



# General Assembly

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## Seventy-seventh session

Agenda item 68 (c)

### **Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives**

#### **Report of the Third Committee\***

*Rapporteur:* Ms. Shalini Gungaram (Mauritius)

#### **I. Introduction**

1. At its 3rd plenary meeting, on 16 September 2022, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-seventh session, under the item entitled “Promotion and protection of human rights”, the sub-item entitled “Human rights situations and reports of special rapporteurs and representatives” and to allocate it to the Third Committee.

2. The Third Committee considered the sub-item jointly with sub-items 68 (a), entitled “Implementation of human rights instruments”, 68 (b), entitled “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, and 68 (d), entitled “Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action”, and heard introductory statements and held interactive dialogues and a general discussion on item 68, entitled “Promotion and protection of human rights”, as a whole, at its 17th to 38th meetings, from 13 to 14, 17 to 21, and 25 to 28 October 2022. The Committee considered proposals and took action on the sub-item at its 52nd and 53rd meetings, on 16 November 2022. An account of the Committee’s consideration of the item is contained in the relevant summary records.

3. For the documents before the Committee under this sub-item, see document [A/77/463](#).

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\* The report of the Committee on this item is being issued in five parts, under the symbols [A/77/463](#), [A/77/463/Add.1](#), [A/77/463/Add.2](#), [A/77/463/Add.3](#) and [A/77/463/Add.4](#), [A/C.3/77/SR.17](#), [A/C.3/77/SR.18](#), [A/C.3/77/SR.19](#), [A/C.3/77/SR.20](#), [A/C.3/77/SR.21](#), [A/C.3/77/SR.22](#), [A/C.3/77/SR.23](#), [A/C.3/77/SR.24](#), [A/C.3/77/SR.25](#), [A/C.3/77/SR.26](#), [A/C.3/77/SR.27](#), [A/C.3/77/SR.28](#), [A/C.3/77/SR.29](#), [A/C.3/77/SR.30](#), [A/C.3/77/SR.31](#), [A/C.3/77/SR.32](#), [A/C.3/77/SR.33](#), [A/C.3/77/SR.34](#), [A/C.3/77/SR.35](#), [A/C.3/77/SR.36](#), [A/C.3/77/SR.37](#), [A/C.3/77/SR.38](#), [A/C.3/77/SR.52](#) and [A/C.3/77/SR.53](#).



4. At the 52nd meeting, on 16 November 2022, the representative of Azerbaijan made a statement on behalf of the Movement of Non-Aligned Countries with regard to the draft resolutions before the Committee under the sub-item.

## II. Consideration of proposals

### A. Draft resolution [A/C.3/77/L.32](#)

5. At its 52nd meeting, on 16 November 2022, the Committee had before it a draft resolution entitled “Situation of human rights in the Democratic People’s Republic of Korea” ([A/C.3/77/L.32](#)), submitted by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, the Netherlands, North Macedonia, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Andorra, Bosnia and Herzegovina, Chile, Georgia, Guatemala, Israel, Kiribati, Liberia, Maldives, Mexico, Nauru, New Zealand, Norway, Palau, San Marino, Serbia and Tuvalu joined in sponsoring the draft resolution.

6. At the same meeting, the representative of Czechia (on behalf of the European Union) made a statement.

7. Also at the same meeting, the Committee adopted draft resolution [A/C.3/77/L.32](#) (see para. 29, draft resolution I).

8. Before the adoption of the draft resolution, statements were made by the representatives of the Democratic People’s Republic of Korea, Venezuela (Bolivarian Republic of) (on behalf of the Group of Friends in Defence of the Charter of the United Nations), Singapore, India, China, Zimbabwe, the Russian Federation, Nicaragua, Iran (Islamic Republic of), Belarus, Japan, the Syrian Arab Republic and Eritrea. After the adoption, statements were made by the representatives of Cuba, Viet Nam, the United Kingdom of Great Britain and Northern Ireland, the Republic of Korea and the Philippines.

### B. Draft resolution [A/C.3/77/L.33/Rev.1](#)

9. At its 52nd meeting, on 16 November 2022, the Committee had before it a revised draft resolution entitled “Situation of human rights of Rohingya Muslims and other minorities in Myanmar” ([A/C.3/77/L.33/Rev.1](#)), submitted by Afghanistan, Albania, Algeria, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, the Central African Republic, Chad, Comoros, Côte d’Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, Egypt, Estonia, Finland, France, Gabon, the Gambia, Germany, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libya, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Monaco, Montenegro, Morocco, Mozambique, the Netherlands, Niger, Nigeria, North Macedonia, Oman, Pakistan, Poland, Portugal, Qatar, the Republic of Korea, Romania, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Sudan, Suriname, Sweden, Tajikistan, Togo, Tunisia, Türkiye, Turkmenistan, Uganda, Ukraine, the United Arab Emirates, Uzbekistan and Yemen. Subsequently, Andorra, Argentina, Australia, Canada, the Congo, Costa Rica, Guatemala, Japan,

Kiribati, Liberia, Liechtenstein, the Marshall Islands, Mexico, New Zealand, Norway, San Marino, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined in sponsoring the draft resolution.

10. At the same meeting, the representative of Saudi Arabia (on behalf of the Organization of Islamic Cooperation and the European Union) made a statement.

11. Also at the same meeting, the Committee adopted draft resolution [A/C.3/77/L.33/Rev.1](#) (see para. 29, draft resolution II).

12. Before the adoption of the draft resolution, statements were made by the representatives of Myanmar, Czechia (also on behalf of the European Union, Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, the Republic of Moldova and Ukraine), the United States of America, Canada (also on behalf of Australia, Iceland, Liechtenstein and Norway), Indonesia, Iran (Islamic Republic of), the United Kingdom of Great Britain and Northern Ireland and New Zealand. After the adoption, statements were made by the representatives of Singapore, Thailand, the Philippines, Belarus, the Russian Federation, Bangladesh, Malaysia and China.

13. Also at the 52nd meeting, a statement was made by the representative of Myanmar.

### C. Draft resolution [A/C.3/77/L.34](#)

14. At its 52nd meeting, on 16 November 2022, the Committee had before it a draft resolution entitled “Situation of human rights in the Islamic Republic of Iran” ([A/C.3/77/L.34](#)), submitted by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Andorra, Greece, Guatemala, Kiribati, Liberia, Palau, the Republic of Moldova, San Marino and Tuvalu joined in sponsoring the draft resolution.

15. At the same meeting, the representative of Canada made a statement.

16. Also at the same meeting, the Committee adopted draft resolution [A/C.3/77/L.34](#) by a recorded vote of 79 to 28, with 68 abstentions (see para. 29, draft resolution III). The voting was as follows:<sup>1</sup>

*In favour:*

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Botswana, Bulgaria, Cabo Verde, 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, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Myanmar, Netherlands, New Zealand, North Macedonia, Norway, Palau, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Saudi Arabia, Seychelles, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Timor-Leste, Tuvalu, Ukraine, United

<sup>1</sup> The delegation of Panama subsequently indicated that it had intended to vote in favour.

Kingdom of Great Britain and Northern Ireland, United States of America, Yemen.

*Against:*

Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, 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, Tajikistan, Turkmenistan, Uzbekistan, Viet Nam, Zimbabwe.

*Abstaining:*

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Belize, Benin, Bhutan, Bosnia and Herzegovina, Brazil, Burundi, Cambodia, Cameroon, Central African Republic, Chad, 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, Mongolia, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Papua New Guinea, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Singapore, Solomon Islands, South Africa, Sudan, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Zambia.

17. Before the vote, statements were made by the representatives of Australia, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Netherlands and New Zealand, and the representatives of Iran (Islamic Republic of), Cuba, Venezuela (Bolivarian Republic of), the Democratic People's Republic of Korea, Pakistan, Nicaragua, China, the Russian Federation and the Syrian Arab Republic made statements in explanation of vote. After the vote, the representatives of Singapore, Belarus, Mexico, Saudi Arabia and Nigeria made statements in explanation of vote.

18. Also at the 52nd meeting, statements were made by the representatives of France, Czechia (on behalf of the European Union), Germany and Norway.

**D. Draft resolution [A/C.3/77/L.35](#)**

19. At its 52nd meeting, on 16 November 2022, the Committee had before it a draft resolution entitled "Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine" ([A/C.3/77/L.35](#)), submitted by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Guatemala, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Micronesia (Federated States of), Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Palau, Poland, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Türkiye, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Andorra, Monaco, Portugal, San Marino, Switzerland and Vanuatu joined in sponsoring the draft resolution.

20. At the same meeting, the representative of Ukraine made a statement.

21. Also at the same meeting, the Committee adopted draft resolution [A/C.3/77/L.35](#) by a recorded vote of 78 to 14, with 79 abstentions (see para. 29, draft resolution IV). The voting was as follows:

*In favour:*

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bhutan, Bosnia and Herzegovina, Bulgaria, Cabo Verde, Canada, Chad, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Myanmar, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Poland, Portugal, Qatar, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Somalia, Spain, Suriname, Sweden, Switzerland, Timor-Leste, Türkiye, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

*Against:*

Belarus, China, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Mali, Nicaragua, Russian Federation, Sudan, Syrian Arab Republic, Zimbabwe.

*Abstaining:*

Algeria, Angola, Antigua and Barbuda, Bahrain, Bangladesh, Benin, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burundi, Cambodia, Cameroon, Central African Republic, Colombia, Comoros, Congo, Côte d'Ivoire, Djibouti, Egypt, El Salvador, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Honduras, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Republic of Korea, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia.

22. Before the vote, statements were made by the representatives of Czechia (on behalf of the European Union, Albania, Bosnia and Herzegovina, Georgia, Iceland, Liechtenstein, Montenegro, North Macedonia, the Republic of Moldova, San Marino and Ukraine), the United Kingdom of Great Britain and Northern Ireland, Georgia and the United States of America, and the representatives of Iran (Islamic Republic of), Venezuela (Bolivarian Republic of), Azerbaijan, the Democratic People's Republic of Korea and the Russian Federation made statements in explanation of vote.

23. At the 53rd meeting, on 16 November 2022, after the vote, the representatives of Qatar, Kazakhstan, Singapore, the Syrian Arab Republic and China made statements in explanation of vote.

## **E. Draft resolution [A/C.3/77/L.36/Rev.1](#)**

24. At its 53rd meeting, on 16 November 2022, the Committee had before it a revised draft resolution entitled "Situation of human rights in the Syrian Arab Republic" ([A/C.3/77/L.36/Rev.1](#)), submitted by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Ireland, Israel, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Micronesia (Federated States of), Monaco, the Netherlands, North Macedonia, Romania, Slovakia, Slovenia, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Andorra,

Cyprus, Greece, Guatemala, Hungary, Iceland, Japan, Kuwait, Liberia, Lithuania, the Marshall Islands, Montenegro, New Zealand, Norway, Palau, Poland, Portugal, Qatar, the Republic of Korea, San Marino, Switzerland and Ukraine joined in sponsoring the draft resolution.

25. At the same meeting, the representative of the United States of America made a statement.

26. Also at the same meeting, the Committee adopted draft resolution [A/C.3/77/L.36/Rev.1](#) by a recorded vote of 90 to 14, with 68 abstentions (see para. 29, draft resolution V). The voting was as follows:

*In favour:*

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

*Against:*

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

*Abstaining:*

Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Belize, Bhutan, Brunei Darussalam, Burundi, Cameroon, Chad, Congo, Djibouti, Egypt, Equatorial Guinea, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iraq, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

27. Before the vote, statements were made by the representatives of the United Kingdom of Great Britain and Northern Ireland and Canada, and the representatives of Iran (Islamic Republic of), Venezuela (Bolivarian Republic of), China, Cuba, the Democratic People's Republic of Korea, the Russian Federation, Saudi Arabia and the Syrian Arab Republic made statements in explanation of vote. After the vote, the representatives of Argentina, Belarus, Singapore, Brazil and Türkiye made statements in explanation of vote, and the representatives of Czechia (on behalf of the European Union, Albania, Bosnia and Herzegovina, Georgia, Montenegro, North Macedonia, the Republic of Moldova, San Marino, and Ukraine) and Japan made statements.

28. Also at the 53rd meeting, statements in exercise of the right of reply were made by the representatives of Iran (Islamic Republic of) and Canada.

### III. Recommendations of the Third Committee

29. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### **Draft resolution I** **Situation of human rights in the Democratic People's Republic of Korea**

*The General Assembly,*

*Reaffirming* that all States have an obligation to respect, protect and fulfil human rights and fundamental freedoms and to fulfil the obligations that they have undertaken under the various international instruments,

*Recalling* all previous resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea, including Assembly resolution [76/177](#) of 16 December 2021 and Council resolution [49/22](#) of 1 April 2022,<sup>1</sup> and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

*Deeply concerned* at the grave human rights situation, the pervasive culture of impunity and the lack of accountability for human rights violations and abuses in the Democratic People's Republic of Korea,

*Reiterating* the importance of following up on the recommendations contained in the report of the commission of inquiry on human rights in the Democratic People's Republic of Korea,<sup>2</sup> and reiterating also its grave concern at the detailed findings contained therein,

*Recalling* the responsibility of the Democratic People's Republic of Korea to protect its population from crimes against humanity, and recalling also that the commission of inquiry urged the leadership of the Democratic People's Republic of Korea to prevent and suppress crimes against humanity and to ensure that perpetrators are prosecuted and brought to justice,

*Taking note* of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea,<sup>3</sup> regretting that the previous Special Rapporteur was not allowed to visit the country and that he received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution [76/177](#),<sup>4</sup>

*Mindful* that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,<sup>5</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>6</sup> the Convention on the Rights of the Child,<sup>7</sup>

<sup>1</sup> See *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 53 (A/77/53)*, chap. V, sect. A.

<sup>2</sup> [A/HRC/25/63](#).

<sup>3</sup> [A/77/522](#).

<sup>4</sup> [A/77/247](#).

<sup>5</sup> See resolution [2200 A \(XXI\)](#), annex.

