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Chair: Mr. Doualeh (Djibouti)

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

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

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

1. **Ms. Novruz** (Azerbaijan), speaking on behalf of the Movement of Non-Aligned Countries, said that, at the eighteenth Summit Conference of Heads of State or Government of Non-Aligned Countries, held in October 2019, it had been emphasized that the Human Rights Council was a subsidiary organ of the General Assembly with responsibility for the consideration of human rights situations in all countries, based on cooperation and constructive dialogue. Deep concern had been expressed about the continued and proliferating practice of the selective adoption of country-specific resolutions by the Third Committee and the Human Rights Council, which was a means of exploiting human rights for political purposes and undermined cooperation. Greater coherence and complementarity between the work of the Committee and the Council were needed in order to avoid unnecessary duplication. The universal periodic review was the primary intergovernmental cooperative mechanism for reviewing human rights issues in all countries and was conducted with the full involvement of the country concerned and with due consideration for its capacity-building needs. In that context, the Movement rejected the practice in the Security Council of furthering certain States' political objectives on the pretext of addressing human rights concerns.

2. The universal periodic review of the Human Rights Council, an action-oriented and cooperative mechanism based on objective and reliable information and interactive dialogue, must be conducted in an impartial, transparent, non-selective, constructive, non-confrontational and non-politicized manner, and with the full involvement of the countries under review.

3. The Movement attached importance to the promotion and protection of human rights and universal respect for all universally recognized human rights and fundamental freedoms in accordance with the Charter of the United Nations, other core international human rights instruments and international law. It unequivocally condemned gross and systematic violation of human rights and fundamental freedoms. All human rights, including the right to development, were universal, inalienable, indivisible, interdependent and interrelated. Human rights issues should be addressed in a fair and equal manner, guided by respect for national sovereignty, territorial integrity, non-interference in the internal affairs of States and the

principles of impartiality, non-selectivity and transparency, and taking into account the particularities of each country.

Draft resolution A/C.3/76/L.27: 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. Malovrh** (Slovenia), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro, North Macedonia, Serbia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, introduced the draft resolution.

6. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Albania, Andorra, Australia, Benin, Bosnia and Herzegovina, Chile, Georgia, Honduras, Israel, Kiribati, Marshall Islands, Micronesia (Federated States of), New Zealand, Norway, Palau, Republic of Moldova, San Marino, Serbia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Vanuatu.

7. He then noted that Maldives and Tuvalu also wished to become sponsors.

8. **Mr. Kim Song** (Democratic People's Republic of Korea) said that his delegation rejected the draft resolution as a political plot that had nothing to do with the protection and promotion of human rights. It reflected bias on the part of the United States and the European Union and constituted a hostile act against his country. The human rights violations mentioned in the draft resolution had never taken place, nor could they ever take place in the Democratic People's Republic of Korea, as State activities adhered to a "people first" principle. The rights and interests of the people were prioritized institutionally, legally and practically. Meanwhile, the United States of America and other Western countries were in fact the worst human rights violators and had no right to speak about human rights issues in other countries or to vilify and slander them. The Committee, instead of discussing the draft resolution before it, should discuss and adopt a resolution addressing the human rights situation of the United States and other Western countries, as they had committed all manner of crimes against human rights.

9. While the Democratic People's Republic of Korea welcomed genuine dialogue and cooperation in the international human rights arena, the country would take stern countermeasures against any use of human rights

as a pretext for interfering in its internal affairs or overthrowing its socialist system. The Democratic People's Republic of Korea strongly condemned and rejected the draft resolution, which was a product of collusion between the United States and the European Union, and did not see the need for a vote. All Member States that valued justice and truth would express a clear principled position against it.

10. **Mr. Moncada** (Bolivarian Republic of Venezuela), speaking on behalf of the Group of Friends in Defence of the Charter of the United Nations, said that draft resolutions on specific countries violated the principles of impartiality, objectivity, transparency, non-selectivity, non-politicization and non-confrontation; contravened the spirit of the Charter and undermined friendly relations among States and international cooperation on human rights. The Group firmly rejected the use of double standards, which inhibited cooperation and progress on human rights. It remained concerned by the proliferation of unilateral mechanisms to evaluate the human rights situation in specific States, especially without their consent and participation. The politicization of human rights must end. The only way to ensure the full and effective enjoyment of human rights was to strengthen multilateralism and abide by the aforementioned principles. The universal periodic review and the treaty bodies of the Human Rights Council were the appropriate forums for promoting the realization of human rights because they offered the possibility of fair and constructive dialogue, cooperation and mutual respect, in accordance with the principles of sovereign equality of States, non-intervention in the internal affairs of States and the inalienable right of peoples to self-determination.

11. **Mr. Kuzmin** (Russian Federation) said that his delegation had repeatedly stated that it did not support the practice of considering selective and 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 platform for the consideration of human rights situations in all countries, namely, the universal periodic review, which provided opportunities for constructive, mutually respectful dialogue on human rights. Accordingly, his delegation disassociated itself from the consensus on the draft resolution.

12. **Mr. Roscoe** (United Kingdom) said that the draft resolution reiterated the long-standing demands of the international community that the Democratic People's Republic of Korea take concrete action to end the systematic and widespread abuse of human rights. The Democratic People's Republic of Korea was urged to

uphold its responsibilities to the most vulnerable, including persons held in detention, and to allow full and unhindered access for humanitarian assistance organizations. In the light of the global fight against the coronavirus disease (COVID-19), the Democratic People's Republic of Korea was reminded that measures taken in that regard should be proportionate and should not be used to further restrict the freedom of its citizens. The Government was urged to acknowledge the existence and extent of the human rights violations and address them through serious and genuine positive engagement with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea.

13. His delegation wished to challenge the notion that scrutiny of the human rights record of any country was in some way confrontational or a breach of State sovereignty. Invoking sovereignty as a means of evading human rights accountability was a misunderstanding of the concept of sovereignty, which must be conceived as a responsibility, not an immunity. On that basis, the United Kingdom supported the draft resolution. Without such resolutions and processes, many grievous human rights abuses would not receive the attention they deserved. It was therefore critical for the Committee to continue to hear about such abuses and to take action.

14. **Mr. Kimura** (Japan) said that it was well-known to the international community that many Japanese citizens had been forcibly abducted by the Democratic People's Republic of Korea in the 1970s and 1980s. Those abductions were a serious violation of human rights and a matter of grave concern that affected the national sovereignty of Japan and the lives and safety of the Japanese people. The delegation of Japan therefore welcomed the reference to abductions in the recent reports of both the Special Rapporteur and the Secretary-General. The abductees had been waiting to be rescued for over 40 years while their ageing families waited desperately for the return of their children. Parents of two of the abductees had passed away in 2020 without ever seeing their children again. Japan strongly urged the Democratic People's Republic of Korea to accept the views of the international community as expressed in the draft resolution and to take concrete actions, including the immediate return of all abductees.

15. **Ms. Rajandran** (Singapore) said that, as a matter of principle, her country did not agree with country-specific resolutions, which were selective in nature and driven by political, rather than human rights, considerations. Country-specific human rights matters should instead be addressed by the universal periodic review of the Human Rights Council, as that mechanism had been established for that very reason. While

Singapore would abstain from all country-specific resolutions put to a vote, such abstention should not be interpreted as taking a position on the substance of the human rights issues raised. The long-standing position of Singapore in support of the promotion and protection of all human rights and fundamental freedoms had not changed.

