in genuine cooperation with Myanmar. The Government of Myanmar had demonstrated its determination to resolve its human rights problems through the adoption of many initiatives. The Russian Federation welcomed the steps taken by the Government of Myanmar to cooperate with UNHCR and UNDP and to engage in meaningful dialogue with the Special Envoy of the Secretary-General. It also welcomed the inclusion of ASEAN in efforts to normalize the humanitarian situation in Rakhine and to create conditions for the return of displaced persons.

102. In the light of the bilateral efforts of Myanmar and Bangladesh to prepare for the repatriation of refugees, the increased pressure on Nay Pyi Taw in the field of human rights and the politically motivated uproar over that serious problem were unjustified and counterproductive. Many years of experience had shown that country-specific resolutions could not resolve challenges. The primary responsibility for the promotion and protection of human rights lay with Governments, while the international community should provide technical assistance in that regard. On the basis of its principled position on all country-specific mandates, his delegation would vote against the draft resolution.

103. **Ms. Fangco** (Philippines) said that the universal periodic review was the appropriate mechanism for assessing human rights situations in States. To address the root causes of the conflict in Myanmar, a comprehensive and durable solution was needed, taking into account the cultural realities and the legitimate political processes within the country. The Philippines acknowledged the openness and willingness of the Government of Myanmar to cooperate with the Special Envoy of the Secretary-General on Myanmar. The Philippines had confidence in the capacity of the Independent Commission of Enquiry to bring credible accountability. It was important to ensure continued support for the safety and security of all communities in Rakhine State and to extend humanitarian assistance to displaced Rohingyas and other minorities. Coordination and dialogue between the Governments of Bangladesh and Myanmar should continue to facilitate the repatriation of displaced Rohingyas.

104. Her delegation was particularly concerned about the proliferation of mandates on Myanmar. It was alarming that the staggering amount of \$35 million appeared to have been spent on maintaining those mandates, including unilateral ones, since 2018. The money had gone towards salaries and travel expenses, rather than on concrete programmes on the ground. All States should engage in dialogue and cooperate with the Government of Myanmar, including by helping it to strengthen domestic accountability mechanisms. Her delegation would vote against the draft resolution.

105. *A recorded vote was taken on draft resolution A/C.3/74/L.29.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil,

Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Canada, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Togo, Tunisia, Turkey, Tuvalu, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Yemen.

Against:

Belarus, Cambodia, China, Lao People's Democratic Republic, Myanmar, Philippines, Russian Federation, Viet Nam, Zimbabwe.

Abstaining:

Bhutan, Bolivia (Plurinational State of), Burundi, Cameroon, Democratic People's Republic of Korea, Dominica, Equatorial Guinea, Eritrea, Fiji, Grenada, Guinea-Bissau, India, Japan, Kenya, Lesotho, Mongolia, Mozambique, Namibia, Nauru, Nepal, Palau, Papua New Guinea, Saint Vincent and the Grenadines, Serbia, Singapore, Sri Lanka, Thailand, Timor-Leste, Tonga, Trinidad and Tobago, Venezuela (Bolivarian Republic of), Zambia.

106. *Draft resolution A/C.3/74/L.29 was adopted by 140 votes to 9, with 32 abstentions.*

107. **Mr. Zhang Zhe** (China) said that it was the consistent position of China that differences in the area of human rights should be resolved through constructive dialogue and cooperation on the basis of equality and mutual respect. China was against the politicization of

human rights, the exertion of pressure on other countries under the pretext of human rights and the adoption of country-specific resolutions. The international community should review progress in the situation of human rights in Myanmar in a comprehensive, just and objective manner and seek to understand the difficulties and challenges facing the country. The hard-won progress in the settlement of the Rakhine issue should be cherished. The international community should facilitate bilateral engagement between the Governments of Myanmar and Bangladesh, encourage the two sides to expedite the repatriation of displaced persons and provide assistance to that end. It was important to avoid any action that could further complicate the situation. His delegation had therefore voted against the draft resolution.

108. **Mr. Hao Do Suan** (Myanmar) said that his delegation was grateful to those delegations that had voted against the draft resolution, abstained or not taken part in the vote for demonstrating their courage in resisting the attempt of major groups in the United Nations system to dictate their political agenda to small developing Member States. The results of the vote reflected the divisive nature of country-specific resolutions, showing once again that some Member States used the power of block voting to exert pressure on other Member States for their political agendas. No nation should be made to feel that its value in the United Nations was decided by its degree of material wealth and political influence. When considering the situation of a specific country, that country's particular circumstances and the opportunities and challenges before it must be taken into consideration. While the primary responsibility for safeguarding rights and freedoms lay with Governments, the international community should provide necessary support in that regard.

109. It was regrettable that the draft resolution had been adopted despite its dubious, ill-intentioned, selective and politically motivated nature. It would certainly not help to solve the issue of Rakhine State, but would lead to further escalation of tensions among religious communities in the country. Building trust and understanding among different communities required time and space, and his Government was doing its utmost despite many constraints and challenges. Given its firm opposition to any politicization of human rights or humanitarian issues, Myanmar strongly rejected the draft resolution and would not be bound by its provisions. However, as a responsible Member State, Myanmar would continue to work with the United Nations through constructive engagement and cooperation for the benefit of its people.

110. **Ms. Oehri** (Liechtenstein) said that the continued consideration by the Committee of the situation of human rights in Myanmar was welcome given the grave human rights situation in the country. Liechtenstein remained concerned about the lack of response to grave human rights violations and, in particular, impunity for the atrocity crimes committed against the Rohingya and other minorities in Myanmar, which amounted to crimes against humanity and possibly genocide. Accountability for those crimes was indispensable for the safe, voluntary, dignified and sustainable return of Rohingya refugees and other forcibly displaced persons.

111. It was regrettable that key developments had been omitted in the draft resolution. No mention had been made of the steps taken by the Prosecutor of the International Criminal Court to open an investigation into the forced deportation of the Rohingya people. The draft resolution had failed to request the Independent Investigative Mechanism for Myanmar to cooperate closely with any future investigations of the Court pertaining to human rights violations in Myanmar. Liechtenstein welcomed the Court's authorization of the opening of an investigation into the situation. In the draft resolution, no reference had been made to the authority of the Security Council to refer the situation in Myanmar to the Court or to the efforts of States to ensure accountability for the crimes committed in Myanmar, including the proceedings instituted before the International Court of Justice under the Convention on the Prevention and Punishment of the Crime of Genocide. Such omissions were all the more deplorable given that some of those elements had been included in texts adopted on the same topic on previous occasions. Her delegation's continuous calls for those developments to be accurately reflected and for language on accountability to be strengthened in line with Human Rights Council resolution 39/2 had unfortunately not been taken up by the sponsors. Her delegation had therefore not been able to sponsor the draft resolution.

The meeting rose at 1.05 p.m.