<sup>6</sup> *Ibid.*

<sup>7</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.



the Convention on the Elimination of All Forms of Discrimination against Women<sup>8</sup> and the Convention on the Rights of Persons with Disabilities,<sup>9</sup> and urging full implementation of these Conventions and of the recommendations contained in the concluding observations from treaty body reviews and the submission of all overdue periodic reports to the respective treaty bodies,

*Encouraging* the Democratic People's Republic of Korea to implement the recommendations contained in the report of the Special Rapporteur of the Human Rights Council on the rights of persons with disabilities on her visit to the Democratic People's Republic of Korea in May 2017, submitted to the Council at its thirty-seventh session,<sup>10</sup>

*Stressing* the importance of extending the cooperation of the Government of the Democratic People's Republic of Korea to other United Nations special procedures and human rights mechanisms, in particular to use the opportunity to engage with the new Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, in accordance with their terms of reference,

*Recalling* the participation of the Democratic People's Republic of Korea in the third universal periodic review process, noting the acceptance by the Government of the Democratic People's Republic of Korea of 132 of the 262 recommendations,<sup>11</sup> and encouraging the Government to implement these recommendations in good faith,

*Noting with regret* that independent civil society organizations cannot operate in the Democratic People's Republic of Korea and that, as a result, no civil society organization based in the Democratic People's Republic of Korea is able to independently monitor, document and report on human rights violations in the country,

*Recalling* the collaboration established between the Government of the Democratic People's Republic of Korea and the Office of the United Nations High Commissioner for Human Rights in providing human rights education to a small number of government officials in Geneva in May 2019, and urging that such technical cooperation be broadened, including through virtual meetings,

*Stressing* the importance of extending the cooperation of the Government of the Democratic People's Republic of Korea to the field-based structure of the Office of the United Nations High Commissioner for Human Rights in the region,

*Noting* the cooperation between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund and the World Health Organization in order to improve the health situation in the country, including communication with the World Health Organization on addressing the coronavirus disease (COVID-19) pandemic and the delivery of COVID-19 vaccines to the Democratic People's Republic of Korea,

*Noting also* the activities undertaken by the United Nations Development Programme, on a modest scale, in the Democratic People's Republic of Korea prior to the withdrawal of international staff, and encouraging the engagement of the Government of the Democratic People's Republic of Korea with the international community to ensure that the programmes benefit persons in need of assistance and continue to be implemented even within the context of measures to prevent the spread of COVID-19,

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<sup>8</sup> Ibid., vol. 1249, No. 20378.

<sup>9</sup> Ibid., vol. 2515, No. 44910.

<sup>10</sup> A/HRC/37/56/Add.1.

<sup>11</sup> A/HRC/42/10.



*Noting further* the cooperation between the Government of the Democratic People's Republic of Korea and the World Food Programme, the United Nations Children's Fund and the Food and Agriculture Organization of the United Nations on a number of assessments, underscoring the importance of those assessments in analysing changes in the national, household and individual situations with regard to food security, nutrition, health, water and sanitation, thereby supporting confidence in the targeting and monitoring of aid programmes, and noting with appreciation the work of international aid operators,

*Stressing* the importance of granting immediate access to the country for humanitarian agencies, especially given the prevalence of malnutrition and the need to continue to respond to COVID-19 and the necessity for international humanitarian aid organizations to be able to carry out independent needs assessments and implement their humanitarian programmes consistent with international standards and humanitarian principles, including in areas with no operational presence, as well as the need for full, safe, rapid and unhindered access for humanitarian organizations to provide assistance to persons in the most vulnerable situations, including individuals in detention, and persons with disabilities, including through the entry of international staff and the prioritization of the shipment of life-saving humanitarian assistance, in accordance with guidance and best practice provided by the World Health Organization,

*Noting with concern* the findings of the United Nations in the humanitarian report entitled "Democratic People's Republic of Korea 2020: needs and priorities" and the joint rapid food security assessments conducted by the Food and Agriculture Organization of the United Nations and the World Food Programme and their calls to address the critical humanitarian needs in the Democratic People's Republic of Korea,

*Condemning* the Democratic People's Republic of Korea for diverting its resources into pursuing nuclear weapons and ballistic missiles over the welfare of its people, and emphasizing the necessity for the Democratic People's Republic of Korea to respect and ensure the welfare and inherent dignity of the people in the country, as referred to by the Security Council in its resolutions [2321 \(2016\)](#) of 30 November 2016, [2371 \(2017\)](#) of 5 August 2017, [2375 \(2017\)](#) of 11 September 2017 and [2397 \(2017\)](#) of 22 December 2017,

*Noting with grave concern* the exacerbation of the humanitarian situation and the adverse impact on the human rights situation in the Democratic People's Republic of Korea of measures taken following the global outbreak of the COVID-19 pandemic, and stressing that any restrictions to address the COVID-19 pandemic and the national outbreak announced in May 2022 must be necessary, proportionate, non-discriminatory, time-bound and strictly in line with international law, including international human rights law, and with relevant Security Council resolutions,

*Noting with concern* the government restrictions that have compelled the international staff of humanitarian agencies to leave the country and suspend assistance projects and the effect that these restrictions may have had on the levels of malnutrition and access to health services, water and sanitation,

*Taking note* of the ongoing strategic framework for cooperation between the United Nations and the Government of the Democratic People's Republic of Korea and the Government's commitment in accordance with the principles, goals and targets of the Sustainable Development Goals<sup>12</sup> and in line with its commitments to international agreements and conventions,

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<sup>12</sup> See resolution [70/1](#).

*Stressing again with grave concern* the urgency and importance of the issue of international abductions, which involves a serious violation of human rights, and of the immediate return of all abductees, as they and their family members age, expressing grave concern at the long years of severe suffering experienced by abductees and their families, and the lack of any concrete or positive action by the Democratic People's Republic of Korea, notably since the investigations on all the Japanese nationals commenced on the basis of the government-level consultations held between the Democratic People's Republic of Korea and Japan in May 2014 and the identical and non-substantive replies by the Democratic People's Republic of Korea to the numerous communications transmitted by the Working Group on Enforced or Involuntary Disappearances, and strongly demanding again that the Democratic People's Republic of Korea sincerely listen to the voices of the victims and their families to address all allegations of enforced disappearances, clarify the fate and whereabouts of disappeared persons and faithfully provide accurate and detailed information to the families of the victims, and resolve immediately all issues related to all abductees, in particular the realization of the immediate return of all abductees of Japan and the Republic of Korea,

*Noting with concern* the allegations of continued violations of the human rights of unrepatriated prisoners of war and their descendants,

*Stressing* the urgency and importance of the issue of separated families, including affected Koreans worldwide, and in this regard urging the resumption of the reunions of separated families across the border, including the implementation of the commitments made on this issue at the inter-Korean summit held on 19 September 2018 to strengthen humanitarian cooperation to fundamentally resolve the issue of separated families and allow permanent regular reunions and contact between separated families, including through meetings at an easily accessible location and regular facility, regular written correspondence, video reunions and the exchange of video messages, in accordance with relevant Security Council resolutions,

*Welcoming* efforts undertaken by Member States so far, encouraging further efforts to raise international awareness about the human rights situation in the Democratic People's Republic of Korea, and noting that human rights, including gender equality, are intrinsically linked to peace and security,

*Encouraging* diplomatic efforts, and stressing the importance of dialogue and engagement, including inter-Korean dialogue, to seek improvement of the human rights and the humanitarian situation in the country,

*Welcoming* the efforts of the Secretary-General to contribute to improving inter-Korean relations and promoting reconciliation and stability on the Korean Peninsula and the well-being of the Korean people,

1. *Condemns in the strongest terms* the long-standing and ongoing systematic, widespread and gross violations of human rights in and by the Democratic People's Republic of Korea, including those that may amount to crimes against humanity according to the commission of inquiry on human rights in the Democratic People's Republic of Korea, established by the Human Rights Council in its resolution [22/13](#) of 21 March 2013,<sup>13</sup> and those identified by the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea,<sup>14</sup> established pursuant to Council resolution [31/18](#) of 23 March 2016,<sup>15</sup> and by

<sup>13</sup> See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. IV, sect. A.

<sup>14</sup> See [A/HRC/34/66/Add.1](#).

<sup>15</sup> See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53 (A/71/53)*, chap. IV, sect. A.

the Office of the United Nations High Commissioner for Human Rights during its ongoing monitoring and documentation work, and the continuing impunity for such violations;

2. *Expresses its very serious concern* about:

(a) The persistence of continuing reports of violations of human rights, including the detailed findings made by the commission of inquiry in its report, by the United Nations High Commissioner for Human Rights in its ongoing monitoring and documentation work and by the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea, such as:

(i) Torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention; all forms of sexual and gender-based violence, including rape, in particular against women and girls; extrajudicial, summary and arbitrary executions; the imposition of the death penalty for political and religious reasons; public executions; extrajudicial and arbitrary detention; the absence of due process and the rule of law, including fair trial guarantees and an independent judiciary; collective punishments extending up to three generations; and the extensive use of forced labour, including of children;

(ii) The existence of an extensive system of political prison camps, where a vast number of persons are deprived of their liberty and subjected to deplorable conditions, including forced labour, and where alarming violations of human rights are perpetrated;

(iii) Enforced and involuntary disappearances of persons by arrest, detention or abduction against their will; refusal to disclose the fate and whereabouts of the persons concerned; and refusal to acknowledge the deprivation of their liberty, which places such persons subjected thereto outside the protection of the law and which has had the effect of inflicting severe suffering on them and their families;

(iv) The forcible transfer of populations and the limitations imposed on persons wishing to move freely within the country and travel abroad, including harming or punishing those who leave or try to leave the country without permission, or their families, as well as punishment of persons who are returned;

(v) The situation of refugees and asylum-seekers expelled or returned to the Democratic People's Republic of Korea, including where the Government of the Democratic People's Republic of Korea exerts pressure on returning States to effectuate such returns, and retaliations against citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, leading to punishments of internment, torture, other cruel, inhuman or degrading treatment or punishment, sexual and gender-based violence or the death penalty, and in this regard strongly urges all States to respect the fundamental principle of non-refoulement, including where the Government of the Democratic People's Republic of Korea exerts pressure on returning States to effectuate such returns, to treat those who seek refuge humanely and to ensure unhindered access to the United Nations High Commissioner for Refugees and his Office, with a view to protecting the human rights of those who seek refuge, and once again urges States parties to comply with their obligations under the 1951 Convention relating to the Status of Refugees<sup>16</sup> and the 1967 Protocol thereto<sup>17</sup> in relation

<sup>16</sup> United Nations, *Treaty Series*, vol. 189, No. 2545.

<sup>17</sup> *Ibid.*, vol. 606, No. 8791.

to refugees from the Democratic People's Republic of Korea who are covered by those instruments;

(vi) All-pervasive and severe restrictions, further tightened by the COVID-19 prevention measures, both online and offline, on the freedoms of thought, conscience, religion or belief, opinion and expression, peaceful assembly and association, the right to privacy and equal access to information, by such means as the unlawful and arbitrary surveillance, persecution, torture and other cruel, inhuman or degrading treatment or punishment, imprisonment and, in some instances, summary executions of individuals exercising their freedom of opinion and expression, religion or belief, and their families, and the right of everyone, including women, to fully, equally and meaningfully take part in the conduct of public affairs, directly or through freely chosen representatives, of their country;

(vii) Violations of economic, social and cultural rights, exacerbated by the negative impact of the COVID-19 pandemic and the continued closure by the Democratic People's Republic of Korea of its borders, which have led to food insecurity, severe hunger, malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for women, children, persons with disabilities, older persons and political prisoners;

(viii) Violations of the human rights and fundamental freedoms of women and girls, including unequal access to employment and discriminatory regulations; as well as, in particular, the creation of internal conditions that force women and girls to leave the country, making them extremely vulnerable to trafficking in persons for the purpose of sexual exploitation, forced labour, domestic servitude or forced marriage, and their subjection to sexual and gender-based discrimination, including in the political and social spheres, as well as in detention, including through forced abortions and other forms of sexual and gender-based violence;

(ix) Violations of the human rights and fundamental freedoms of children, in particular the continued lack of access to basic economic, social and cultural rights for many children, and in this regard notes the particularly vulnerable situation faced by, inter alia, returned or repatriated children, children without housing, children with disabilities, children whose parents are detained, deceased or otherwise absent, children living in detention or in institutions and children in conflict with the law;

(x) Violations of the human rights and fundamental freedoms of persons with disabilities, especially violations involving the use of collective camps and coercive measures that target the rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and allegations of the possible use of persons with disabilities in medical testing, forced relocation to rural areas and separation of children with disabilities from their parents;

(xi) Violations of workers' rights, including the right to freedom of association and effective recognition of the right to collective bargaining, the right to strike as defined by the obligations of the Democratic People's Republic of Korea under the International Covenant on Economic, Social and Cultural Rights, and the prohibition of the economic exploitation of children and of any harmful or hazardous work of children as defined by the obligations of the Democratic People's Republic of Korea under the Convention on the Rights of the Child, as well as the exploitation of workers sent abroad from the Democratic People's Republic of Korea to work under conditions that reportedly amount to forced

labour, and emphasizing in this context the importance of the full implementation of the requirement that nationals of the Democratic People's Republic of Korea earning income overseas be repatriated, subject to applicable national and international law, as soon as possible pursuant to paragraph 8 of Security Council resolution 2397 (2017), the provision of final reports as soon as possible pursuant to the same and the prohibition on providing work authorizations pursuant to paragraph 17 of resolution 2375 (2017), and urges the Democratic People's Republic of Korea to promote, respect and protect the human rights of workers, including workers repatriated to the Democratic People's Republic of Korea;

(xii) Discrimination based on the *songbun* system, which classifies people on the basis of State-assigned social class and birth and also includes consideration of political opinions and religion;

(xiii) Violence and discrimination against women, including unequal access to employment and discriminatory laws and regulations;

(b) The continued refusal of the Government of the Democratic People's Republic of Korea to extend an invitation to the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to the Special Rapporteur and several other United Nations special procedures, in accordance with their terms of reference, as well as to other United Nations human rights mechanisms;

(c) The continued lack of acknowledgement by the Government of the Democratic People's Republic of Korea of the grave human rights situation in the country and its consequential lack of action to report on the state of implementation of the recommendations contained in the outcome of its first,<sup>18</sup> second<sup>19</sup> and third<sup>20</sup> universal periodic reviews and to give consideration to the concluding observations of the treaty bodies;

3. *Condemns* the systematic abduction, denial of repatriation and subsequent enforced disappearance of persons, including those from other countries, on a large scale and as a matter of State policy, and in this regard strongly calls upon the Government of the Democratic People's Republic of Korea to engage in constructive dialogues with the parties concerned and to urgently resolve these issues of international grave concern, in good faith and with transparency in a transparent manner, including by ensuring the realization of the immediate return of all abductees;

4. *Underscores its very serious concern* regarding reports of torture and other cruel, inhuman or degrading treatment or punishment, summary executions, arbitrary detention, abductions and other forms of human rights violations and abuses that the Democratic People's Republic of Korea commits against citizens of other countries within and outside of its territory, and urges the Democratic People's Republic of Korea to disclose all relevant information to bereaved families and relevant entities;

5. *Expresses its very deep concern* about the prevalence of chronic and acute malnutrition, in particular among persons in the most vulnerable situations, including pregnant and lactating women, children, persons with disabilities, older persons and prisoners, including political prisoners, which is exacerbated by a lack of access to basic services, including health care, clean water, sanitation and hygiene services, structural weaknesses in agricultural production that result in shortages of diversified food, limitations in the capacity of the Government to respond to natural

<sup>18</sup> A/HRC/13/13.

<sup>19</sup> A/HRC/27/10.