16. **Ms. Nour Ali** (Syrian Arab Republic) said that her delegation rejected on principle selective and politicized approaches to human rights issues. It also rejected the establishment of mandates, the issuing of reports and the creation of resolutions without the permission of the countries concerned or without consulting or coordinating with them. Confrontation, hostility and accusations were used as a smokescreen for the human rights crimes and violations committed by certain countries. Country-specific resolutions were inimical to constructive dialogue and contradicted the spirit of the Charter of the United Nations, which enshrined the sovereign equality of all Member States. The adoption of such resolutions politicized human rights issues and constituted a flagrant violation of the principles of universality, objectivity, impartiality and non-selectivity. Accordingly, Syria disassociated itself from the consensus on the draft resolution.

17. **Mr. Farar** (United States of America) said that the human rights and humanitarian situations in the Democratic People's Republic of Korea remained dire. The findings of the commission of inquiry on human rights in the Democratic People's Republic of Korea detailed systematic, widespread and gross human rights violations and abuses that included murder, enslavement, torture, imprisonment, rape, forced abortion and other sexual violence, persecution of political, religious, racial and gender groups, the forcible transfer of populations, the enforced disappearance of persons and prolonged starvation. Those violations and abuses had been exacerbated by the Government's full-scale border shutdown, internal travel restrictions and limitations on the import of humanitarian supplies.

18. The United States condemned the actions taken by the Democratic People's Republic of Korea internationally, including abductions, forced disappearances and deportations. The draft resolution acknowledged the pressure exerted by the Democratic People's Republic of Korea to compel other States to forcibly return refugees and asylum seekers. The reports of torture and compulsory abortions following those forced repatriations were troubling. The Government of the Democratic People's Republic of Korea was urged to demonstrate respect for human rights, implement the recommendations of universal periodic reviews and cooperate with the Special Rapporteur.

19. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that the exploitation of the Committee or the General Assembly for political ends violated the principles of universality, non-selectivity, objectivity, transparency, impartiality and non-politicization. The universal periodic review of the Human Rights Council provided a well-established mechanism for addressing human rights situations without discriminating among States. The counterproductive and confrontational adoption of country-specific resolutions, particularly in the Committee, undermined cooperation and dialogue as the essential bases for the promotion and protection of human rights and ran counter to the principles of non-selectivity and objectivity in addressing human rights issues. In view of the above, her delegation disassociated itself from the draft resolution.

20. **Ms. Abraham** (Trinidad and Tobago) said that her country condemned all human rights violations wherever they took place, and, as a responsible member of the international community, took care to ensure that all human rights and fundamental freedoms were protected and promoted. Nevertheless, it should be recalled that the Human Rights Council, an independent and impartial body, had been established by the General Assembly to address violations of human rights by Member States, including through its universal periodic review process and its special procedures. In addition, the human rights treaty bodies established under various conventions addressed human rights violations by monitoring the compliance of States parties. The Council and treaty body mechanisms should be allowed to fulfil their mandates and non-selectively examine human rights violations in any Member State. Furthermore, dialogue, cooperation and understanding were critical to creating an environment conducive to meaningful action on human rights issues. For those reasons, Trinidad and Tobago would abstain from voting on draft resolutions under the agenda item.

21. **Ms. Xu Daizhu** (China) said that her country had consistently advocated that differences on human rights matters should be handled through constructive dialogue and cooperation and on the basis of mutual respect. China opposed politicization, selectivity, double standards and confrontation. It also opposed the use of human rights issues as a pretext for exerting pressure on States, the creation of country-specific human rights mechanisms without the consent of the country concerned and the use of country-specific resolutions. States should fully respect the sovereignty and independence of the Democratic People's Republic of Korea and should take an impartial and objective view of the efforts of that country to promote and protect human rights. For those reasons, China disassociated itself from the consensus on the draft resolution.

22. **Mr. González Behmaras** (Cuba) said that his delegation disassociated itself from the consensus on the draft resolution because it opposed the imposition of selective, politically motivated resolutions and mandates, which did nothing to advance human rights. Such measures were directed only against developing countries, and the unilateral coercive measures accompanying them violated the human rights that supposedly justified their use. Furthermore, the draft resolution sought to involve the Security Council in matters beyond its mandate. Cuba would not be complicit in an attempt to deny the people of the Democratic People's Republic of Korea their right to peace, self-determination and development.

23. Dialogue, respect for differences and strict observance of the principles of objectivity, impartiality and non-selectivity were the only way to effectively promote and protect human rights, an area where every country faced challenges. The Member States should give the universal periodic review mechanism, which offered the possibility of non-politicized, non-confrontational discussion and respectful cooperation with the country concerned, a chance.

24. **Mr. Nze** (Nigeria) said that his delegation echoed the concerns of other delegations regarding country-specific resolutions, which, by their nature, undermined the human rights treaty bodies and special mandate holders. Regrettably, such resolutions targeted specific countries while ignoring violations in others, thus missing an opportunity to contribute to the promotion of human rights in a meaningful and non-confrontational manner. Moreover, they generated tension and mistrust and served to perpetuate adverse human rights situations in the targeted countries. Although Nigeria would, on that basis, abstain from voting on all country-specific resolutions if put to a vote, that did not mean that it supported violations of human rights in any form, by any State. Nigeria called for earnest, respectful and genuine engagement by all concerned parties in order to achieve robust solutions to human rights situations.

25. **Ms. Gebrekidan** (Eritrea) said that country-specific resolutions were inherently political and did not aim to genuinely address the human rights situation in any particular country. Rather, they advanced political objectives by antagonizing and vilifying the countries concerned and were thus counterproductive. The effective promotion of human rights could be achieved only through international cooperation and by ensuring universality, objectivity, and non-selectivity and the elimination of double standards and politicization. The universal periodic review remained the best platform for assessing the human rights situations in all countries in

a fair and equal manner. The delegation of Eritrea therefore disassociated itself from the draft resolution.

26. *Draft resolution A/C.3/76/L.27 was adopted.*

27. **Ms. Charikhi** (Algeria) said that her delegation strongly believed in universality, objectivity and non-selectivity in addressing human rights issues and opposed double standards. The politicization of human rights had proven counterproductive and confrontational and had failed to achieve meaningful outcomes in the promotion and protection of human rights. Resources derived from country-specific resolutions should be reallocated to the protection of human rights through technical assistance and, most importantly, with the consent of the State concerned. The universal periodic review remained the appropriate framework for the impartial review of the human rights situation in each country and the adoption of country-specific resolutions should be avoided. Algeria therefore disassociated itself from all country-specific resolutions.

28. **Mr. Pilipenko** (Belarus) said that his delegation had always opposed the consideration of country-specific topics at the United Nations, as they undermined the principles of objectivity and increased confrontation. Country-specific resolutions were of no use and served only to create artificial barriers to equal and constructive dialogue. The universal periodic review provided a means for balanced consideration of the human rights situation in every country and was the most effective way to encourage Governments to address human rights issues. His delegation dissociated itself from the consensus on the draft resolution.

29. **Ms. Fangco** (Philippines) said that her delegation disassociated itself from paragraph 12 of the draft resolution and all other references in Committee resolutions to the International Criminal Court. The Philippines had withdrawn from the Rome Statute of the International Criminal Court with effect from 17 March 2019 in a principled stand against those who disregarded the country's independent and well-functioning organs and agencies. The Philippines, out of its commitment to combat impunity for atrocities, had enacted national legislation that punished such crimes. The International Criminal Court could only exercise jurisdiction if States, which were responsible for prosecuting international crimes, had failed to do so. Given that the Philippines was able and willing to prosecute such crimes and that its courts were fully functioning, it did not accept the International Criminal Court as a substitute for its national courts.

30. **Ms. Nguyen Quyen Thi Hong** (Viet Nam) said that her delegation's long-standing position was that genuine dialogue and constructive cooperation, particularly

through the work of the universal periodic review, were the most effective ways to bring about improvements in the human rights situation on the ground. The submission of country-specific resolutions was unnecessary and counterproductive. Viet Nam shared the international community's condemnation of abductions, extended its sympathy to the victims and their families and called on all concerned parties to engage in dialogue to find a satisfactory solution to that issue.

Draft resolution A/C.3/76/L.28: Situation of human rights in the Islamic Republic of Iran

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

32. **Mr. Arbeiter** (Canada), introducing the draft resolution on behalf of the sponsors listed in the document, said that many delegations had called into question the use of country-specific resolutions and had expressed the view that human rights situations should be addressed by the universal periodic review of the Human Rights Council. Resolutions and the universal periodic review were not mutually exclusive tools, however. The establishment of the universal periodic review had not been intended to obviate the Committee and the fact remained that many universal periodic review recommendations had not been accepted or implemented by Iran. While the record of Canada, past and present, was far from perfect, the country acknowledged its mistakes and strived to do better.

33. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Andorra, Belgium, Greece, Italy, Liechtenstein, Montenegro, Palau, Republic of Moldova, Romania, San Marino, Tuvalu and Ukraine.

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

35. **Ms. Ershadi** (Islamic Republic of Iran), speaking in explanation of vote before the voting, said that the biased and unconstructive draft resolution was an indefensible political move. Replete with factual errors, it distorted the realities on the ground and formed part of a deliberate policy of incitement to Iranophobia. The draft resolution's main sponsors included Canada, the United States of America, the Israeli regime and certain Western countries. The main proponents of racism and occupation and the States behind the abhorrent murder of indigenous peoples had come together to lecture other States on human rights. History would never forget that in Canada, thousands of indigenous children had been sexually abused, killed and dumped in mass graves. The United States had also earned its place in history for its

continued and systematic attacks on people of African descent, Muslims and Asian Americans. In addition, the draft resolution could not be taken seriously when the Israeli regime continued to commit international crimes.

36. Most Member States had repeatedly rejected the manipulation of human rights for political objectives and had insisted that human rights should be promoted and protected in all countries through constructive dialogue, engagement and cooperation. Unfortunately, in many cases, those principles were not upheld, and important human rights mechanisms had mostly failed to work as intended. Iran had repeatedly called for a respectful and equitable dialogue with the purpose of ascertaining the facts on the ground, but the sponsors of the draft resolution seemed more interested in scoring political points.

37. Her Government was fulfilling its obligations with respect to United Nations human rights mechanisms, including the universal periodic review, and had always been willing to contribute to the promotion and protection of human rights. Her delegation requested that a recorded vote be taken on the draft resolution in the sincere hope that delegations would vote against it. Strong opposition was needed to the "human rights champions" who were hell-bent on fettering other sovereign States through fraud and misinformation.

38. **Mr. de Souza Monteiro** (Brazil), speaking in explanation of vote before the voting, said that his delegation acknowledged the progress made on human rights in the Islamic Republic of Iran, which provided a growing refugee population with basic services, including COVID-19 vaccines. A draft law on the protection of women from violence had been presented in the Iranian parliament and a school programme had been launched to facilitate virtual learning during the pandemic.

39. However, key areas of concern remained. Protection of the right to peaceful assembly and association must be strengthened and the disproportionate use of the death penalty for persons from minority groups needed to be addressed. Additional action was needed to protect freedom of expression both online and offline. Brazil remained troubled by reports of violence against women, human rights defenders and ethnic and religious minorities, and Brazil supported the right to religious freedom of the Baha'i community. The Iranian Government was encouraged to cooperate with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the special procedures mechanism of the Human Rights Council. In the interest of promoting dialogue, and on the understanding that Iran would

increase its efforts to improve its domestic human rights situation, Brazil would abstain from voting on the draft resolution.

40. **Mr. González Behmaras** (Cuba), speaking in explanation of vote before the voting, said that his country opposed country-specific resolutions, which encouraged a punitive and confrontational approach to the issue of human rights and did not improve the human rights situation on the ground. Any mandate based on politicization and double standards was destined to fail. 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. Cuba would never endorse the manipulation of human rights to advance a political agenda, discredit legitimate Governments, undermine a country's constitutional order or justify strategies to destabilize it. For those reasons, his delegation would vote against the draft resolution.

41. Cuba once again called on the Member States to abandon the annual resolution on the situation of human rights in the Islamic Republic of Iran in favour of respectful, constructive and collaborative dialogue, which was the only way that they could successfully address the human rights challenges facing all of them.

42. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela), speaking in explanation of vote before the voting, said that his delegation disassociated itself from the consensus on draft resolution on the situation of human rights in the Democratic People's Republic of Korea (A/C.3/76/L.27).

43. Regarding the draft resolution under consideration, the Bolivarian Republic of Venezuela decried the politicization of human rights and opposed country-specific human rights mandates, which were used to manipulate information and promote dubious national interests through regime change. The imposition of politically motivated, country-specific reports, mechanisms and resolutions contravened the principles of universality, objectivity, impartiality and non-selectivity, as well as the purposes and principles of the Charter of the United Nations. The Bolivarian Republic of Venezuela urged Member States to build on the progress achieved with the establishment of the Human Rights Council, whose credibility was undermined by country-specific measures. Human rights issues should be examined within the framework of the universal periodic review mechanism and by the United Nations treaty bodies, always to the extent necessary and in a spirit of cooperation and dialogue.

For all of those reasons, his delegation would vote against the draft resolution.

44. **Mr. Roscoe** (United Kingdom), making a general statement before the voting, said that his delegation remained deeply concerned by the deteriorating human rights situation in Iran over the previous year. The Iranian authorities had repeatedly violated the rights to freedom of expression and opinion and used excessive force against peaceful protestors. Unfair trials, arbitrary detentions, the mistreatment of detainees, including dual and foreign nationals, and the persecution of religious and ethnic minorities remained prevalent. The United Kingdom supported the use of country-specific resolutions, which were submitted only for the most egregious violators, as the examination of global human rights issues fell within the Committee's remit.

45. The representative of Iran had suggested that the resolution contained factual errors. It should be noted that the Iranian Government had refused access to the Special Rapporteur. If the Government truly believed that his report and the draft resolution were inaccurate, it could address any shortcomings by engaging with him on the substance. The representative of Iran had also suggested that the draft resolution was intended to promote Iranophobia. In fact, the United Kingdom supported the draft resolution out of its support for the people of Iran. It was a pity that, instead of dealing with its human rights record, Iran was attempting to distract the Committee with the acknowledged historical human rights abuses of Canada. Iran could perhaps draw inspiration from the example of Canada, whose Government was taking full responsibility for those abuses through an open process that included engagement with the United Nations human rights system.

46. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea), speaking in explanation of vote before the voting, said that his delegation maintained a consistent position against country-specific resolutions, which were an example of double standards and the politicization of human rights issues. Country-specific resolutions led to confrontation, pressure and interference in the internal affairs of other States and hindered constructive dialogue and cooperation around human rights issues. The Democratic People's Republic of Korea totally rejected the actions of some States aimed at overthrowing the legitimate Governments of other sovereign States on the pretext of human rights. For those reasons, the delegation of the Democratic People's Republic of Korea would vote against the draft resolution.

47. **Ms. Nour Ali** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that inundating the Committee with country-specific resolutions sidetracked its work and increased confrontation, hostility and accusations for purposes that were unrelated to the promotion and protection of human rights. Differences should be settled through diplomacy and dialogue, based on respect for national sovereignty and non-interference in internal affairs. International law and the Charter of the United Nations were the proper framework for increasing positive cooperation among Member States. In that context, her delegation welcomed the willingness of Iran to cooperate constructively with the human rights bodies of the United Nations system.