<sup>20</sup> A/HRC/42/10.

disasters and government policies that limit access to and availability of adequate food, including through restrictions on the cultivation of and trade in foodstuffs and the closure of the border, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action, including by cooperating with international donor and humanitarian agencies and allowing them access to people in vulnerable situations in order to implement humanitarian assistance programmes, monitored in a manner consistent with international standards;

6. *Welcomes* the latest report to the Human Rights Council of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea,<sup>21</sup> including the efforts to uphold a two-track approach of engagement and accountability, given the need for a comprehensive approach;

7. *Reiterates its appreciation* for the report of the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea,<sup>22</sup> established pursuant to Human Rights Council resolution 31/18, including options to seek accountability and secure truth and justice for all victims;

8. *Welcomes* the latest report of the United Nations High Commissioner for Human Rights<sup>23</sup> on steps taken pursuant to Human Rights Council resolutions 34/24 of 24 March 2017<sup>24</sup> and 40/20 of 22 March 2019,<sup>25</sup> and also welcomes Council resolution 49/22, which continue to strengthen the capacity of the Office of the United Nations High Commissioner for Human Rights, including its field-based structure in Seoul, to allow the implementation of relevant recommendations made by the group of independent experts on accountability aimed at strengthening current monitoring and documentation efforts, establishing a central repository for information and evidence and having experts in legal accountability assess all information and testimonies with a view to developing possible strategies to be used in any future accountability process;

9. *Expresses* strong support for the work being undertaken by the Office of the United Nations High Commissioner for Human Rights in furtherance of Human Rights Council resolution 49/22, with the aim of ensuring accountability for suspected violations of international law committed in and by the Democratic People's Republic of Korea, and calls upon all States to support such efforts;

10. *Reiterates its appreciation* for the work of the commission of inquiry and acknowledges the importance of its report and the finding that the body of testimony gathered and the information received provide reasonable grounds to believe that crimes against humanity have been committed in the Democratic People's Republic of Korea, pursuant to policies established at the highest level of the State for decades and by institutions under the effective control of its leadership, which was confirmed by the United Nations High Commissioner for Human Rights in her report to the Human Rights Council submitted pursuant to resolutions 34/24 and 40/20;

11. *Expresses its concern* at the failure of the authorities of the Democratic People's Republic of Korea to hold accountable those responsible for human rights violations, including violations which the commission of inquiry has said may amount to crimes against humanity, and encourages the international community to cooperate with accountability efforts and to ensure that such crimes do not remain unpunished;

<sup>21</sup> A/HRC/46/51.

<sup>22</sup> A/HRC/34/66/Add.1.

<sup>23</sup> A/HRC/46/52.

<sup>24</sup> See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. IV, sect. A.

<sup>25</sup> *Ibid.*, *Seventy-fourth Session, Supplement No. 53 (A/74/53)*, chap. IV, sect. A.

12. *Encourages* the Security Council to continue its consideration of the relevant conclusions and recommendations of the commission of inquiry and take appropriate action to ensure accountability, including through consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court and consideration of further sanctions in order to target effectively those who appear to be most responsible for human rights violations that the commission has said may constitute crimes against humanity;

13. *Also encourages* the Security Council to immediately resume discussion on the situation in the Democratic People's Republic of Korea and invite the Office of the United Nations High Commissioner for Human Rights to give a briefing to the Council, including on the country's human rights situation, in the light of the serious concerns expressed in the present resolution, and looks forward to its continued and more active engagement on this matter;

14. *Encourages* the continuing endeavours of the Office of the United Nations High Commissioner for Human Rights, including through its field-based structure in Seoul, in developing a central repository to consolidate the information and evidence relating to suspected violations of international law, and assessing all such evidence and information in order to develop possible strategies to be used in any future accountability process, and also encourages the cooperation of the Office with a wide range of stakeholders in the procurement of evidence that could be used in future criminal proceedings;

15. *Calls upon* Member States to undertake to ensure that the field-based structure of the Office of the United Nations High Commissioner for Human Rights can function with independence, has sufficient resources and support to fulfil its mandate, enjoys full cooperation with relevant Member States and is not subjected to any reprisals or threats;

16. *Also calls upon* Member States to continue to support the strengthening of the Office of the United Nations High Commissioner for Human Rights, including its field-based structure in Seoul, to allow the implementation of relevant recommendations made by the group of independent experts on accountability in its report and in accordance with Human Rights Council resolutions [34/24](#), [40/20](#), [46/17](#) of 23 March 2021<sup>26</sup> and [49/22](#) aimed at strengthening monitoring and documentation efforts, establishing a central information and evidence repository and having experts in legal accountability assess all information and testimonies with a view to developing possible strategies to be used in any future accountability process;

17. *Further calls upon* Member States to engage with the Office of the United Nations High Commissioner for Human Rights in the development of strategies for future accountability processes and undertake, where possible, the investigation and prosecution of persons suspected of committing international crimes in the Democratic People's Republic of Korea, in accordance with international law;

18. *Strongly urges* the Government of the Democratic People's Republic of Korea to respect, protect and fulfil all human rights and fundamental freedoms and, in this regard:

(a) To immediately put an end to the systematic, widespread and grave violations and abuses of human rights emphasized above, inter alia, by implementing fully the measures set out in the above-mentioned resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, and the recommendations addressed to the Democratic People's Republic of Korea by the

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<sup>26</sup> Ibid., *Seventy-sixth Session, Supplement No. 53 (A/76/53)*, chap. V, sect. A.



Council in the context of the universal periodic review and by the commission of inquiry, the United Nations special procedures and treaty bodies;

(b) To immediately close the political prison camps and to release all political prisoners unconditionally and without any delay, and to immediately conduct a comprehensive review of conditions in detention facilities and take steps to ensure that conditions in those facilities are in compliance with relevant obligations and commitments relating to the humane treatment of persons in detention, as outlined in the relevant provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);<sup>27</sup>

(c) To immediately cease the use of torture and other cruel, inhumane and degrading treatment or punishment, including in places of detention;

(d) To protect its inhabitants, address the issue of impunity and ensure that those responsible for crimes involving violations and abuses of human rights are brought to justice before an independent judiciary;

(e) To tackle the root causes leading to outflows of migrants and refugees and to prosecute, in trials that meet international human rights standards for fair trial, those involved in migrant smuggling, trafficking in human beings and extortion, while not criminalizing the victims of trafficking, and ensure that repatriated women who are victims of trafficking receive appropriate support and are not punished, sent to labour camps or prisons or otherwise deprived of their liberty;

(f) To ensure that everyone within the territory of the Democratic People's Republic of Korea enjoys the right to freedom of movement and is free to leave the country, including for the purpose of seeking asylum outside the Democratic People's Republic of Korea, without interference by the authorities of the Democratic People's Republic of Korea;

(g) To ensure that citizens of the Democratic People's Republic of Korea who are expelled or returned to the Democratic People's Republic of Korea are able to return in safety and dignity, are treated humanely and are not subjected to any kind of human rights violations, including enforced disappearances, arbitrary executions, torture and ill-treatment and trials that do not conform with international fair trial guarantees, and to provide information on their status and treatment;

(h) To provide citizens of other countries detained in the Democratic People's Republic of Korea with protections, including freedom of communication with, and access to, consular officers in accordance with the Vienna Convention on Consular Relations,<sup>28</sup> to which the Democratic People's Republic of Korea is a party, and any other necessary arrangements to confirm their status and to communicate with their families;

(i) To extend its full cooperation to the new Special Rapporteur, including by granting her full, free and unimpeded access to the Democratic People's Republic of Korea, and to other special procedures of the Human Rights Council, as well as to other United Nations human rights mechanisms, so that a full assessment of the human rights situation may be made;

(j) To extend an invitation to the Office of the United Nations High Commissioner for Human Rights to visit the country;

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<sup>27</sup> Resolution 70/175, annex.

<sup>28</sup> United Nations, *Treaty Series*, vol. 596, No. 8638.

(k) To engage in technical cooperation activities in the field of human rights with the United Nations High Commissioner for Human Rights and his Office, including the field-based structure in the region, as pursued by the previous High Commissioner in recent years, with a view to improving the situation of human rights in the country;

(l) To implement the accepted recommendations stemming from the universal periodic reviews and to submit a midterm voluntary report to detail progress on the implementation of recommendations accepted from the third cycle;

(m) To become a member of the International Labour Organization, to enact legislation and adopt practices to comply with international labour standards and to consider ratifying all the relevant conventions, in particular the core labour conventions of the International Labour Organization;

(n) To continue and reinforce its cooperation with United Nations humanitarian agencies, including by allowing for the return of international and humanitarian staff;

(o) To ensure full, safe and unhindered access to persons in need of humanitarian aid, and take measures to allow humanitarian agencies to survey the needs of persons belonging to vulnerable groups, to obtain critical baseline data and to enable the unhindered and impartial delivery of such humanitarian aid to all parts of the country, on the basis of need in accordance with humanitarian principles, as it pledged to do, to furthermore ensure access to adequate basic services and implement more effective food security and nutrition policies, including through sustainable agriculture, sound food production and distribution measures and the allocation of more funds to the food sector, to allow adequate monitoring of humanitarian assistance and to allow humanitarian organizations to carry out their activities in the context of the COVID-19 pandemic;

(p) To cooperate with the Access to COVID-19 Tools (ACT) Accelerator initiative and its COVID-19 Vaccine Global Access (COVAX) Facility and relevant bodies and to respond constructively to offers of assistance to ensure the timely delivery and equitable distribution of sufficient vaccine doses, recognizing that access to vaccines is an essential dimension of everyone's right to the enjoyment of the highest attainable standard of physical and mental health, including as it relates to a Government taking requisite actions for the entry of international staff and the prioritization of the shipment of life-saving humanitarian assistance, in accordance with relevant Security Council resolutions and in a manner consistent with guidance and best practice provided by the World Health Organization;

(q) To further improve cooperation with the United Nations country team members and development agencies so that they can directly contribute to improving the living conditions of the civilian population, including progress towards the achievement of the Sustainable Development Goals;

(r) To consider ratifying and acceding to the remaining international human rights treaties, which would enable a dialogue with the human rights treaty bodies, to resume reporting to monitoring bodies on treaties to which it is a party, to participate meaningfully in treaty body reviews, and to give consideration to the concluding observations of such bodies in order to improve the human rights situation in the country;

19. *Urges* the Government of the Democratic People's Republic of Korea to implement the recommendations of the commission of inquiry, the group of independent experts and the Office of the United Nations High Commissioner for Human Rights without delay;

20. *Reiterates* the importance of maintaining high on the international agenda the grave human rights situation in the Democratic People's Republic of Korea, including through sustained communications, advocacy and outreach initiatives, and requests the Office of the United Nations High Commissioner for Human Rights to strengthen those activities;

21. *Encourages* all Member States that engage in dialogue with the Democratic People's Republic of Korea to continue to advocate for the establishment of lasting peace and security in the Korean Peninsula and to address the human rights situation;

22. *Encourages* all Member States, the General Assembly, the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights, the United Nations Secretariat, relevant specialized agencies, regional intergovernmental organizations and forums, civil society organizations, foundations and engaged business enterprises and other stakeholders towards which the commission of inquiry has directed recommendations to implement or take forward those recommendations, and to also support efforts aimed at resuming and improving dialogue, including inter-Korean dialogue, on the humanitarian and human rights situation, including international abductions, in the Democratic People's Republic of Korea;

23. *Encourages* the United Nations system as a whole to continue to address the grave human rights situation in the Democratic People's Republic of Korea in a coordinated and unified manner;

24. *Encourages* the relevant United Nations programmes, funds, specialized agencies and other related organizations to assist the Government of the Democratic People's Republic of Korea in the implementation of recommendations stemming from the United Nations human rights mechanisms, including the universal periodic reviews, human rights treaty body reviews and the report of the commission of inquiry;

25. *Calls upon* the Democratic People's Republic of Korea to engage constructively with international interlocutors with a view to promoting concrete improvements in the human rights situation on the ground, including through human rights dialogues, official visits to the country that include adequate access to fully assess human rights conditions, cooperation initiatives and more people-to-people contact as a matter of priority;

26. *Decides* to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its seventy-eighth session, and to this end requests the Secretary-General to submit a comprehensive report on the situation of human rights in the Democratic People's Republic of Korea, and requests the Special Rapporteur to continue to report her findings and recommendations, as well as to report on the follow-up to the implementation of the recommendations of the commission of inquiry.

## Draft resolution II

### Situation of human rights of Rohingya Muslims and other minorities in Myanmar

*The General Assembly,*

*Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights,<sup>1</sup> the International Covenants on Human Rights<sup>2</sup> and other relevant international law and human rights law instruments,

*Recalling* that States have the primary responsibility to respect, protect and fulfil human rights,

*Recalling also* its previous resolutions on the situation of human rights in Myanmar, the most recent of which being resolutions [76/180](#) of 16 December 2021, [75/287](#) of 18 June 2021, [75/238](#) of 31 December 2020, [74/246](#) of 27 December 2019, [73/264](#) of 22 December 2018 and [72/248](#) of 24 December 2017, and recalling the resolutions and decisions of the Human Rights Council, the most recent of which being resolutions [50/3](#) of 7 July 2022,<sup>3</sup> [49/23](#) of 1 April 2022,<sup>4</sup> [47/1](#) of 12 July 2021,<sup>5</sup> [46/21](#) of 24 March 2021,<sup>6</sup> [S-29/1](#) of 12 February 2021,<sup>7</sup> [43/26](#) of 22 June 2020,<sup>8</sup> [42/3](#) of 26 September 2019,<sup>9</sup> [39/2](#) of 27 September 2018,<sup>10</sup> [37/32](#) of 23 March 2018<sup>11</sup> and [S-27/1](#) of 5 December 2017,<sup>12</sup> the presidential statements issued by the Security Council on 6 November 2017<sup>13</sup> and 10 March 2021,<sup>14</sup> and the press statements of the Security Council on the situation in Myanmar of 9 May 2018,<sup>15</sup> 4 February 2021<sup>16</sup> and 1 and 30 April 2021, as well as Security Council resolution [2467 \(2019\)](#) of 23 April 2019,

*Condemning in the strongest terms* all violations and abuses of human rights against civilians, including Rohingya Muslims and other minorities in Myanmar, including before and following the unjustified declaration of the state of emergency on 1 February 2021 and its later extension,

*Expressing its concern* that recent developments resulting from the declaration of the state of emergency by the Myanmar military pose serious challenges to the voluntary, safe, dignified and sustainable return of forcibly displaced Rohingya Muslims and all internally displaced persons,

*Condemning in the strongest terms* the arbitrary detention, arrest and politically motivated convictions, sentencing and executions, including of opposition activists, as well as violent acts including extrajudicial killings, sexual and gender-based violence, and torture committed against the civilian population, including medical

<sup>1</sup> Resolution [217 A \(III\)](#).

<sup>2</sup> Resolution [2200 A \(XXI\)](#).

<sup>3</sup> *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 53 (A/77/53)*, chap. VIII, sect. A.

<sup>4</sup> *Ibid.*, chap. VI, sect. A.

<sup>5</sup> *Ibid.*, *Seventy-sixth Session, Supplement No. 53 (A/76/53)*, chap. VII, sect. A.

<sup>6</sup> *Ibid.*, chap. V, sect. A.

<sup>7</sup> *Ibid.*, chap. IV.

<sup>8</sup> *Ibid.*, *Seventy-fifth Session, Supplement No. 53 (A/75/53)*, chap. IV, sect. A.