48. The sponsors of the draft resolution were advancing an approach of escalation when it came to international relations, which undermined the credibility of human rights mechanisms. The use of political, economic and financial influence to attack certain countries ran counter to the aspirations of the founders of the United Nations to achieve peace and security. For those reasons, the delegation of Syria would vote against the draft resolution.

49. **Mr. Kuzmin** (Russian Federation), speaking in explanation of vote before the voting, said that the adoption of politicized country-specific draft resolutions was counterproductive. Such draft resolutions had nothing to do with protecting human rights and were used primarily to cast aspersions on certain countries for political reasons. 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. His delegation would vote against the draft resolution.

50. **Ms. Xu Daizhu** (China), speaking in explanation of vote before the voting, said that her country had consistently advocated that differences on human rights issues should be handled through constructive dialogue and cooperation and on the basis of mutual respect. China opposed politicization, selectivity, double standards and confrontation. It also opposed the use of human rights issues as a pretext for exerting pressure on States, the creation of country-specific human rights mechanisms without the consent of the country concerned and the use of country-specific resolutions. The international community should view the human rights situation of Iran in an objective and impartial manner and respect the human rights development path chosen by the people of Iran. It should also listen more closely to the demands of the Government and people of

Iran and stop interfering in the country's internal affairs. China would vote against the draft resolution.

51. **Mr. Farar** (United States of America), making a general statement before the voting, said that credible reports indicated that, in 2019, the Iranian regime had callously killed hundreds of protestors and had tortured and imprisoned thousand more. Government institutions in Iran had subjected the Iranian people to a wide range of human rights violations, with no accountability. The draft resolution highlighted some of the egregious reported violations such as the detention and torture of political prisoners, the use of lethal force against peaceful protestors and the suppression of freedom of expression in online forums.

52. The United States was concerned about reports of death sentences imposed after unfair trials and of confessions obtained through torture, and it strongly condemned harsh sentencing, including through the "internal exile" method of transferring prisoners to remote provinces, far from their families. The United States was particularly concerned about a journalist and a women's rights activist unjustly detained on national security charges for reporting on women's rights issues.

53. The targeting by the Iranian regime of women, members of ethnic and religious minority groups and political dissidents raised significant human rights concerns. The country's practice of assassinating, kidnapping and otherwise targeting human rights activists outside its own borders was alarming. The United States urged Iran to allow the Special Rapporteur to visit the country.

54. **Ms. Saleem** (Pakistan), speaking in explanation of vote before the voting, said that countries continued to be selectively targeted for political, economic and strategic objectives on the pretext of concern for the promotion and protection of human rights. Iran, despite the unilateral coercive measures imposed against it, was making efforts to promote and protect its citizens. The unjust sanctions had not been lifted, even in the light of the COVID-19 pandemic, which had had a disastrous impact on the human rights of the people of Iran. The underlying principle of the United Nations human rights architecture was that States were primarily responsible for promoting and protecting the human rights of their citizens in accordance with their international obligations. The best approach for addressing human rights concerns was through the effective, non-politicized, objective, impartial and non-discriminatory mechanisms of the universal periodic review and the best way to serve the human rights agenda was through communication and mutual consent and not through the imposition of country-specific

mandates on developing countries. For those reasons, the delegation of Pakistan would vote against the draft resolution.

55. *At the request of the representative of the Islamic State of Iran, a recorded vote was taken on draft resolution A/C.3/76/L.28.*

In favour:

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

Against:

Afghanistan, Armenia, Azerbaijan, Bangladesh, Belarus, Brunei Darussalam, 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, Sri Lanka, Syrian Arab Republic, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Belize, Benin, Bhutan, Bosnia and Herzegovina, Brazil, Burundi, Cabo Verde, Cameroon, Central African Republic, Comoros, Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Papua New Guinea, Qatar, Rwanda, Saint Lucia, Saint Vincent and the

Grenadines, Senegal, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sudan, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Vanuatu, Zambia.

56. *The draft resolution was adopted by 79 votes to 30, with 71 abstentions.*

57. **Mr. Baror** (Israel) said that his delegation appreciated the factual approach taken in the draft resolution, which focused on well-documented human rights violations by Iran. The current regime, headed by "the butcher of Tehran", had long been a destabilizing, terror-promoting entity that promoted conflict, chaos and civil war. The situations in Yemen, Syria and Lebanon very clearly demonstrated the consequences of Iranian involvement and influence. The actions of the Iranian regime in promoting its agenda, internally and internationally, stood in stark contrast to the very essence of the Charter of the United Nations. There was a direct relationship between the way a country treated its citizens and its aggression towards other countries: a regime that did not respect the human rights of its own citizens would not respect those of other peoples. When such a regime sought to obtain weapons of mass destruction, the world should not turn a blind eye.

58. **Mr. Arbeiter** (Canada) said that the representative of the Islamic Republic of Iran had described sexual abuse and the murders of indigenous children as abhorrent, and she was right. Canada acknowledged that crimes had been committed against indigenous peoples in Canada and that systemic discrimination against indigenous peoples was ongoing. It was true that the socioeconomic indicators of indigenous peoples in Canada were by far lower than those of other Canadians. In response, Canada had established victim-centred approaches and a truth and reconciliation commission that had been led by indigenous peoples themselves and whose 93 recommendations had been accepted without reservation by the Government. Canada had also established a national day of reconciliation and had encouraged all citizens to consider how they could improve the country's human rights record. The Canadian delegation would be happy to share its experience with representatives of the Islamic Republic of Iran or of any other Member State, not because those processes were perfect, but because Canada believed in collective learning and wisdom.

59. **Mr. Elizondo Belden** (Mexico) said that Mexico recognized the commitments assumed by the Government of the Islamic Republic of Iran, including its accommodation of Afghan refugees. Nevertheless, the human rights situation described in the United

Nations reports was a matter of concern. Mexico reiterated its appeal for a moratorium on the application of the death penalty and urged the Government of the Islamic Republic of Iran to redouble its efforts to promote and protect human rights. In that connection, improved cooperation with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran would be a clear signal of good faith. While he realized that the draft resolution submitted by Canada sought to give a balanced view of progress and challenges in human rights in the Islamic Republic of Iran, as Mexico had indicated in previous years, the facilitator should have consulted with other delegations on the draft text. For those reasons, Mexico would abstain from voting on the draft resolution.

60. **Mr. Kimura** (Japan) said that his delegation acknowledged the efforts of Iran to promote and protect human rights amid the COVID-19 pandemic. Japan specifically appreciated that Iran hosted the largest population of Afghan refugees in the world and continued to provide them with basic services, health, sanitation and education. Japan hoped to see concrete progress in the promotion and protection of human rights in Iran through the steady implementation of the recommendations of the universal periodic review. There was still room for improvement, however, particularly when it came to transparency in judicial and investigatory processes. Japan had voted in favour of the draft resolution in the hope that Iran would make further progress on human rights. Japan would engage in bilateral dialogue with Iran on efforts to improve the human rights situation.

61. **Mr. Pilipenko** (Belarus) said that addressing country-specific issues without the consent or involvement of the countries in question was unacceptable in the work of the United Nations. Positive results in addressing possible human rights concerns in any given country could be achieved only through equal and respectful dialogue. The approaches proposed in the draft resolution were nothing more than an attempt to impose a certain point of view on a sovereign State and therefore constituted interference in internal affairs. In paragraph 31, the so-called mandate holders were practically goaded into addressing the situation of human rights in the Islamic Republic of Iran. Such approaches were unacceptable, and his delegation had therefore voted against the draft resolution.