<sup>9</sup> *Ibid.*, *Seventy-fourth Session, Supplement No. 53A (A/74/53/Add.1)*, chap. II.

<sup>10</sup> *Ibid.*, *Seventy-third Session, Supplement No. 53A (A/73/53/Add.1)*, chap. II.

<sup>11</sup> *Ibid.*, *Supplement No. 53 (A/73/53)*, chap. IV, sect. A.

<sup>12</sup> *Ibid.*, chap. III.

<sup>13</sup> [S/PRST/2017/22](#); see *Resolutions and Decisions of the Security Council, 2017 (S/INF/72)*.

<sup>14</sup> [S/PRST/2021/5](#).

<sup>15</sup> SC/13331.

<sup>16</sup> SC/14430.

doctors, teachers, students, lawyers, artists, journalists and many others, which exacerbates the polarization and violence and worsens the humanitarian situation in the country,

*Expressing deep concern* at the indiscriminate use of violence and ongoing escalation of the conflict, which seriously undermines the enjoyment of human rights of civilians in Myanmar, especially those of women, children and older persons, as well as those of persons belonging to ethnic and religious minorities, including Rohingya Muslims, owing to the heavy militarization of Myanmar aggravated by the continued access to arms,

*Underlining* the urgency for the Myanmar military to end all acts of violence without further delay and to unconditionally and immediately release all those arbitrarily detained,

*Expressing its unequivocal support* for the people of Myanmar and their democratic will and interests, as well as for the need to rebuild and strengthen democratic institutions and processes, to refrain from violence and arbitrary detentions and to respect fully human rights, fundamental freedoms and the rule of law,

*Welcoming* the work of the Special Envoy of the Secretary-General on Myanmar, and encouraging her to continue her engagement and inclusive dialogue with all relevant stakeholders, including civil society and affected populations, in particular women and youth, and urging the Myanmar military to extend full cooperation with the Special Envoy,

*Welcoming, also* the work and the reports of the Special Rapporteur on the situation of human rights in Myanmar, while deeply regretting the non-cooperation of the Myanmar military with the mandate, and urging them to extend full cooperation to the Special Rapporteur,

*Welcoming further* the report of the United Nations High Commissioner for Human Rights on the root causes of the human rights violations and abuses Rohingya and other minorities in Myanmar are facing,<sup>17</sup> and reiterating the importance of fully implementing the recommendations contained in the report,

*Recalling* the work done by the independent international fact-finding mission on Myanmar, including its final report<sup>18</sup> and all its other reports, including the reports on the economic interests of the Myanmar military and on sexual and gender-based violence in Myanmar and the gendered impact of its ethnic conflicts, and furthermore deeply regretting the lack of cooperation of Myanmar with the fact-finding mission,

*Alarmed* by the findings of the independent international fact-finding mission on Myanmar of evidence of the most serious human rights violations and abuses suffered by Rohingya Muslims and other minorities, perpetrated by the security and armed forces of Myanmar, which, according to the fact-finding mission, undoubtedly amount to the gravest crimes under international law,

*Expressing deep concern* at the limited progress on the implementation of the fact-finding mission's recommendations to conduct prompt, effective, thorough, independent and impartial investigations and to hold perpetrators accountable for crimes committed across Myanmar,

*Concerned* that, contrary to the fact-finding mission's recommendations, laws, orders, policies and practices at all levels limiting freedoms of movement, expression,

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<sup>17</sup> [A/HRC/49/72](#).

<sup>18</sup> [A/HRC/42/50](#).

association and assembly, or which are discriminatory in their application or impact, continue to be utilized to stifle freedom of association, speech and the press,

*Welcoming* the work of the Independent Mechanism for Myanmar, established by the Human Rights Council in its resolution 39/2, to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011, in particular but not limited to Rakhine, Kachin and Shan States, making use of the information handed over by the independent international fact-finding mission, and to prepare files in order to facilitate and expedite fair and independent criminal proceedings, in accordance with international law standards, in national, regional or international courts or tribunals that have, or may in the future have, jurisdiction over these crimes, in accordance with international law,

*Welcoming also* the reports of the Independent Mechanism for Myanmar, established by the Human Rights Council in its resolution 39/2, to the General Assembly, including the fourth report submitted to the General Assembly on 12 July 2022,<sup>19</sup> and encouraging the Mechanism to continue its efforts to advance its public outreach, in order to explain its mandate and work process to victims and other stakeholders,

*Welcoming further* the cooperation extended by the Government of Bangladesh with the Independent Mechanism for Myanmar, and underlining, in this regard, the call of the Mechanism to other Member States to extend full and meaningful cooperation, allowing the Mechanism to fully deliver on its mandate,

*Recognizing* the complementary and mutually reinforcing work of the various United Nations mandate holders and mechanisms, including international justice and accountability mechanisms working on Myanmar to improve the situation of human rights in Myanmar,

*Recognizing also* the importance of the role of regional organizations in efforts to achieve pacific settlement of local disputes, as stipulated in Chapter VIII of the Charter, while noting that such efforts do not preclude action under Chapter VI of the Charter,

*Recognizing further* the important role of the Association of Southeast Asian Nations, in facilitating the creation of an environment in Myanmar that is conducive to the voluntary, safe, dignified and sustainable return of forcibly displaced persons, including Rohingya Muslims, to Myanmar, and reiterating the need to work in close coordination and in full consultation with Rohingya Muslims, as well as with all relevant United Nations agencies and international partners, and to address the root causes of the crisis and displacement so that affected communities can rebuild their lives after their return to Myanmar,

*Welcoming* the statement made by the Chair of the Association of Southeast Asian Nations at its Leaders' Meeting, held on 24 April 2021 in Jakarta,<sup>20</sup> in which the Chair, inter alia, encouraged the Secretary-General of the Association to continue to identify possible areas that could effectively facilitate the repatriation process for displaced persons from Rakhine State, noting that these conditions are currently not met, and underscoring the importance of efforts to address the root causes of the situation in Rakhine State, and the importance of the five-point consensus of the Association, including its full and timely implementation,

*Acknowledging* the efforts of the Organization of Islamic Cooperation, alongside relevant international efforts, aimed at bringing peace and stability to

<sup>19</sup> A/HRC/51/4.

<sup>20</sup> A/75/868, annex.

Rakhine State and other states and regions of Myanmar, including through the work of the Special Envoy for Myanmar of the Secretary-General of the Organization of Islamic Cooperation,

*Underlining* the importance of close coordination between the Special Envoy of the Secretary-General on Myanmar with all other respective envoys,

*Recognizing* the role of civil society in highlighting the most serious violations and abuses of human rights and violations of international humanitarian law in Myanmar, as relevant,

*Welcoming* the report of the Secretary-General,<sup>21</sup>

*Welcoming also* the ongoing processes to ensure justice and accountability in respect of alleged crimes committed against Rohingya Muslims and other minorities in Myanmar,

*Noting* that the International Criminal Court has authorized its Prosecutor to investigate alleged crimes within the Court's jurisdiction related to the situation in Bangladesh/Myanmar and welcoming the cooperation provided by Bangladesh to the Office of the Prosecutor,

*Welcoming* the order of the International Court of Justice of 22 July 2022 rejecting the preliminary objections of Myanmar in the case lodged by the Gambia against Myanmar on the application of the Convention on the Prevention and Punishment of the Crime of Genocide, and finding the application of the Gambia to be admissible,

*Recalling the order* of the International Court of Justice of 23 January 2020 indicating provisional measures in the case lodged by the Gambia against Myanmar on the application of the Convention on the Prevention and Punishment of the Crime of Genocide,<sup>22</sup> which found that the Rohingya in Myanmar appeared to constitute a "protected group" within the meaning of article 2 of the Convention and that there was a real and imminent risk of irreparable prejudice to the rights of the Rohingya in Myanmar, and calling upon Myanmar to fully comply with the order,

*Noting* the publication of the executive summary of the report of the Independent Commission of Enquiry established by Myanmar in 2018, which, notwithstanding its limitations, acknowledges that war crimes, serious human rights violations and violations of domestic law had been committed by multiple actors and that there were reasonable grounds to believe that members of Myanmar security forces were involved, and regretting that the full report of the Commission at present remains unpublished,

*Condemning* all violations and abuses of human rights in Myanmar, including against Rohingya Muslims and other minorities, as well as the use of excessive force and violence by the Myanmar armed forces, including torture and sexual and gender-based violence, which has led to injuries and fatalities in many cases, against peaceful demonstrators, as well as members of civil society, women, young people, children, minorities and others, and expressing its deep concern at undue restrictions to the activities of medical and humanitarian personnel, all other representatives of civil society, labour union members, journalists and media workers, and calling for the immediate release of all those detained arbitrarily, including foreign nationals,

*Reiterating its deep concern* at the excessive use of force by Myanmar security and armed forces, taking place in most states and regions, the continuing forced displacement of civilians, including of minorities, the recruitment and use of children,

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<sup>21</sup> [A/77/255](#).

<sup>22</sup> Resolution [260 A \(III\)](#), annex.



abductions, arbitrary detentions, killings and maiming, attacks on schools, hospitals and places of worship and civilian gatherings, and the use of facilities functioning as hospitals and schools for military purposes and for committing crimes, as well as reports of violations and abuses of human rights, including those involving the use of landmines, making conditions in Rakhine State unsuitable for the voluntary, safe, dignified and sustainable return of all refugees and forcibly displaced persons, including Rohingya,

*Underlining* the urgent need to promote mine clearance, the clearance of explosive remnants of war and mine-risk education programmes for civilians, and to prioritize victim assistance and stockpile destruction, including prior to any movement by internally displaced persons back to contaminated areas,

*Alarmed* that children continue to be subjected to the six grave violations against children during armed conflict, and that the scale and recurrent nature of such violations and abuses will affect generations to come,

*Reiterating* the urgent need to ensure that all those responsible for crimes related to violations and abuses of international law throughout Myanmar, including international human rights law, international humanitarian law and international criminal law, are held to account through credible and independent national, regional or international justice mechanisms, while recalling the authority of the Security Council in this regard,

*Expressing deep concern* that, in Rakhine, more than 600,000 Rohingya Muslims remain largely segregated and discriminated against with respect to accessing citizenship and enjoying their human rights and fundamental freedoms, a large number of whom remain confined in camps with no freedom of movement and grossly restricted access to basic services, including health care and education, as well as livelihoods,

*Expressing its deep concern* at the escalating conflicts in Rakhine, including the growing military activities of Myanmar security forces close to the Bangladesh-Myanmar border, including repeated firing across the border and violations of the airspace of Bangladesh resulting in casualties and panic among the civilians on both sides of the border,

*Expressing its concern* that Rohingya Muslims and other minorities, in particular women and girls, remain at significant risk of sexual and gender-based violence, notably in the context of the ongoing conflict between the security and armed forces and the Arakan Army,

*Expressing its deep concern* at the reports of violence by the security and armed forces, which has disproportionately affected civilians, including Rohingya Muslims and other minorities in Myanmar, where schools, religious sites and homes have been targeted,

*Reiterating its deep concern* at the escalating violence and the continuing forced displacement of civilians, as well as violations and abuses of human rights against those belonging to Rohingya Muslim and other minorities, thus making conditions unsuitable for the voluntary, safe, dignified and sustainable return of all refugees and forcibly displaced persons to Myanmar, including Rohingya,

*Continuing to underline* the need for the security and armed forces of Myanmar and other armed groups to cease all actions that run counter to the protection of all persons within the country, including those belonging to the Rohingya community, by respecting international law, including international human rights law and international humanitarian law, and ending the violence, including sexual violence, and calling for urgent steps to ensure justice in respect of all human rights violations

and violations of international humanitarian law so that those displaced by violence are able to voluntarily return in safety and dignity to their places of origin or to a place of their choice in a sustainable manner,

*Alarmed* at the continued attacks on medical and humanitarian actors and the lack of safe and unhindered humanitarian access, and calling for all sides, in particular the Myanmar armed forces, to abide by international law, including international humanitarian law in this matter, and to enable humanitarian actors to deliver humanitarian aid independently, neutrally and impartially,

*Expressing its deep concern* at the lack of access given to the International Committee of the Red Cross to prisons, which has grave consequences on the ability of families to be informed about the health and conditions of prisoners, as well as on prisoners' access to necessary health care,

*Reiterating its deep distress* at reports that unarmed individuals in Rakhine State have been subjected to the excessive use of force and violations of human rights and international humanitarian law by the military and security and armed forces, including extrajudicial, summary or arbitrary killings, systematic rape and other forms of sexual and gender-based violence, arbitrary detention, enforced disappearance and government seizure of Rohingya lands from which Rohingya Muslims were evicted and their homes destroyed, and remaining concerned by the previous large-scale destruction of homes and systematic evictions in northern Rakhine State, including the use of arson and violence, as well as the unlawful use of force by non-State actors,

*Expressing concern* that, in northern Rakhine State, the implementation of policies under the guise of economic development and reconstruction by the Myanmar military and the heavy militarization of the area have resulted in the alteration of the demographic structure, which further prevents the members of the displaced Rohingya Muslim population from returning to Rakhine State,

*Stressing* the need for de-escalation and an enduring ceasefire throughout Myanmar, best achieved by dialogue between all parties,

*Underlining* the need for the resumption of peace-building efforts and their relevance for inclusive State- and nation-building,

*Emphasizing* the importance of supporting women's leadership and participation in inclusive State- and nation-building, especially by amplifying their potential in Myanmar as multipliers of peace, promoting social cohesion across different ethnic and religious communities, and thus welcoming the development of the women and peace and security platform in Myanmar, co-facilitated by the Special Envoy of the Secretary-General on Myanmar and the Minister for Foreign Affairs of Indonesia,

*Reiterating its grave concern* that, in spite of the fact that the Rohingya minority has lived in Myanmar for generations prior to the independence of Myanmar, held full documentation and participated actively in government and civic life, they were made stateless by the enactment of the 1982 Citizenship Law and were eventually disenfranchised, from 2015, from the electoral process,

*Reaffirming* that the denial of citizenship status and related rights to Rohingya Muslims and other minorities, including voting rights, is a serious human rights concern,

*Re-emphasizing* the right of all refugees and the importance of internally displaced persons to be able to return home and that such returns should be in safety and dignity and in a voluntary and sustainable manner, and reminding the international community of its collective responsibility in handling forcibly displaced persons in the region,

*Expressing concern* at the irregular maritime movement of Rohingya, risking their lives in perilous conditions at the hands of exploitative smugglers, which highlights their desperate situation and the urgent need to address the root causes of their vulnerability,

*Alarmed* by the continued influx to Bangladesh over the last four decades of 1.1 million Rohingya Muslims from Myanmar, including over 940,000 currently living there, most of whom arrived since 25 August 2017 in the aftermath of atrocities committed by the security and armed forces of Myanmar,

*Recalling* the bilateral arrangement of return concluded between the Government of Bangladesh and the Government of Myanmar on 23 November 2017 in Nay Pyi Taw and the formation of the 30-member joint working group on 19 December 2017 to facilitate the repatriation of displaced Rohingyas to Myanmar, and regretting that no repatriation could commence under the arrangement owing to the continued absence of a conducive environment in Rakhine State,

*Underscoring* the need for the implementation of and subsequent follow-up to the status of the implementation of the memorandum of understanding between Myanmar and the United Nations Development Programme and the Office of the United Nations High Commissioner for Refugees on assistance in the repatriation process of all displaced persons from Rakhine State, including Rohingya Muslims, and calling upon relevant stakeholders in Myanmar to grant United Nations agencies unfettered access to northern Rakhine so that they can meaningfully engage with the process,

*Reiterating its deep concern* over the continued spread of false news, hate speech and inflammatory rhetoric, in particular through social media, notably targeting Rohingya Muslims and other minorities,

*Reiterating its deep concern also* at the restrictions and attacks on civil society, journalists and media workers, including restrictions on seeking, receiving and imparting information, including Internet shutdowns in Myanmar, that may also exacerbate further the plight of Rohingya Muslims and other minorities,

*Underlining* the importance of the call by the Secretary-General for increased efforts to implement the recommendations of the Advisory Commission on Rakhine State, to address the root causes of the crisis, including those on access to citizenship for Rohingya, freedom of movement, the elimination of systematic segregation and all forms of discrimination, and inclusive and equal access to health services and education, and birth registration, in full consultation with members of all ethnic and minority groups and persons in vulnerable situations, including on matters of citizenship for Rohingya,

*Acknowledging* the pronouncements of the National Unity Government articulated in the “Policy position on the Rohingya in Rakhine State” released on 3 June 2021,

*Recalling* the commitment of the Secretary-General to implementing the recommendations made by the independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018, and underlining the need to implement relevant recommendations to enable more effective work in the future and to strengthen the prevention capacity of the United Nations system,

*Expressing its concern* that recent developments since 1 February 2021 pose serious challenges to the voluntary, safe, dignified and sustainable return of forcibly displaced Rohingya Muslims and all internally displaced persons, and in this regard stressing the need to address the root causes of the crisis in Myanmar, including Rakhine State, and reaffirming the necessity of an immediate cessation of the use of

force that would lead to further displacement of Rohingya Muslims and other minorities, both internally and across borders,

*Underlining* the need for a peaceful solution for Myanmar, through an inclusive and peaceful dialogue between all parties, in accordance with the will and interests of the people of Myanmar,

*Stressing* the importance of ensuring equal opportunity for the representation and the full, equal and meaningful participation of Rohingya, other minorities and internally displaced persons, candidates and voters in democratically organized general elections, and that all people of Myanmar are able to cast their vote, allowing all candidates to contest elections fairly,

*Welcoming* the conclusions on children and armed conflict in Myanmar of the Working Group on Children and Armed Conflict of the Security Council,<sup>23</sup> and noting the concerns expressed by the Working Group about the grave violations committed against children and the concern about children and armed conflict in Myanmar expressed by the Secretary-General in his report,

*Commending* the ongoing humanitarian efforts and commitments that the Government of Bangladesh, in cooperation with United Nations agencies and the international community, including all humanitarian actors, has extended to those fleeing human rights violations and abuses in Myanmar, welcoming in this regard the memorandum of understanding between the Government of Bangladesh and the Office of the United Nations High Commissioner for Refugees, on behalf of the United Nations, to provide humanitarian assistance to the Rohingyas relocated to Bhashan Char, and recognizing the extensive investments that the Government of Bangladesh has made in its Bhashan Char project, including in the facilities and infrastructure, while noting the importance of efforts to ensure the sustainability of the project,

*Recognizing* that many member States of the Organization of Islamic Cooperation continue to host a large number of Rohingya Muslim refugees who fled the crisis,

*Welcoming* the statements made by the Chair of the Association of Southeast Asian Nations on 1 February and 2 March 2021, in which the Chair recalled the purposes and principles of the Charter of the Association, notably the principle of democracy, adherence to the rule of law, good governance and respect for and protection of human rights and fundamental freedoms, and called upon all parties to exercise utmost restraint and seek a peaceful solution through constructive dialogue and practical reconciliation in the interests of the people and their livelihoods,

*Expressing deep concern* that there has been no substantive progress on the implementation of the Association of Southeast Asian Nations five-point consensus, noting the Association's view that the execution of opposition activists was highly reprehensible and presented a gross lack of will to support the efforts of the Chair of the Association, and reiterating its call for concrete actions to effectively and fully implement the five-point consensus,

*Emphasizing* the importance of timely, equitable and unhindered access to safe, affordable, effective and quality medicines, vaccines, diagnostics and therapeutics and other health-care products and technologies necessary to ensure an adequate and effective response to the coronavirus disease (COVID-19) pandemic, including for persons in the most vulnerable situations, those affected or displaced by armed conflicts in the country and persons belonging to minorities, such as Rohingya,

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<sup>23</sup> S/2022/493.

1. *Expresses grave concern* at continuing reports of serious human rights violations and abuses by the military and security forces as well as violations of international humanitarian law in Myanmar, notably against Rohingya and other minorities, including those involving arbitrary arrests, deaths in detention, torture and other cruel, inhuman or degrading treatment or punishment, deliberate killing and maiming of children, recruitment and use of children for forced labour, attacks on schools, hospitals and places of worships and protected persons in relation to schools and/or hospitals, indiscriminate shelling in civilian areas, destruction and burning of homes, deprivation of economic and social rights, forced displacement, including the forced displacement of more than 1.5 million Rohingya and other minorities to Bangladesh and across the region, rape, sexual slavery and other forms of sexual and gender-based violence, as well as restrictions on exercising the rights to freedom of religion or belief, expression and peaceful assembly, and restrictions on media freedom and full Internet access and other restrictions;

2. *Condemns in the strongest terms* all violations and abuses of human rights in Myanmar, against civilians, including Rohingya Muslims and other minorities in Myanmar, including before and following the unjustified declaration of the state of emergency on 1 February 2021 and its later extension, and emphasizes the importance of conducting international, independent, fair and transparent investigations into the most serious human rights violations in Myanmar, including sexual and gender-based violence and violations and abuses against women and children, and of holding accountable all those responsible for brutal acts and crimes against all persons, including Rohingya, in order to deliver justice to victims using all legal instruments and domestic, regional and international judicial mechanisms, including the International Court of Justice and the International Criminal Court, as applicable;

3. *Calls upon* the security and armed forces of Myanmar to respect the democratic aspirations of the people of Myanmar, to end violence, to fully respect human rights, fundamental freedoms and the rule of law, and to end the state of emergency declared on 1 February 2021;

4. *Calls upon* the security and armed forces of Myanmar and other armed groups to end all hostilities and violence and calls for the immediate release of all those detained arbitrarily, including foreign nationals;

5. *Stresses the importance* of agreeing on and enforcing an enduring ceasefire, including in Rakhine, a cessation of violence, and restraint by Myanmar security and armed forces and other armed groups, with a view to ensuring safety, security and protection of civilians, including those who are displaced and willing to return;

6. *Calls upon* all parties to the conflict to increase their engagement with the United Nations, and with the Special Representative of the Secretary-General on children and armed conflict, to strengthen the protection of children, including through the signature of concrete time-bound commitments;

7. *Takes note* of the order of the International Court of Justice of 23 January 2020 indicating provisional measures, and urges Myanmar, in accordance with the Court's order in relation to members of the Rohingya in its territory, to take all measures within its power to prevent the commission of all acts within the scope of article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide, to ensure that its military and any irregular armed units that may be directed or supported by it and any organizations and persons that may be subject to its control, direction or influence do not commit, inter alia, any such acts, to prevent the destruction and ensure the preservation of evidence and to report to the Court as ordered on all measures taken to give effect to the order;

8. *Notes* that the International Court of Justice on 22 July 2022 rejected the preliminary objections of Myanmar challenging the court's jurisdiction in the case brought by the Gambia under the Genocide Convention, and found the applications of the Gambia to be admissible;

9. *Expresses deep concern* that, despite the provisional measures ordered by the International Court of Justice on 23 January 2020, Rohingya Muslims in Myanmar, including women and children, continue to suffer from targeted killings, indiscriminate violence and serious injuries, including by indiscriminate fire, shelling, landmines or unexploded ordnance;

10. *Expresses grave concern* about the ongoing restrictions on humanitarian access in all conflict areas across Myanmar, including in Rakhine and Chin States, as well as the limited steps taken to ensure access to health care for Rohingya, and urges the granting of full, unrestricted and safe access to all humanitarian actors and all United Nations mandate holders and human rights mechanisms, including the Special Rapporteur on the situation of human rights in Myanmar, the Special Envoy of the Secretary-General on Myanmar, the United Nations country task force on monitoring and reporting grave violations committed against children, the Independent Mechanism for Myanmar, established by the Human Rights Council in its resolution 39/2, and relevant United Nations agencies and international and regional human rights bodies to independently monitor the situation of human rights and to ensure that individuals can cooperate without hindrance with these mechanisms and without fear of reprisal, intimidation or attack, and expresses deep concern that international access to affected areas of northern Rakhine State and other areas affected by violence remains severely restricted for the international community, including for United Nations agencies, humanitarian actors and international media;

11. *Calls upon* the United Nations to ensure that the Independent Mechanism for Myanmar, as established by the Human Rights Council in its resolution 39/2, is afforded the flexibility that it needs in terms of staffing, location and operational freedom so that it can deliver as effectively as possible on its mandate, and be able to brief Member States on its activities, and urges Myanmar, Member States, judicial authorities and private entities to cooperate fully with the Mechanism, including by granting it access, including access to witnesses where applicable, and by providing it with every assistance in the execution of its mandate;

12. *Expresses grave concern* at the potential re-traumatization of survivors of human rights violations and abuses, particularly child survivors and sexual violence survivors, and calls upon all actors engaging in documentation to follow the "do no harm" principle for evidence-gathering in order to respect the dignity of survivors and to avoid re-traumatization, and calls for fully addressing the needs of victims and survivors and their right to effective remedy, including through prompt, effective and independent casualty recording and guarantees of non-recurrence;

13. *Underlines* the importance of consulting with survivors and families of victims, including Rohingya and other minorities, and including them in advancing justice and accountability, as appropriate;

14. *Reiterates* the urgent call upon Myanmar or Myanmar Military where applicable:

(a) To end immediately all violence and all violations of international law in Myanmar, to ensure the protection of the human rights of all persons in Myanmar, including of Rohingya and persons belonging to other minorities, and to take all measures necessary to provide justice to victims, to ensure full accountability and to end impunity for all violations and abuses of human rights law and violations of international humanitarian law, starting with a full, transparent and independent

investigation into reports of all these violations, and calls for the release of the report of the Independent Commission of Enquiry established in 2018 in full or to share its findings with relevant international mechanisms;

(b) To ensure through concrete actions the voluntary, safe, dignified and sustainable return and reintegration of Rohingya Muslims in Myanmar;

(c) To engage in inclusive, constructive and peaceful dialogue and reconciliation, in accordance with the will and interests of the people of Myanmar, including Rohingya Muslims and other minorities;

(d) To create the conditions necessary for the voluntary, safe, dignified and sustainable return of all refugees, including Rohingya Muslim refugees, regretting the fact that not a single Rohingya so far has returned through a bilaterally set up mechanism for repatriation between Bangladesh and Myanmar owing to the failure of Myanmar to create such conditions in Rakhine State;

(e) To build trust among Rohingya Muslims in camps in Bangladesh through confidence-building measures, including by arranging “go and see” visits to Rakhine State by Rohingya representatives;

(f) To ensure full protection of the human rights and fundamental freedoms of all persons in Myanmar, including Rohingya Muslims and other minorities, in an equal, non-discriminatory and dignified manner, in order to prevent further instability and insecurity, alleviate suffering, address the root causes of the crisis, including by repealing or reforming discriminatory legislation, and forge a viable, lasting and durable solution;

(g) To fulfil its human rights obligations and commitments to protect the right to freedom of expression, including online, and the rights to freedom of association and peaceful assembly, to create and maintain a safe and enabling environment for civil society and independent media;

(h) To take the measures necessary to address the spread of discrimination and prejudice and to combat the incitement of hatred against Rohingya Muslims and persons belonging to other minorities, and to publicly condemn such acts and combat hate speech, while fully respecting international human rights law, as well as to promote interfaith dialogue in cooperation with the international community and encourage political and religious leaders in the country to work towards reconciliation among communities and national unity through dialogue, and to implement the Peacebuilding Fund project to address hate speech;

(i) To protect all persons and communities, in line with international humanitarian law and human rights law, including the Rohingya Muslims and other minorities;

(j) To expedite efforts to eliminate statelessness and the systematic and institutionalized discrimination against members of all minorities, in particular relating to Rohingya Muslims, by, inter alia, reviewing and reforming the 1982 Citizenship Law, which has led to deprivation of human rights, by ensuring equal access to full citizenship through a transparent, voluntary and accessible procedure and to all civil and political rights, by allowing for self-identification, by amending or repealing all discriminatory legislation and policies, including discriminatory provisions of the set of “protection of race and religion laws” enacted in 2015 covering religious conversion, interfaith marriage, monogamy and population control, and by lifting all local orders restricting rights to freedom of movement and access to civil registration, health and education services and livelihoods;

(k) To dismantle the camps for internally displaced persons in Rakhine State with a clear timeline and without further delay, ensuring that the return and relocation



of internally displaced persons is carried out in accordance with international standards and best practices, in cooperation with the United Nations and the international community, including as set forth in the Guiding Principles on Internal Displacement;<sup>24</sup>

(l) To accelerate full implementation of all the recommendations of the Advisory Commission on Rakhine State to address the root causes of the crisis;

(m) To ensure that Rohingya, other minorities and internally displaced persons have an equal opportunity for representation and the full, equal and meaningful participation as candidates and voters in all general elections;

(n) To end and prevent the unlawful recruitment and use of children by all armed and security forces, including by implementing all activities of the joint action plan on children and armed conflict in coordination with the United Nations, and to address protection gaps by engaging with the task force on monitoring and reporting violations committed against children, notably by developing a joint action plan on killing and maiming and rape and other forms of sexual violence committed against children;

(o) To cooperate with the Special Envoy of the Secretary-General on Myanmar, including by facilitating unconditional visits to Myanmar and her meaningful engagement with all stakeholders, including Rohingya Muslims and those arbitrarily detained;

(p) To cooperate and engage meaningfully with the Special Rapporteur on the situation of human rights in Myanmar, the Independent Mechanism and other United Nations mandate holders and mechanisms working on Myanmar, including by facilitating visits and granting unrestricted access throughout the country;

(q) To allow the resumption of family visits, grant immediate access, without undue restrictions, to appropriate international organizations and provide medical services to detainees and detention facilities;

(r) To review and repeal the amendments made in 2018 to the Vacant, Fallow and Virgin Lands Management Law, and to establish an inclusive land governance framework and to resolve issues of land tenure, in full consultation with affected populations, including ethnic and religious minority communities, in particular Rohingya Muslims;

(s) To end the reclassification of areas where Rohingya villages were previously located, and the removal of the names of villages from official maps, potentially altering how the land may be used, and stop, without delay, the construction of military facilities in those villages;

(t) To swiftly implement the five-point consensus reached at the Leaders' Meeting of the Association of Southeast Asian Nations held on 24 April 2021 to facilitate a peaceful solution in the interest of the people of Myanmar and their livelihoods, and to that end calls upon all stakeholders in Myanmar to cooperate with the Association and the Special Envoy of the Chair of the Association, and expresses its support for these efforts;

(u) To take concrete steps to strengthen institution-building and structural reforms to uphold the rule of law, human rights and democratic principles, through a participatory and inclusive approach, including efforts to ensure the independence of the judiciary, and by reforming the security sector to enhance civilian control;

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<sup>24</sup> E/CN.4/1998/53/Add.2, annex.