62. **Ms. Brisbane** (Australia) said that her delegation was concerned about reports that Iran had made no meaningful efforts to comply with international human rights law, which underlined the importance of the annual resolution. Australia was also troubled by continuing executions in Iran, including of juvenile

offenders, and noted that Iran had one of the highest death penalty rates in the world. Iran was urged to end discrimination against Iranian women and girls and members of minority groups and to stop targeting human rights defenders and lawyers.

63. Some delegations had expressed opposition to the adoption of country-specific resolutions in the Committee, suggesting that such resolutions infringed on State sovereignty. However, States that committed human rights violations must be held to account. Appeals to State sovereignty could not be used as a shield. The Committee and the Human Rights Council were both appropriate forums where the international community could raise and discuss human rights violations in countries of concern. Australia, like other countries, did not have a perfect record on human rights, but it strove to do better and welcomed suggestions in that regard from United Nations special procedures mandate holders, the international community and civil society partners, and urged other States to do the same.

Draft resolution A/C.3/76/L.29: Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine

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

65. **Mr. Kyslytsya** (Ukraine), introducing the draft resolution on behalf of the sponsors listed in the document, said that his country was willing to resolve the conflict with the Russian Federation peacefully. To that end, in August 2021, Ukraine, together with partners, had launched the International Crimea Platform. The Platform had invited the cooperation of the Russian Federation, but instead, Russian Federation authorities had sent Crimean residents to jail for supporting it. In a few moments, the representative of the Russian Federation would insist, in its traditionally manipulative manner, that the Crimea question was closed. However, the General Assembly did not agree with that opinion.

66. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Albania, Belgium, Ireland, Japan, Luxembourg, Malta, Micronesia (Federated States of), Montenegro, New Zealand, North Macedonia, Portugal and Romania.

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

68. **Mr. Kuzmin** (Russian Federation), speaking in explanation of vote before the voting, said that it was impossible to have a serious discussion about the human

rights situation in Crimea on the basis of the draft resolution. Crimeans had been confirmed right in voting almost unanimously to accede to the Russian Federation in the referendum of 2014, given that, unlike in Ukraine, in Crimea residential areas were not being shelled, people were not being burned alive, journalists were not being killed, Nazi marches were not being held, and people were not prohibited from speaking their native languages.

69. According to the Organization for Security and Cooperation (OSCE) in Europe Special Monitoring Mission to Ukraine, the number of violations of the ceasefire in the Russian-speaking regions of Donetsk and Luhansk had increased by 1.5 times, totalling about 6,700, over the past two weeks. OSCE representatives had noted that, in the period from 11 to 24 October 2021, all the attacks against houses, schools and other civil infrastructure had taken place only in the republics of Donbass. Kyiv was becoming increasingly aggressive and received a constant supply of weapons from Western sponsors. It was fortunate that the war for Crimea amounted only to empty draft resolutions in the minds of Ukrainian politicians, because an attack against Crimea would be an attack against the Russian Federation.

70. The delegation of Ukraine had introduced new text to the draft resolution. The passage in which Russia was urged to ensure accessible drinking water for all residents of Crimea was a particularly vivid illustration of how outrageously Ukraine was behaving. The water shortage had arisen because Ukraine had shut off the water supply through the North Crimean Canal, which delivered 85 per cent of the freshwater supply of the Republic of Crimea.

71. **Mr. Carnahan** (United States of America), making a general statement before the voting, said that, since 2014, the occupation authorities had continued to subject the people of Crimea to a wide range of human rights violations and abuses. The draft resolution underscored the most egregious reported violations and abuses, including the growing number of political prisoners, the widespread use of torture to obtain confessions, enforced disappearances and extrajudicial killings. The occupation authorities continued to subject ethnic and religious minorities to raids, detentions, trials and other forms of abuse. The United States called for the immediate release of political prisoners, including the over 100 Crimean prisoners languishing in detention.

72. The international community largely rejected the illegal seizure by the Russian Federation of Ukrainian territory. The United States called on the Russian

Federation to immediately reverse its attempt to annex Ukrainian territory and abide by its international legal obligations to respect the sovereignty and territorial integrity of Ukraine within its internationally recognized borders. The United States also called on the Russian Federation to allow unconditional access to Crimea for the United Nations and the OSCE Special Monitoring Mission, whose mandate included the entire territory of Ukraine. It should be noted that General Assembly resolutions did not change the current state of conventional or customary international law or impose legal obligations on States. While the United States did not agree with all the statements contained in the draft resolution with respect to international law, particularly international humanitarian law, including the law governing occupation, it would vote in favour of the draft resolution.

73. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela), speaking in explanation of vote before the voting, said that the imposition of politically motivated, country-specific reports, mechanisms and resolutions contravened the principles of universality, objectivity, impartiality and non-selectivity, as well as the purposes and principles of the Charter of the United Nations. Member States must build on the progress achieved with the establishment of the Human Rights Council, whose credibility was undermined by country-specific measures. Human rights issues should be examined within the framework of the universal periodic review mechanism and by the United Nations treaty bodies, always to the extent necessary and in a spirit of cooperation and dialogue. For all of those reasons, his delegation would vote against the draft resolution.

74. **Ms. Ahmadova** (Azerbaijan), making a general statement before the voting, said that her delegation strongly condemned extremism, radicalism and separatism in all their forms and formally opposed the acquisition of territory through the use of force. Azerbaijan reaffirmed its full support for the political independence, unity and territorial integrity of Ukraine within its internationally recognized borders. The conflict over the territory of Ukraine must be resolved in accordance with the principles of sovereignty and territorial integrity contained in the Charter of the United Nations, the Final Act of the Conference on Security and Cooperation in Europe and the relevant United Nations resolutions. Both Azerbaijan and Ukraine were committed to mutual support for each country's sovereignty and territorial integrity. Azerbaijan called for the settlement of all conflicts between Member States through political dialogue in accordance with the principles of international law.

75. **Ms. Ershadi** (Islamic Republic of Iran), speaking in explanation of vote before the voting, said that country-specific resolutions exploited the Committee for political ends, in contravention of the Charter of the United Nations and the principles of universality, non-selectivity and objectivity. They also undermined cooperation, which was the essential principle for the promotion and protection of universally recognized human rights. The counterproductive recommendations contained in country-specific resolutions hindered dialogue, understanding, mutual respect and cooperation. For those reasons, her delegation would vote against the draft resolution.

76. **Ms. Nour Ali** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that her delegation rejected the draft resolution as a political tool and a cheap attempt to target the Russian Federation. Country-specific resolutions were counterproductive and exploited human rights for political purposes, violating the principles of universality, impartiality, objectivity and non-selectivity. They were also a waste of valuable resources that could be more effectively used to implement direct and practical measures to advance human rights.

77. Any review of the human rights records of Member States should take place through the universal periodic review, which had been designed for the purpose of improving the human rights situation on the ground in each Member State. Delegations wasted time and resources by introducing resolutions that competed with the work of the Human Rights Council. Doing so undermined human rights issues, burdened the agenda of the United Nations and hindered the Organization's efforts to preserve international peace and security. For those reasons, her delegation would vote against the draft resolution.