(v) To facilitate independent, impartial and thorough investigations into all allegations of violations of international humanitarian law, including into conduct that may constitute war crimes and crimes against humanity, including the use of starvation as a weapon of war, in Rakhine and Chin States, crimes of sexual violence and allegations of human rights violations, and ensure that the perpetrators are brought to justice through transparent and credible processes;

15. *Underscores* the importance of providing protection and assistance, including non-discriminatory access to services such as medical and psychosocial care, specifically tailored to women and girls, especially those who are victims of sexual and gender-based violence and human trafficking;

16. *Reiterates its deep concern* at the continued plight of Rohingya, and commends the commitment of Government of Bangladesh and other Member States to provide temporary shelter, humanitarian assistance and protection to them;

17. *Encourages* Myanmar to continue to work with Bangladesh, in line with the bilateral instruments on repatriation signed by Bangladesh and Myanmar, in order to expedite the creation of a conducive environment for the voluntary, safe, dignified and sustainable return of the forcibly displaced Rohingya in Bangladesh, with the full support and meaningful involvement of the international community, including the United Nations and its funds, programmes and agencies, and stresses the importance of meaningfully engaging with civil society;

18. *Recognizes* that the continuing multifaceted crisis that has arisen following the declaration of the state of emergency on 1 February 2021, inter alia, the cross-border displacement and prolonged delay in the repatriation of Rohingya, has serious negative impacts on the peace and stability of the region, particularly for the neighbouring countries of Myanmar, and stresses the urgent need for concrete action towards a sustainable solution to the crisis in line with the will of the people of Myanmar;

19. *Recognizes with appreciation* the assistance and support of the international community, including regional organizations, in particular the Association of Southeast Asian Nations, and the countries neighbouring Myanmar;

20. *Calls upon* the international community to effectively address irregular maritime movements of Rohingya, in cooperation with the relevant United Nations agencies, as well as ensure international burden- and responsibility-sharing, especially by the States parties to the 1951 Convention relating to the Status of Refugees;<sup>25</sup>

21. *Emphasizes* the need for Myanmar to continue to cooperate fully with the Government of Bangladesh and with the United Nations, in particular the Office of the United Nations High Commissioner for Refugees, and in consultation with the populations concerned to enable the voluntary, safe, dignified, sustainable and well-informed return of all refugees and forcibly displaced persons and internally displaced persons to their places of origin in Myanmar, and to ensure protection of returnees and give them freedom of movement and unimpeded access to livelihoods, social services, including health services, education and shelter, and to compensate them for all losses;

22. *Calls for* the continued and effective implementation of the memorandum of understanding signed by the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme with Myanmar, to support the creation of conditions for the return of refugees from Bangladesh;

23. *Underlines* the urgent need for the expansion of the pilot projects by the United Nations Development Programme and the Office of the United Nations High

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<sup>25</sup> United Nations, *Treaty Series*, vol. 189, No. 2545.

Commissioner for Refugees under which the internally displaced Rohingya, living under difficult conditions in northern Rakhine State, can return to their original house plots and their communities can receive multisectoral assistance;

24. *Encourages* the international community in the true spirit of interdependence and equal burden- and responsibility-sharing to (a) assist Bangladesh in providing humanitarian assistance to Rohingya refugees and forcibly displaced persons until such time as they are voluntarily repatriated to Myanmar in safety and dignity; and (b) assist in the provision of humanitarian assistance in Myanmar to all affected persons of all communities displaced internally in Myanmar, including in Rakhine State, taking into account the vulnerable situation of women, children, older persons and persons with disabilities;

25. *Welcomes* the implementation of recommendations of the preliminary needs assessment by the Association of Southeast Asian Nations to provide effective humanitarian assistance, facilitate the repatriation process and promote sustainable development in Rakhine State, and recognizes the need for closer engagement with the Rohingya refugee community, while encouraging close cooperation with all relevant United Nations agencies and international partners, and the need to address the root causes of the conflict, so that affected communities can rebuild their lives there;

26. *Urges* the international community to support the 2022 joint response plan for the Rohingya humanitarian crisis to ensure adequate resources for addressing the humanitarian crisis;

27. *Encourages* all business enterprises, including transnational corporations and domestic enterprises operating in Myanmar, to respect human rights in accordance with the Guiding Principles on Business and Human Rights<sup>26</sup> and the recommendations made by the independent international fact-finding mission in its report on the economic interests of the Myanmar military;

28. *Requests* the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions relating to Myanmar, involving all relevant stakeholders, and to offer assistance to Myanmar;

(b) To extend the appointment of the Special Envoy on Myanmar and to submit the report of the Special Envoy covering all relevant issues addressed in the present resolution to the General Assembly at its seventy-eighth session;

(c) To provide all assistance necessary to enable the Special Envoy on Myanmar to effectively discharge her mandate and to report to Member States every six months, or as warranted by the situation on the ground, including through a workplan for the Special Envoy's work in Myanmar;

(d) To identify ways in which the existing mandates can more effectively deliver in their respective areas of responsibility concerning Myanmar and can complement each other's work through enhanced coordination;

(e) To ensure that all in-country programmes incorporate a human rights-based approach and undergo due diligence processes;

(f) To call the continued attention of the Security Council to the situation in Myanmar with concrete recommendations for action towards resolving the humanitarian crisis, promoting the voluntary, safe, dignified, and sustainable return of Rohingya refugees and forcibly displaced persons and ensuring accountability for those responsible for mass atrocities and human rights violations and abuses;

<sup>26</sup> A/HRC/17/31, annex.

(g) To support the implementation of the recommendations of the independent international fact-finding mission on Myanmar and assist the work of the ongoing Independent Mechanism, including by facilitating a dialogue between the General Assembly and the Mechanism during the seventy-eighth session of the Assembly;

(h) To fully implement the recommendations contained in the report of the independent inquiry into the involvement of the United Nations in Myanmar from 2010 to 2018 in order to ensure more effective work in the future and to strengthen the prevention capacity of the United Nations system;

(i) To support the implementation of the memorandum of understanding signed between Myanmar and the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme and to include a part dedicated to the implementation of the memorandum of understanding in his annual report;

29. *Requests* that the Special Envoy continue to participate by way of an interactive dialogue in the seventy-eighth session of the General Assembly;

30. *Decides* to remain seized of the matter, inter alia, on the basis of the reports of the Secretary-General, the independent international fact-finding mission on Myanmar, the Independent Mechanism, the Special Rapporteur on the situation of human rights in Myanmar and the Special Envoy of the Secretary-General on Myanmar.

### Draft resolution III

#### Situation of human rights in the Islamic Republic of Iran

*The General Assembly,*

*Guided* by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,<sup>1</sup> the International Covenants on Human Rights<sup>2</sup> and other international human rights instruments,

*Recalling* its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 76/178 of 16 December 2021,

*Welcoming* the statements made by the Acting United Nations High Commissioner for Human Rights and special procedure mandate holders in September and October 2022, in which they noted concerns about the deteriorating human rights situation in the Islamic Republic of Iran,

1. *Takes note* of the report of the Secretary-General submitted pursuant to resolution 76/178<sup>3</sup> and the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Islamic Republic of Iran,<sup>4</sup> submitted pursuant to Council resolution 49/24 of 1 April 2022;<sup>5</sup>

2. *Welcomes* the continuing efforts of the Islamic Republic of Iran to host one of the largest refugee populations in the world, including approximately 3.6 million Afghan refugees, and to provide them with access to basic services, in particular health care, including coronavirus disease (COVID-19) vaccinations, temporary work permits and education for children, and also welcomes the organization of a census of the Afghan population and a decision to grant newly documented Afghans six-month residence permits;

3. *Also welcomes* the approval of the Law for the Protection of the Rights of Persons with Disabilities and subsequent discussions regarding its implementation, while noting that the law remains unimplemented, and urges the authorities to work together with civil society and persons with disabilities to ensure that sufficient State funds are allocated for its implementation and monitoring;

4. *Further welcomes* the adoption of a bill to protect children and adolescents, noting the effort to prioritize children's education and facilitate virtual learning during the COVID-19 pandemic, calls upon the relevant Iranian authorities to fully implement the amendment to the Nationality Law, which gives Iranian women married to men with foreign nationality the right to request Iranian citizenship for their children under the age of 18 years, and emphasizes the importance of continuing discussions on prohibiting child, early and forced marriage, female genital mutilation, subjection of children to torture and other cruel, inhuman or degrading treatment or punishment, and increasing the age of majority for boys and girls in the Islamic Republic of Iran to 18 years;

5. *Welcomes* the engagement of the Islamic Republic of Iran with human rights treaty bodies, including through the submission of periodic reports, and notes in particular the engagement of the Government of the Islamic Republic of Iran with the Office of the United Nations High Commissioner for Human Rights, the

<sup>1</sup> Resolution 217 A (III).

<sup>2</sup> Resolution 2200 A (XXI), annex.

<sup>3</sup> A/77/525.

<sup>4</sup> A/77/181.

<sup>5</sup> See *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 53 (A/77/53)*, chap. VI, sect. A.

Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities and its participation in the universal periodic review;

6. *Notes* the ongoing contact with and dialogue between the Islamic Republic of Iran and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as its cooperation with select special procedure mandate holders, while noting the limited scope of such cooperation to date and reaffirming the importance of full cooperation with all special procedure mandate holders;

7. *Welcomes* the expressed readiness of the Iranian High Council for Human Rights and other Iranian officials to engage in bilateral dialogues on human rights, and calls upon them to increase such dialogues or resume those that have been paused;

8. *Acknowledges* the efforts of the Government of the Islamic Republic of Iran to mitigate the impact of the COVID-19 pandemic on human rights, in cooperation with international aid organizations, and welcomes the recent acceleration of the COVID-19 vaccination campaign;

9. *Expresses serious concern* at the alarmingly high frequency of the imposition of the death penalty and significant increase in the carrying-out of the death penalty by the Islamic Republic of Iran in violation of its international obligations, including executions undertaken against persons on the basis of forced confessions; reiterates the concern of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran that a number of offences carrying the death penalty do not qualify as the most serious crimes, including drug-related offences, as well as other actions provided under the penal code of the Islamic Republic of Iran, including adultery, same-sex relations, apostasy, blasphemy and convictions for drinking alcohol,<sup>6</sup> as well as crimes that are overly broad or vaguely defined, which is in violation of the International Covenant on Civil and Political Rights;<sup>7</sup> expresses serious concern at the disproportionate application of the death penalty to persons belonging to minorities, who are particularly targeted for death sentences relating to their alleged involvement in political or religious groups; expresses concern at the continuing disregard for protections under Iranian law or internationally recognized safeguards relating to the imposition of the death penalty, including executions undertaken without prior notification of the prisoner's family members or legal counsel, as required by Iranian law, and calls upon the Government of the Islamic Republic of Iran to abolish, in law and in practice, public executions, which are contrary to the 2008 directive seeking to end this practice issued by the former head of the judiciary, and to consider establishing a moratorium on executions;

10. *Also expresses serious concern* at the continued imposition of the death penalty by the Islamic Republic of Iran against minors, and urges the Islamic Republic of Iran to cease the imposition of the death penalty against minors, including persons who at the time of their offence were under the age of 18, in violation of the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child,<sup>8</sup> and to commute the sentences for child offenders on death row;

11. *Calls upon* the Islamic Republic of Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, which may include sexual and gender-based violence in all its forms, amputations, and punishments that are grossly disproportionate to the nature of the offence, in conformity with amendments to the Penal Code, the constitutional guarantees of the Islamic Republic of Iran and international obligations and standards, including but not limited to the United Nations Standard Minimum Rules for the

<sup>6</sup> A/77/181, para. 12.

<sup>7</sup> See resolution 2200 A (XXI), annex.

<sup>8</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

Treatment of Prisoners (the Nelson Mandela Rules),<sup>9</sup> and to ensure that allegations of torture are promptly and impartially investigated and perpetrators held responsible;

12. *Urges* the Islamic Republic of Iran to cease the widespread and systematic use of arbitrary arrests and detention, including the frequent use of this practice to target dual and foreign nationals, who in some cases reside overseas and may be prosecuted upon return, and the practices of enforced disappearance and incommunicado detention, to release those who have been arbitrarily detained and to account for the fate or whereabouts of those subjected to enforced disappearance and to hold those responsible to account, and to uphold, in law and in practice, procedural guarantees and other legal protections to ensure a fair trial, including timely access to legal representation of one's choice from the time of arrest through all stages of trials and appeals, being informed promptly and in detail, in a language that the accused speaks and understands, of the charges faced, and being provided consideration of bail and other reasonable terms for release from custody pending trial, and respect the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and calls upon the Islamic Republic of Iran to ensure that it meets its obligations under article 36 of the Vienna Convention on Consular Relations<sup>10</sup> in relation to communication with and access to nationals of sending States who are in prison, custody or detention;

13. *Calls upon* the Islamic Republic of Iran to address the poor conditions of prisons, recognizing the particular risks for prisoners in the context of COVID-19 and welcoming in this regard the initiative to temporarily furlough prisoners so as to mitigate the risks associated with COVID-19 in prisons, welcomes the adoption by the Prison Service of a new directive on prison conditions and the treatment of prisoners, which expressly forbids torture and other gender-based discrimination, and calls for its implementation, urges an end to the practice of deliberately denying prisoners access to adequate medical treatment and supplies, safe drinking water, sanitation and hygiene, or making such access contingent upon confession, calls upon the Islamic Republic of Iran to establish credible and independent prison oversight authorities to investigate reports of suspicious deaths in detention and complaints of abuse, and urges the relevant authorities to conduct transparent, independent, impartial investigations and ensure accountability;

14. *Strongly urges* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of systemic discrimination and other human rights violations against women and girls; to take gender-responsive measures to prevent and ensure protection for women and girls against sexual and gender-based violence in all its forms, including sexual assault and intimate partner violence, including during the COVID-19 pandemic; to ensure women's and girls' equal protection and access to justice, including by preventing and prohibiting so-called honour killings and child, early and forced marriage, as recommended by the Committee on the Rights of the Child; to promote, support and enable women's and girls' full, equal and meaningful participation in political and other decision-making processes, and, while recognizing the high enrolment of women in all levels of education in the Islamic Republic of Iran, to lift restrictions on women's and girls' equal access to free, equitable primary and secondary education and remove legal, regulatory and cultural barriers to women's free, equal and meaningful participation in the labour market and in all aspects of economic, cultural, social and political life, including participation in and attendance at sporting events; expresses concern at the lack of developments on the adoption of the bill to protect women against violence and calls for its implementation; and expresses further concern that the entry into force of the bill on

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<sup>9</sup> Resolution 70/175, annex.

<sup>10</sup> United Nations, *Treaty Series*, vol. 596, No. 8638.



youth and protection of the family in November 2021 undermines the rights of women and girls to the enjoyment of the highest attainable standard of physical and mental health;

15. *Expresses serious concern* that the enforcement of the hijab and chastity law and its violent implementation by the Iranian morality police fundamentally undermines the human rights of women and girls, including the right to freedom of expression and opinion, and strongly urges the Islamic Republic of Iran to cease the use of excessive force, up to and including lethal force, in the enforcement of any policy contrary to the human rights of women and girls, as well as the use of force, and use of lethal force resulting in death, against peaceful protestors, including women and children, such as that in the aftermath of Mahsa Amini's arbitrary arrest and subsequent death while in custody, and reiterates the importance of prompt, thorough, independent, impartial and transparent investigations into all such instances in order to hold those responsible to account;

16. *Calls upon* the Islamic Republic of Iran to release persons detained for the exercise of their human rights and fundamental freedoms, including those who have been detained solely for taking part in peaceful protests, including the protests of November 2019, January 2020, November 2021, May 2022 and September to November 2022;

17. *Condemns* the widespread use of force against non-violent protestors, expresses concern at the bill proposed by the Government of the Islamic Republic of Iran on the use of firearms during protests and calls for its withdrawal, and calls upon the Iranian authorities to uphold the human rights of those involved in peaceful protests, to consider rescinding unduly harsh sentences, including those involving the death penalty and long-term internal exile, and to end reprisals against human rights defenders, including women human rights defenders, peaceful protesters and their families, journalists and media workers covering the protests, and individuals who cooperate or attempt to cooperate with the United Nations human rights mechanisms, to investigate reprisals and instances of use of force with respect to peaceful protests and to hold those responsible to account, and emphasizes the commitments made by judicial authorities to review the cases of those arrested;

18. *Expresses serious concern* at the widespread restrictions on the rights to freedom of peaceful assembly and association and freedom of expression, and the use of excessive force with respect to the peaceful protests regarding water shortages in November 2021 and labour rights between March 2020 and July 2022, and calls upon the Islamic Republic of Iran to release human rights defenders working on labour and environmental issues and members of teachers associations subjected to arbitrary arrest and detention, and prison sentences, and urges the Government to address violations of the rights to social security and to just and favourable conditions of work, and to address wage arrears, denial of employee protections and benefits, unjustified dismissals and low worker wages, and to increase wages and pensions to ensure an adequate living standard;

19. *Strongly urges* the Islamic Republic of Iran to end violations of the rights to freedom of expression and of opinion, both online and offline, which includes the freedom to seek, receive and impart information, and to freedom of peaceful assembly and of association, including through Internet disruption practices such as shutting down networks and throttling access to the Internet, applications and services on mobile data, or measures to unlawfully or arbitrarily block or take down media websites and social networks, and other widespread restrictions on Internet access or dissemination of information online, and calls upon the Islamic Republic of Iran to withdraw the bill on protecting the rights of users in cyberspace as its implementation undermines the rights of individuals online;

20. *Encourages* the Government of the Islamic Republic of Iran to cooperate with all relevant authorities on investigations into allegations of harassment and intimidation of some families of the victims of the downing of Ukraine International Airlines flight 752, and calls upon the Government to ensure accountability for the downing in accordance with its obligations under applicable international law;

21. *Calls upon* the Islamic Republic of Iran, including the judicial and security branches, to create and maintain, in law and in practice, a safe and enabling environment, both online and offline, in which an independent, diverse and pluralistic civil society can operate free from hindrance, insecurity and reprisals, to end its harassment, intimidation and persecution, including abductions, arrests and executions, of political opponents, human rights defenders, including minority and women human rights defenders and those defending the rights of persons belonging to minority groups, labour, retiree and trade union activists, students' rights defenders, environmentalists, academics, film-makers, journalists, bloggers, social media users and social media page administrators, media workers, religious leaders, artists, lawyers and their families, whether they are Iranians, dual nationals or foreign nationals, and wherever it may occur;

22. *Calls upon* the Islamic Republic of Iran to release women human rights defenders imprisoned for exercising their rights, including the rights to freedom of association and peaceful assembly and the right to freedom of expression and opinion, and to take appropriate, robust and practical steps to protect women human rights defenders and guarantee their full enjoyment of all their human rights, recalls the positive, important and legitimate role of human rights defenders, including women human rights defenders, in promoting and protecting human rights and strengthening understanding, tolerance and peace, and urges the Islamic Republic of Iran to create and support a safe, enabling and accessible and inclusive environment online and offline for their participation in all relevant activities;

23. *Also calls upon* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to ethnic, linguistic or other minorities, including but not limited to Arabs, Azeris, Balochis, Kurds and Turkmen, and their defenders;

24. *Expresses serious concern* about ongoing severe limitations and increasing restrictions on the right to freedom of thought, conscience, religion or belief, restrictions on the establishment of places of worship, undue restrictions on burials carried out in accordance with religious tenets, attacks against places of worship and burial and other human rights violations, including but not limited to the increased harassment, intimidation, persecution, arbitrary arrest and detention of, and incitement to hatred that leads to violence against, persons belonging to recognized and unrecognized religious minorities, including Christians (particularly converts from Islam), Gonabadi Dervishes, Jews, Sufi Muslims, Sunni Muslims, Yarsanis, Zoroastrians, and, in particular, Baha'is, who have been subjected to a sudden increase in persecution, who have faced increasing restrictions and systemic persecution by the Government of the Islamic Republic of Iran on account of their faith and have been reportedly subjected to mass arrests and lengthy prison sentences, as well as the arrest of prominent members and increased confiscation and destruction of property, and calls upon the Government to cease monitoring individuals on account of their religious identity, to release all religious practitioners imprisoned for their membership in or activities on behalf of a minority religious group, to cease the desecration of cemeteries and to ensure that everyone has the right to freedom of thought, conscience and religion or belief, including the freedom to have, to change or to adopt a religion or belief of their choice, in accordance with its obligations under the International Covenant on Civil and Political Rights;

25. *Calls upon* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination on the basis of thought, conscience, religion or belief, including restrictions contained in article 499 bis and article 500 bis of the Islamic Penal Code, the enforcement of which has significantly escalated discrimination and violence, as well as economic restrictions, such as the closure, destruction or confiscation of businesses, land and properties, the cancellation of licences and the denial of employment in certain public and private sectors, including government or military positions and elected office, the denial of and restrictions on access to education, including for members of the Baha'i faith, and other human rights violations against persons belonging to recognized and unrecognized religious minorities, condemns without reservation antisemitism and any denial of the Holocaust, and calls upon the Islamic Republic of Iran to end ongoing systemic impunity for those who commit crimes against persons belonging to recognized and unrecognized religious minorities;

26. *Also calls upon* the Islamic Republic of Iran to launch a comprehensive accountability process, including legal reforms, reiterating the importance of credible, independent and impartial investigations in response to all allegations of human rights violations, including excessive use of force, arbitrary arrest and detention, and torture and other cruel, inhuman or degrading treatment or punishment, including against dual nationals or foreign nationals, peaceful protesters and political prisoners, failure to respect fair trial guarantees, and the use of torture to extract confessions, and cases of suspicious deaths in custody, as well as long-standing violations involving the Iranian judiciary and security agencies, including enforced disappearances, extrajudicial executions and destruction of evidence and gravesites in relation to such violations, and calls upon the Government of the Islamic Republic of Iran to end ongoing systemic impunity for such violations and ensure the availability of effective remedies for victims;

27. *Further calls upon* the Islamic Republic of Iran to implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that are imprecise or could be considered incompatible with the object and purpose of the treaty, to act upon the concluding observations concerning the Islamic Republic of Iran adopted by the bodies of the international human rights treaties to which it is a party and to consider ratifying or acceding to the international human rights treaties to which it is not already a party;

28. *Calls upon* the Islamic Republic of Iran to deepen its engagement with international human rights mechanisms by:

(a) Cooperating fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, including by accepting the repeated requests made by the Special Rapporteur to visit the country in order to carry out the mandate;

(b) Increasing cooperation with other special procedures, including by facilitating long-standing requests for access to the country from thematic special procedure mandate holders, whose access to its territory has been restricted or denied, despite the standing invitation issued by the Islamic Republic of Iran, without imposing undue conditions upon those visits;

(c) Continuing to enhance its cooperation with the treaty bodies, including by submitting reports under the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination<sup>11</sup> and the International Covenant on Economic, Social and Cultural Rights;<sup>12</sup>

<sup>11</sup> Ibid., vol. 660, No. 9464.

<sup>12</sup> See resolution 2200 A (XXI), annex.

(d) Implementing all accepted universal periodic review recommendations from its first cycle, in 2010, its second cycle, in 2014, and its third cycle, in 2019, with the full and genuine participation of independent civil society and other stakeholders in the implementation process;

(e) Building upon the engagement of the Islamic Republic of Iran with the universal periodic review process by continuing to explore cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

(f) Following through on its commitment to establish an independent national human rights institution, made in the context of its first, second and third universal periodic reviews by the Human Rights Council, with due regard for the recommendation of the Committee on Economic, Social and Cultural Rights;

29. *Also calls upon* the Islamic Republic of Iran to continue to translate the statements made by the President of the Islamic Republic of Iran with respect to human rights into concrete action that results in demonstrable improvements as soon as possible and to ensure that its national laws are consistent with its obligations under international human rights law and that they are implemented in accordance with its international obligations;

30. *Further calls upon* the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations in law and in practice;

31. *Strongly encourages* the relevant thematic special procedure mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran;

32. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its fifty-third session;

33. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its seventy-eighth session under the item entitled "Promotion and protection of human rights".

## Draft resolution IV

### Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine

*The General Assembly,*

*Guided* by the purposes and principles of the Charter of the United Nations, and recalling the Universal Declaration of Human Rights,<sup>1</sup> international human rights treaties and other relevant international instruments and declarations,

*Recalling* the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>2</sup> the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>3</sup> the International Covenant on Civil and Political Rights,<sup>4</sup> and the United Nations Declaration on the Rights of Indigenous Peoples,<sup>5</sup>

*Recalling also* the Geneva Conventions of 12 August 1949<sup>6</sup> and Additional Protocol I thereto, of 1977,<sup>7</sup> as applicable, as well as relevant customary international law,

*Confirming* the primary responsibility of States to respect, protect and fulfil human rights,

*Reaffirming* the responsibility of States to respect international law, including the principle that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State and from acting in any other manner inconsistent with the purposes of the United Nations, recalling its resolution [2625 \(XXV\)](#) of 24 October 1970, in which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and reaffirming the principles contained therein,

*Recalling* its resolution [3314 \(XXIX\)](#) of 14 December 1974, entitled “Definition of aggression”, in which it states that no territorial acquisition or special advantage resulting from aggression is or shall be recognized as lawful,

*Recalling also* its resolution [68/262](#) of 27 March 2014 on the territorial integrity of Ukraine, in which it affirmed its commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders and called upon all States, international organizations and specialized agencies not to recognize any alteration to the status of the Autonomous Republic of Crimea and the city of Sevastopol and to refrain from any action or dealing that might be interpreted as recognizing any such altered status,

*Recalling further* its resolution [ES-11/4](#) of 12 October 2022 entitled “Territorial integrity of Ukraine: defending the principles of the Charter of the United Nations”,

*Recalling* its resolutions [71/205](#) of 19 December 2016, [72/190](#) of 19 December 2017, [73/263](#) of 22 December 2018, [74/168](#) of 18 December 2019, [75/192](#) of 16 December 2020 and [76/179](#) of 16 December 2021 on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol,

<sup>1</sup> Resolution [217 A \(III\)](#).

<sup>2</sup> United Nations, *Treaty Series*, vol. 660, No. 9464.

<sup>3</sup> *Ibid.*, vol. 1465, No. 24841.

<sup>4</sup> See resolution [2200 A \(XXI\)](#), annex.

<sup>5</sup> Resolution [61/295](#), annex.

<sup>6</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

<sup>7</sup> *Ibid.*, vol. 1125, No. 17512.

Ukraine, its resolutions 73/194 of 17 December 2018, 74/17 of 9 December 2019, 75/29 of 7 December 2020 and 76/70 of 9 December 2021 on the problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov, and relevant decisions of international organizations, specialized agencies and bodies within the United Nations system,

*Recalling also* its resolutions ES-11/1 of 2 March 2022 on the aggression against Ukraine and ES-11/2 of 24 March 2022 on the humanitarian consequences of the aggression against Ukraine, and Human Rights Council resolutions 49/1 of 4 March 2022 on the situation of human rights in Ukraine stemming from the Russian aggression<sup>8</sup> and S-34/1 of 12 May 2022 on the deteriorating human rights situation in Ukraine stemming from the Russian aggression,<sup>9</sup>

*Gravely concerned* that the provisions of these resolutions and relevant decisions of international organizations, specialized agencies and bodies within the United Nations system have not been implemented by the Russian Federation,

*Condemning* the ongoing temporary occupation of part of the territory of Ukraine – the Autonomous Republic of Crimea and the city of Sevastopol (hereinafter “Crimea”) – by the Russian Federation, and reaffirming the non-recognition of its annexation,

*Condemning also* the unprovoked aggression against Ukraine by the Russian Federation in violation of Article 2 (4) of the Charter, and the use of Crimea for this aim and to support the attempted illegal annexation of Kherson and Zaporizhzhia regions,

*Supporting* the commitment by Ukraine to adhering to international law in its efforts to put an end to the temporary Russian occupation of Crimea, and welcoming the commitments by Ukraine to protecting the human rights and fundamental freedoms of all persons and its cooperation with human rights treaty bodies and international institutions,

*Recalling* that organs and officials of the Russian Federation established in the temporarily occupied Crimea are illegitimate and should be referred to as “occupying authorities of the Russian Federation”,

*Concerned* that applicable international human rights obligations and treaties, to which Ukraine is a party, are not upheld by the occupying Power in Crimea, thus significantly decreasing the ability of residents of Crimea to exercise their human rights and fundamental freedoms since its temporary occupation by the Russian Federation,

*Reaffirming* the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law,

*Welcoming* the reports of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine, of the Commissioner for Human Rights of the Council of Europe and of the mission of experts under the Moscow Mechanism of the Organization for Security and Cooperation in Europe, in which they stated that violations and abuses of human rights continued to take place in Ukrainian territory affected by aggression by the Russian Federation,

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<sup>8</sup> *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 53 (A/77/53)*, chap. VI, sect. A.

<sup>9</sup> *Ibid.*, chap. VII.