78. **Mr. Roscoe** (United Kingdom), making a general statement before the voting, said that the draft resolution, contrary to the assertion of the Syrian delegation, was not about politics. Rather, it concerned people. The United Kingdom was gravely concerned by the deterioration of human rights in Crimea since the illegal annexation. The Russian Federation continued to conduct a systematic campaign of human rights violations, including arrests and detentions, ill-treatment, torture, conscription of Ukrainian citizens and the denial of religious freedoms. Many of those measures had been disproportionately targeted at ethnic and religious minorities, particularly Crimean Tatars, who faced harassment and threats. International monitoring missions, including the human rights monitoring mission in Ukraine, had been repeatedly denied access to that country. The adoption of the draft

resolution would reinforce international resolve to maintain pressure on the Russian Federation to bring an immediate end to its human rights violations and to urgently provide access for the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other international monitoring organizations. Arguments made by certain delegations against the use of country-specific resolutions were nonsensical. Such resolutions were submitted only for the most serious violators and complemented the work of the Human Rights Council and other forums of examining the adherence of States to human rights obligations.

79. **Mr. Malovrh** (Slovenia), speaking on behalf of the European Union and its member States; the candidate countries Albania, Montenegro and North Macedonia and, in addition, Georgia, the Republic of Moldova and Ukraine, said that, since the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation, OHCHR had received credible information on alleged killings, arbitrary detentions, enforced disappearances and torture and ill-treatment by the Russian Federal Security Service and police. Those violations of human rights had not been prosecuted, nor had there been any will to ensure accountability. OHCHR and other regional and international human rights monitoring mechanisms continued to be denied unimpeded access to Crimea and Sevastopol. The European Union reiterated its full support for the territorial integrity, political independence, unity and sovereignty of Ukraine within its internationally recognized borders.

80. The Russian Federation continued to apply its laws, including criminal law, in Crimea, contrary to its obligations under international law as an occupying Power. Crimean residents faced systematic restrictions of the freedoms of expression, religion and association, and of the right to peaceful assembly. Journalists, human rights defenders and defence lawyers faced interference and intimidation. The Crimean Tatars continued to be persecuted. Destruction of Crimean cultural heritage such as archaeological treasures, artworks, museums and historical sites, continued unabated. For those reasons, the European Union and its member States would vote in favour of the draft resolution.

81. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea), speaking in explanation of vote before the voting, said that his delegation was firmly opposed to politicization and double standards where human rights were concerned and thus rejected the politically motivated draft resolution, which had nothing to do with the promotion and protection of human rights but rather caused mistrust and

confrontation among Member States. Human rights should never be used as a political instrument to violate sovereignty and interfere in the internal affairs of other sovereign States. Human rights work at the United Nations should be conducted in an objective, transparent, non-confrontational and non-politicized manner. His delegation would therefore vote against the draft resolution.

82. **Mr. Khandamishvili** (Georgia), making a general statement before the voting, said that his delegation supported the sovereignty and territorial integrity of Ukraine within its internationally recognized borders and condemned the ongoing temporary occupation by the Russian Federation of the Autonomous Republic of Crimea and the city of Sevastopol. Georgia was concerned about the grave humanitarian and human rights situation in the temporarily occupied territory of Ukraine. The population of Crimea and the city of Sevastopol continued to suffer from discrimination and were subjected to extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, harassment, intimidation, arbitration arrests and detention and torture. It was therefore critically important for the OHCHR and other international human rights monitoring mechanisms to have unhindered and immediate access to the occupied territories of Ukraine. The Russian Federation was also urged to implement all the recommendations contained in the relevant United Nations reports. Georgia would vote in favour of the draft resolution.

83. *A recorded vote was taken on draft resolution A/C.3/76/L.29.*

In favour:

Albania, Andorra, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bhutan, Botswana, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, 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, Palau, Panama, Papua New Guinea, Poland, Portugal, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against:

Armenia, Belarus, Cambodia, China, Cuba, Democratic People's Republic of Korea, Eritrea,

India, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Mali, Nicaragua, Philippines, Russian Federation, Serbia, Sudan, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Zimbabwe.

Abstaining:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Benin, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burundi, Cabo Verde, Cameroon, Central African Republic, Chile, Colombia, Comoros, Congo, Côte d'Ivoire, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Qatar, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, Suriname, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Viet Nam, Yemen, Zambia.

84. *The draft resolution was adopted by 64 votes to 20, with 93 abstentions.*

85. **Mr. Pilipenko** (Belarus) said that his delegation consistently opposed country-specific resolutions on human rights, which continued to be politicized. The title of the draft resolution in question indicated that it was politicized and biased. The adoption of such draft resolutions served only to increase confrontation and did not help to solve the specific issues on the ground.

86. The settlement of the conflict in eastern Ukraine was vital for regional security. The ongoing negotiations within the Trilateral Contact Group and the practical implementation of the Minsk arrangements in the conflict zone would put the peace process on a stable footing in a positive direction. Belarus would continue to provide all the support necessary to resolve the conflict in Ukraine, including by creating favourable conditions for the work of the Trilateral Contact Group and for negotiations in any format in Minsk. It was only through negotiations among the parties concerned that a solution to the Ukrainian crisis could be reached as soon as possible.

87. On the basis of its principled position of rejecting confrontation and all country-specific human rights resolutions, Belarus had voted against the draft resolution.

88. **Ms. Rajandran** (Singapore) said that her delegation had earlier explained that it would abstain on all country-specific resolutions put to a vote in the Committee and that such abstention should not be interpreted as a stance on the substance of the human rights issues raised in the various resolutions. Singapore asserted that its vote on the draft resolution did not derogate from or alter its position on General Assembly resolution 68/262 on the territorial integrity of Ukraine.

89. **Ms. Xu Daizhu** (China) said that her country had consistently advocated that differences on human rights matters should be handled through constructive dialogue and cooperation and on the basis of mutual respect. China opposed politicization, selectivity, double standards and confrontation. It also opposed the use of human rights issues as a pretext for exerting pressure on States, the creation of country-specific human rights mechanisms without the consent of the country concerned and the use of country-specific resolutions. China, given its long-standing position on country-specific resolutions, had voted against the draft resolution.

90. **Ms. Romulus Ortega** (Mexico) said that the draft resolution highlighted grave restrictions of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, including arbitrary detentions and politically motivated criminal convictions. Mexico was also concerned by the disappearances, illegal detentions, torture, extrajudicial executions, violations of the rights of indigenous peoples and restrictions of fundamental freedoms set out in the reports of the Secretary-General and OHCHR. Those reports also contained findings about the training of Crimean children for military service in armed groups, and mass arrests and other forms of repression against journalists and human rights defenders.

91. Nevertheless, Mexico had abstained from voting on the draft resolution because it contained elements of a political nature that had no place in a resolution on the human rights situation. Moreover, the draft resolution had not been the subject of open, inclusive and transparent consultations, resulting in a draft that was not balanced.

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

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

93. **Mr. Alateek** (Saudi Arabia) introduced the draft resolution on behalf of the Organization of Islamic Cooperation and the European Union.

94. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Andorra, Argentina, Australia, Bosnia and Herzegovina, Canada, Costa Rica, Iceland, Japan, Liechtenstein, Marshall Islands, Mexico, New Zealand, Norway, Republic of Korea, San Marino, Switzerland and Ukraine.

95. **Mr. Tun** (Myanmar) said that his was the only country that could find a sustainable solution to the Rohingya issue and that it should do so in a multidimensional and holistic manner. It was undeniable that all people in Myanmar had been suffering from the inhumane actions of the military, especially after the military coup of 1 February 2021. The Myanmar military had carried out ruthless and violent acts, arbitrary arrests, torture and crimes against humanity both before and after the coup. Those acts had been widely documented by United Nations offices and representatives, including the Special Rapporteur on the situation of human rights in Myanmar, the Special Envoy of the Secretary-General on Myanmar and the Independent Investigative Mechanism for Myanmar. On 5 November 2021, the head of the Mechanism had stated that, following the military coup, violence had risen and that widespread and systematic attacks against the civilian population had amounted to crimes against humanity. That clearly showed that the entire civilian population of Myanmar had been targeted and persecuted by the military junta. At a meeting of the Security Council held during the previous week, it had been evident that the situation in Myanmar had steadily worsened, with hundreds of thousands of civilians fleeing their homes and tragic events taking place in Kayah State, Sagaing Region and Chin State. Although it was understandable that the draft resolution intended to address the situation of human rights of the Rohingya and other minority groups in the country, it was important to be objective. The draft resolution should reflect and contain sufficient and updated information on the situation on the ground and should not neglect what was happening to the entire population.

96. As engagement was a core principle of multilateralism, the country concerned should have been invited to take part in the negotiation process concerning

the draft resolution. It also should be noted that the pertinent proposals of some Member States had not been taken on board. Although the draft resolution required substantive and procedural improvements, Myanmar, out of its solidarity with the Rohingya people, would support the draft resolution.

97. It was critically important for the international community to extend assistance to all people of Myanmar in their efforts to create the conditions for the handover of State power to the democratically elected Government. Detainees should be released without conditions. Transitional justice and accountability measures should be pursued for serious crimes committed before and after the military coup. The military should be placed under civilian control, and a federal democratic union should be established on the principles of democracy, equality, justice and rule of law.

98. **Mr. Koba** (Indonesia) said that his delegation called for the immediate cessation of violence and for all parties to exercise the utmost restraint. The draft resolution should focus on the main issues related to the situation of the Rohingya Muslims and other minorities in Myanmar. Myanmar was urged to take concrete measures to ensure an environment for their safe repatriation. Myanmar was also urged to implement the five-point consensus of the Association of Southeast Asian Nations (ASEAN), including by facilitating the visit of the ASEAN Special Envoy for Myanmar. ASEAN would continue to deliver humanitarian assistance to Myanmar and efforts should be made to ensure that that assistance also reached the Rohingya community.

99. Myanmar was also urged to provide an inclusive response to the COVID-19 pandemic, including through universal vaccination, in order to protect all persons, including the Rohingya Muslims and other minorities. Indonesia called on the international community to support the Rohingya, focusing their efforts on two areas: addressing immediate needs during the pandemic and creating the conditions for repatriation. The draft resolution reflected a commitment to ensuring that the plight of the Rohingya Muslims and other minorities would always be high on the agenda of the United Nations. Indonesia therefore hoped it would be adopted by consensus.

100. **Ms. Ershadi** (Islamic Republic of Iran) said that the continued deterioration of the human rights and humanitarian situation of the Rohingya was a matter of grave concern, particularly in the light of the COVID-19 pandemic. The indiscriminate attacks against Muslims had resulted in significant loss of life and had

exacerbated a history of discrimination and desperation. Iran called on Myanmar to uphold its responsibility to eliminate the root causes of the current crisis and ensure the voluntary and sustainable return of all Rohingya internally displaced persons and refugees. The situation in Myanmar underscored the fact that extremism had always served as a breeding ground for the worst atrocities.

101. Her delegation supported all steps towards the cessation of violence, the delivery of humanitarian assistance and the safe, voluntary and dignified return of all forcibly displaced persons. It also supported a durable solution to the situation in Rakhine State and recognized the generosity of the Government and people of Bangladesh in providing shelter and support for the refugees. It would vote in favour of the draft resolution.

102. **Mr. Abd Aziz** (Malaysia) said that his delegation was concerned that the situation in Myanmar continued to adversely affect the situation of the Rohingya and other minorities, who had suffered disproportionately from violence and human rights violations. Ensuring the flow of humanitarian aid, including COVID-19 vaccines, remained a high priority. In that regard, Malaysia reiterated its support for the efforts of ASEAN, including its assistance with the repatriation of Rohingya refugees and the provision of humanitarian assistance.

103. Regrettably, there had been no genuine advances in the implementation of the ASEAN five-point consensus. As a result, ASEAN had decided that it was unacceptable for the Chair of the State Administration Council of Myanmar to participate in the recent ASEAN summits. As a rules-based organization, ASEAN had seen that decision as necessary to preserve its credibility following the Council's failure to deliver on its promises to implement the five-point consensus.

104. Malaysia also noted the high expectations of the international community, which had trusted ASEAN to address the situation in Myanmar. It was important for the efforts of ASEAN to be supported by the international community, including the United Nations system and the Security Council in particular. ASEAN should not be used as a pretext for inaction or as a smokescreen. Malaysia would continue to support the ongoing efforts to ensure the safe, voluntary and dignified return of the Rohingya to Rakhine State.

105. *Draft resolution [A/C.3/76/L.30/Rev.1](#) was adopted.*

106. **Ms. Fatima** (Bangladesh) said that the adoption of the draft resolution had been a historic moment, as the entire membership of the United Nations had come together in support of the Rohingya and other minorities

in Myanmar. The draft resolution bore special significance for Bangladesh, which for over four decades had hosted the forcibly displaced Rohingya. In 2017, after the appalling clearance operations of the Myanmar security forces, the number of refugees had surpassed 1 million. Bangladesh had opened its borders in 2017 out of humanitarian considerations and had concluded several agreements with Myanmar for the voluntary, safe and sustainable return of the Rohingya. Regrettably, Myanmar had failed to live up to its obligations, resulting in a protracted situation wherein Rohingya lived in a state of uncertainty and hopelessness. The situation had worsened following the declaration of the state of emergency in Myanmar on 1 February 2021.

107. As a resource-constrained and densely populated country, Bangladesh faced enormous challenges in hosting the Rohingya, which had been exacerbated by the COVID-19 pandemic. With no progress made towards repatriation, the Rohingya were being driven to desperation and their growing involvement in criminal activities was of increasing concern. In addition, the situation posed security concerns that could potentially lead to instability in the entire region. The adoption of the draft resolution demonstrated the international community's continuing attention to the crisis and would reassure the Rohingya that they had not been forgotten.

108. **Mr. Wenaweser** (Liechtenstein) said that the human rights situation in Myanmar had deteriorated significantly since the February 2021 coup by the military forces. The regime continued to ignore the calls from the relevant United Nations bodies to improve the human rights situation and was therefore increasingly isolated regionally and internationally. The draft resolution's focus on human rights violations against the Rohingya people and other minorities was welcome, given their long-standing suffering, the lack of impunity for violations against them and the destabilizing impact of the situation on neighbouring countries.

109. However, the draft resolution should have reflected the human rights situation more broadly, as the military's policies amounted to a systematic and widespread attack on the civilian population, which created obstacles for the voluntary, safe, dignified and sustainable return of the Rohingya population. In addition, the draft resolution should have incorporated specific language from General Assembly resolution [75/287](#) on the situation in Myanmar, including the explicit condemnation of the excessive use of force against specified groups. It was also regrettable that the call for Member States to prevent the flow of arms into Myanmar had not been incorporated into the text. That

was a crucial component of de-escalation and necessary for a peaceful transition to a political arrangement that expressed the will of the people. Although the references in the text to accountability for crimes were welcome, they should have been more comprehensive.

110. **Mr. Malovrh** (Slovenia), speaking on behalf of the European Union and its member States, said that appalling crimes, including reported war crimes and crimes against humanity, had been committed against Rohingya and other minorities in Myanmar. The root causes of those crimes had not yet been addressed. The same military leadership that oversaw crimes against the Rohingya now led the junta. That leadership had staged the February 2021 coup and had given orders to the security and armed forces to kill, torture, imprison, employ sexual violence and shell villages, hospitals and schools.

111. The European Union condemned those acts in the strongest terms and called for the immediate cessation of violence and for justice and accountability for human rights violations. It expressed its unequivocal support for all the people of Myanmar, including Rohingya and other minorities, and for the democratic transition in Myanmar. It called for a halt to the continued flow of arms into Myanmar, which gravely undermined human rights. The European Union also welcomed the recent appointment of the new Special Envoy of the Secretary-General on Myanmar.

112. The European Union continued to call for the immediate and full implementation of the commitments made at the ASEAN Leaders' Meeting in April 2021, which had set out the five-point consensus. The European Union would continue to support ASEAN efforts to ensure a peaceful resolution of the current crisis that would ensure the country's swift return to a democratic path.

113. **Ms. Fangco** (Philippines) said that while her delegation was pleased to join the consensus on the draft resolution, it disassociated itself from preambular paragraph 23 and paragraph 2 of the text, which contained references to the International Criminal Court, for the reasons expressed in its earlier statement.

114. **Ms. Nguyen** Quyen Thi Hong (Viet Nam) said that positive engagement through the universal periodic review was the only effective and appropriate approach to address human rights concerns. Country-specific resolutions merely served to undermine efforts to promote engagement. Viet Nam shared the concern of the international community regarding the situation in Rakhine State and the challenges facing displaced persons and also acknowledged the growing difficulties faced by Bangladesh in hosting and providing assistance

to displaced persons. There was a need to create the conditions for the safe, voluntary, sustainable and dignified return of displaced persons. The situation in Rakhine State was complex, with deep historical roots and required a comprehensive and constructive approach through dialogue among Myanmar, Bangladesh and other regional partners. ASEAN had reaffirmed its commitment to addressing the situation in Rakhine State and to supporting peace efforts and reconciliation among the communities, and Viet Nam had worked closely with ASEAN member States to that end.

115. **Ms. Wagner** (Switzerland) said that her country was alarmed by the seizure of power in Myanmar by the military authorities and the continued violations of human rights and international humanitarian law. The excessive use of force and arbitrary arrests, including of displaced persons, were of particular concern. It was the responsibility of the international community to respond to such situations, particularly within the Committee.

116. Switzerland regretted that the draft resolution did not address in a more comprehensive manner the current situation in Myanmar or the human rights situation. While the focus on minorities and the Rohingya was welcome, it was crucial to underscore that no durable solution was possible without a return to democracy in Myanmar. Switzerland reiterated the importance of dialogue and complementarity between the ASEAN Special Envoy for Myanmar and the Special Envoy of the Secretary-General on Myanmar and regretted the absence of text to that effect in the draft resolution. In addition, the draft resolution limited the mandate of the Special Envoy of the Secretary-General. Without a mandate to address the current political crisis, the Special Envoy would not have adequate room to manoeuvre.

117. **Ms. Buist-Catherwood** (New Zealand) said that her delegation welcomed calls for the armed forces of Myanmar to end the state of emergency, respect the democratic aspirations of the people of Myanmar, allow a democratic transition, end the violence and fully respect human rights and the rule of law. While the draft resolution had been finely balanced in order to achieve consensus, it should have included stronger language condemning the military coup. New Zealand remained concerned that the coup had been a setback in the country's progress towards democracy, peace and economic development and deplored the use of violence by the Myanmar military against peaceful protesters, children and civilians.

118. New Zealand viewed country-specific resolutions as important in drawing attention to serious violations

and abuses of human rights. The international community must urge respect for international human rights law and accountability in cases where such violations and abuses occurred.

119. **Ms. Al-Katta** (Canada) said that, the previous year, elections had been held in Myanmar that independent observers had deemed democratic and representative. The military coup had reversed that progress and spoiled the aspirations for a peaceful and prosperous Myanmar, as well as a safe, voluntary, dignified and sustainable return of the Rohingya people.

120. Human rights violations, including arbitrary detentions and killings by the military forces, had only intensified since the coup. Canada welcomed the language in the draft resolution highlighting support for the Independent Mechanism for Myanmar and for accountability. In that context, all Member States should halt the transfer and sale of arms, military equipment and technical assistance to Myanmar. Her delegation supported the work of ASEAN to defuse the crisis and continued to call for the full implementation of the ASEAN five-point consensus. Canada called for the immediate cessation of violence, for the release of the arbitrarily detained, including members of the National League for Democracy and foreign nationals, and for unconditional and unrestricted humanitarian access to ensure delivery of aid.

121. **Mr. Pilipenko** (Belarus) said that his country shared the concerns of Member States regarding the situation in Myanmar and the situation of the Muslim Rohingyas and other minorities. However, country-specific resolutions undermined dialogue and were used to exert political pressure on a sovereign State. Neither the draft resolution nor the relevant mandate holders brought any tangible benefits; they only increased confrontation. Solutions that were constructive and mutually acceptable to all parties were needed. On the basis of its principled position against country-specific approaches in the work of the United Nations, his delegation dissociated itself from the consensus on the draft resolution.

122. **Mr. Carnahan** (United States of America) said that the human rights situation in Myanmar had worsened considerably since the coup. The United States urged the international community to act collectively to pressure the military to cease violence, release unjustly detained prisoners, address human rights abuses, allow unhindered humanitarian access and restore the democratic transition. Member States should take concrete actions in that regard, including imposing targeted economic sanctions, promoting accountability for the coup and preventing the transfer

of arms and dual-use technologies to the military. The Myanmar authorities should also cooperate with the Special Rapporteur on the situation of human rights in Myanmar. While the United States did not take a position on whether ongoing violence in Myanmar could be legally characterized as an armed conflict, it supported all credible efforts to advance peace and reconciliation.

123. **Mr. Klíma** (Czechia) said that his delegation remained deeply concerned about the deteriorating security, economic, social and humanitarian situation in the country, which severely affected all the people of Myanmar and had a wider impact on the region. Czechia condemned in the strongest possible terms the military coup and expressed its unequivocal support for the democratic aspirations of the people of Myanmar and the country's democratic transition. Czechia was alarmed by the grave human rights violations committed by the military regime against the people of Myanmar, including Rohingya Muslims and other minorities. It called for a cessation of the disproportionate use of force and the persecution of journalists, human rights defenders and others who had opposed the military takeover. Czechia also supported efforts towards an inclusive dialogue process involving all relevant parties in Myanmar, including the National Unity Government and democratic political parties. Any resolution relating to Myanmar should reflect the country's current situation in all its complexity and address the grave human rights violations against all the people of Myanmar.

124. **Ms. Rajandran** (Singapore) said that the situation in Rakhine State was a complex problem rooted in history. There was an urgent need to restore peace, stability and harmony among all communities, which could only occur through reconciliation and constructive and inclusive dialogue. Existing challenges had been compounded by the ongoing instability and violence arising from the military coup and the most immediate priority should be to ensure that humanitarian assistance reached all those in need. Singapore commended the efforts of the Government of Bangladesh and humanitarian agencies in Cox's Bazar and called on the United Nations and the international community to continue their assistance to the Rohingya refugees, particularly related to the COVID-19 pandemic. Singapore also urged Myanmar to expeditiously implement the five-point consensus of the ASEAN Leaders' Meeting to facilitate the return of peace. ASEAN had provided humanitarian assistance and had contributed to repatriation and resettlement efforts, including through the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management. ASEAN and Singapore were committed to

bringing harmony, stability, the rule of law and reconciliation to the various communities, and to ensuring sustainable development in Myanmar, including in Rakhine State.

The meeting rose at 1 p.m.