*Welcoming also* the reports of the Office of the United Nations High Commissioner for Human Rights on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, submitted pursuant to resolutions [71/205](#)<sup>10</sup> and [72/190](#),<sup>11</sup> and the reports of the Secretary-General submitted pursuant to resolutions [73/263](#),<sup>12</sup> [74/168](#),<sup>13</sup> [75/192](#)<sup>14</sup> and [76/179](#),<sup>15</sup> and the report of the Independent International Commission of Inquiry on Ukraine pursuant to Human Rights Council resolution [49/1](#),

*Condemning* the imposition and retroactive application of the legal system of the Russian Federation, and its negative impact on the human rights situation in Crimea, the imposition by the Russian Federation of its automatic citizenship on protected persons in Crimea, which is contrary to international humanitarian law, including the Geneva Conventions and customary international law, and the deportation, regressive effects on the enjoyment of human rights and effective restriction of land ownership of those who have rejected that citizenship,

*Deeply concerned* about continued reports that the law enforcement system of the Russian Federation conducts searches and raids of private homes, businesses and meeting places in Crimea, which disproportionately affect Crimean Tatars, and recalling that the International Covenant on Civil and Political Rights prohibits arbitrary or unlawful interference with a person's privacy, family, home or correspondence,

*Gravely concerned* that, since 2014, torture has reportedly been used by the Russian authorities, and expressing deep concern about the ongoing reports of arbitrary detentions, arrests and sentencing by the Russian Federation of Ukrainian citizens, in particular for statements and actions in opposition to the aggression by the Russian Federation against Ukraine, including Emir-Usein Kuku, Halyna Dovhopola, Server Mustafayev, Vladyslav Yesypenko, Nariman Dzhelyal, Iryna Danilovych, Bohdan Ziza, Enver Krosh, Vilen Temeryanov and many others,

*Deeply concerned* about the serious continued restrictions on the right to freedom of movement of persons who have previously been arbitrarily detained and served sentences on politically motivated criminal charges,

*Gravely concerned* that the occupation continues to affect the enjoyment of social, cultural and economic rights by residents, including children, women, older persons, persons with disabilities and other persons in vulnerable and marginalized situations,

*Condemning* the reported serious violations of international humanitarian law and violations and abuses of human rights committed against residents of Crimea, in particular extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, discrimination, harassment, intimidation, violence, including sexual and gender-based violence, arbitrary detentions and arrests, torture and ill-treatment, in particular to extract confessions, subjecting detainees to special security regimes and involuntary placement in psychiatric institutions, as well as deplorable treatment and conditions in detention, and the forcible transfer or deportation of protected persons to the Russian Federation, as well as reported abuses of other fundamental freedoms, including the freedoms of expression, religion or belief and association and the right to peaceful assembly,

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<sup>10</sup> See [A/72/498](#).

<sup>11</sup> See [A/73/404](#).

<sup>12</sup> [A/74/276](#).

<sup>13</sup> [A/75/334](#) and [A/HRC/44/21](#).

<sup>14</sup> [A/76/260](#) and [A/HRC/47/58](#).

<sup>15</sup> [A/77/220](#) and [A/HRC/50/65](#).

*Deeply concerned* about restrictions faced by Ukrainians, including Indigenous Peoples of Crimea, in particular the Crimean Tatars, in exercising their economic, social and cultural rights, including the right to work, as well as the ability to maintain their identity and culture and to education in the Ukrainian and Crimean Tatar languages,

*Condemning* the reported destructions of cultural and natural heritage, illegal archaeological excavations and transfer of cultural property, discrimination against persons belonging to religious minorities and repression of religious traditions, thereby diminishing Ukrainian and Crimean Tatar culture in the ethnocultural landscape of Crimea,

*Expressing concern* about the militarization and assimilation of young people in Crimea by the Russian Federation, including combat training of Crimean children for military service in the Russian armed forces as well as the introduction of “military-patriotic” education system, and its blocking of the access of residents of Crimea to Ukrainian education,

*Condemning* the incitement of hatred against Ukraine and Ukrainians as well as the dissemination of disinformation justifying the aggression against Ukraine by the Russian Federation, including through the education system,

*Gravely concerned* by the above-mentioned policies and practices of the Russian Federation, which cause a continuing threat and have caused a large number of Crimean residents to flee from Crimea,

*Recalling* that individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power, or to that of any other country, occupied or not, and the deportation or transfer by an occupying Power of parts of its own civilian population into the territory that it occupies, are prohibited under international humanitarian law, regardless of their motive,

*Deeply concerned* by consistent reports that the Russian Federation promotes policies and conducts practices aimed at changing the demographic, including ethnic, structure in Crimea, and recalling in this respect that the occupying Power shall not deport or transfer parts of its own civilian population into the territory that it occupies,

*Concerned* about the negative effects on the full and effective enjoyment of human rights by residents of Crimea resulting from disruptive activities of the occupying Power, including the expropriation of land, demolition of houses and depletion of natural and agricultural resources, which contribute to changing the economic and demographic structure of Crimea,

*Reaffirming* the right of return of all internally displaced persons and refugees affected by the temporary occupation by the Russian Federation to their homes in Ukraine,

*Reaffirming its serious concern* that, according to the decision of the so-called “Supreme Court of Crimea” of 26 April 2016 and the decision of the Supreme Court of the Russian Federation of 29 September 2016, the Mejlis of the Crimean Tatar People, the self-governing body of the Indigenous People of Crimea – the Crimean Tatars, continues to be declared an extremist organization and the ban on its activities has still not been repealed, and that the persecution of the leaders of the Mejlis of the Crimean Tatar People continues,

*Condemning* the ongoing pressure exerted upon persons belonging to religious minorities and their communities, including through frequent police raids, demolition of and eviction from buildings dedicated to religion, undue registration requirements that have affected legal status and property rights and threats against and persecution



of those belonging to the Orthodox Church of Ukraine, Protestant churches, Muslim religious communities, Greek Catholics, Roman Catholics and Jehovah's Witnesses, and condemning also the baseless prosecution of dozens of peaceful Muslims for allegedly belonging to extremist organizations,

*Gravely concerned* about the constant use of military courts, including those located on the territory of the Russian Federation, to try civilian residents of Crimea and the failure of the occupying Power to respect fair trial standards,

*Condemning* the continuous widespread misuse of counter-terrorism and anti-extremism laws to suppress dissent, including through enforcing new Russian legislation with the intent to dissuade the residents of Crimea from peaceful protests, in accordance with their rights to freedom of expression and political opinion, following and during the unprovoked aggression by the Russian Federation against Ukraine,

*Strongly condemning*, in this regard, the ongoing pressure and mass detentions on terrorism, extremism and espionage grounds and other forms of repression against journalists and other media workers, human rights defenders and civil rights activists, including against activists of the Crimean Solidarity civic initiative, which documents abuses on the peninsula and provides humanitarian assistance to the families of victims of politically motivated prosecutions,

*Recalling* the order of the International Court of Justice of 19 April 2017 on provisional measures in the case concerning the *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*,<sup>16</sup>

*Recalling also* the order of the International Court of Justice of 16 March 2022 on provisional measures in the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*,<sup>17</sup>

*Recalling further* the prohibition under the Geneva Conventions of 12 August 1949 for the occupying Power to compel protected persons to serve in its armed or auxiliary forces, including medical staff, and strongly condemning the ongoing forced conscription and mobilization to the Armed Forces of the Russian Federation in Crimea against the backdrop of the unprovoked aggression against Ukraine,

*Recalling* that the safety of journalists, other media workers and a free press, or other media, are essential for the realization of the rights to freedom of expression and freedom to seek, receive and impart information and the enjoyment of other human rights and fundamental freedoms, concerned about reports that journalists, media workers and citizen journalists continue to face unjustified interference with their reporting activities in Crimea, and expressing deep concern that journalists, media workers and citizen journalists have been arbitrarily arrested, detained, prosecuted, harassed and intimidated as a direct result of their reporting activities, in particular for covering developments in Crimea as well as unprovoked Russian aggression against Ukraine,

*Condemning* the blocking by the Russian Federation of Ukrainian websites and television channels and the seizure of Ukrainian transmission frequencies in Crimea, as well as the use of mass media controlled by the occupying Power to incite hatred

<sup>16</sup> See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 4 (A/72/4)*, chap. V, sect. A.

<sup>17</sup> *Ibid.*, *Seventy-seventh Session, Supplement No. 4 (A/77/4)*, chap. V.

against Ukrainians, the Orthodox Church of Ukraine, Crimean Tatars, Muslims, Jehovah's Witnesses and activists and to call for atrocities against Ukrainians,

*Gravely concerned* by the documented cases in which the Federal Security Service of the Russian Federation allegedly tortured or ill-treated Crimean residents following their arrests, including by using beatings, electric shocks and suffocation against victims,

*Reiterating its concern* regarding multiple exercises of Russian armed forces held in Crimea, using Crimea in the unprovoked aggression by the Russian Federation against Ukraine, the conduct of which entails considerable long-term negative environmental consequences in the region, impacting civilians' enjoyment of their human rights,

*Welcoming* the continued efforts of the Secretary-General, the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the Council of Europe, the Independent International Commission of Inquiry on Ukraine and other international and regional organizations to support Ukraine in respecting, protecting and fulfilling human rights, and expressing concern over the lack of safe and unfettered access by established regional and international human rights monitoring mechanisms and human rights non-governmental organizations to Crimea,

*Welcoming also* the decision of the Secretary-General to add Ukraine as a situation of concern in his annual report on children and armed conflict, with immediate effect, whereby grave violations against children committed in Ukraine will be monitored and reported to the Security Council,

*Commending* the efforts of the Special Representative of the Secretary-General on Sexual Violence in Conflict on the prevention of and response to conflict-related sexual violence in Ukraine,

*Acknowledging* the importance of the investigation conducted by the Independent International Commission of Inquiry on Ukraine, emphasizing the role played by the Office of the United Nations High Commissioner for Human Rights in contributing to an objective appraisal of the situation of human rights in Ukraine, and in this regard welcoming the investigation by the International Criminal Court,

*Strongly condemning* the new unprecedented wave of arbitrary detentions in Crimea, the forcible transfers to and from Crimea, the continuing impunity in reported cases of enforced disappearances, as well as the so-called filtration procedures, in particular in relation to displaced persons,

*Gravely concerned* that the temporary occupation of Crimea became a blueprint for a grave human rights crisis in other territories of Ukraine under temporary military control by the Russian Federation,

*Affirming* that the seizure of Crimea and other territories of Ukraine by force is illegal and a violation of international law, and affirming also that control of all of Ukraine's territory must be immediately restored to Ukraine,

1. *Deplores* the failure of the Russian Federation to comply with the repeated requests and demands of the General Assembly, as well as with the orders of the International Court of Justice of 19 April 2017 on provisional measures in the case concerning the *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, and of 16 March 2022 on provisional measures in the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*;

2. *Strongly condemns* the continuing and total disregard by the Russian Federation for its obligations under international law, including the Charter of the United Nations, regarding its legal responsibility for the occupied territory, including the responsibility to respect Ukrainian law and the rights of all civilians;

3. *Deplores in the strongest terms* the aggression by the Russian Federation against Ukraine in violation of Article 2 (4) of the Charter, and the use of Crimea for this aim and to support the attempted illegal annexation of Kherson and Zaporizhzhia regions;

4. *Demands* that the Russian Federation immediately cease its aggression against Ukraine and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders;

5. *Condemns* violations and abuses of human rights law and international humanitarian law perpetrated by the Russian occupying authorities and entailing discrimination against the residents of the temporarily occupied Crimea, including Crimean Tatars, as well as Ukrainians and persons belonging to other ethnic and religious groups;

6. *Demands* that the Russian Federation respect obligations under international law with regard to respecting the laws in force in Crimea prior to occupation;

7. *Urges* the Russian Federation:

(a) To uphold all of its obligations under applicable international law;

(b) To fully and immediately comply with the orders of the International Court of Justice of 19 April 2017 and of 16 March 2022;

(c) To take all measures necessary to bring an immediate end to all violations and abuses of human rights law and violations of international humanitarian law against residents of the temporarily occupied Crimea, in particular reported discriminatory measures and practices, arbitrary detentions and arrests, violations and abuses within the framework of the filtration procedures, enforced disappearances, torture and other cruel, inhuman or degrading treatment, sexual and gender-based violence, including to compel apprehended persons to self-incriminate or “cooperate” with law enforcement, ensure fair trial, revoke all discriminatory legislation and hold accountable those responsible for those violations and abuses by ensuring the independent, impartial and effective investigation of all allegations;

(d) To refrain from arresting or prosecuting Crimean residents for non-criminal acts committed or opinions expressed, including in social media comments or posts, and release all Crimean residents who have been arrested or imprisoned for such acts;

(e) To respect the laws in force in Ukraine, repeal laws unlawfully imposed in Crimea by the Russian Federation that allow for forced evictions and the confiscation of private property, including land in Crimea, in violation of applicable international law, and respect the property rights of all former owners affected by previous confiscations;

(f) To immediately release and allow the return to Ukraine, without preconditions, of Ukrainian citizens who were unlawfully detained, as well as those transferred or deported across internationally recognized borders from Crimea to the Russian Federation;

(g) To disclose the number and identity of individuals deported from Crimea to the Russian Federation to serve criminal sentences and take immediate action to allow the voluntary return of such individuals to Crimea;

(h) To end the practice of placing detainees in solitary confinement cells as a method of intimidation;

(i) To monitor and accommodate the medical needs of all Ukrainian citizens unlawfully detained for the exercise of their human rights and fundamental freedoms, including political prisoners, in Crimea and the Russian Federation and allow the monitoring of those detainees' state of health and conditions of detention by independent international monitors and physicians from reputable international health organizations, including the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the International Committee of the Red Cross, and investigate effectively all deaths in detention;

(j) To uphold the rights, in accordance with international law and until their release, of Ukrainian prisoners and detainees in Crimea and in the Russian Federation, including those on hunger strike, and encourages it to respect the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)<sup>18</sup> and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);<sup>19</sup>

(k) To address ongoing impunity and ensure that those found to be responsible for violations and abuses of human rights law and violations of international humanitarian law are held accountable before an independent judiciary;

(l) To create and maintain a safe and enabling environment for journalists and media workers and citizen journalists, human rights defenders and defence lawyers to perform their work independently and without undue interference in Crimea, including by refraining from travel bans, deportations, arbitrary arrests, detention and prosecution, and other restrictions on the enjoyment of their rights;

(m) To respect, protect and fulfil freedom of opinion and expression, which includes the freedom to seek, receive and impart information and ideas through any media and regardless of frontiers, enable a safe and enabling environment for independent media pluralism and ensure a safe and enabling environment for civil society organizations;

(n) To respect freedom of opinion, association and peaceful assembly without any restrictions other than those permissible under international law, and freedom of thought, conscience and religion or belief, without discrimination on any grounds, to lift discriminatory regulatory barriers prohibiting or limiting the activities of religious groups in Crimea, including but not limited to parishioners of the Orthodox Church of Ukraine, Muslim Crimean Tatars and Jehovah's Witnesses, and to permit unimpeded access, without any undue restrictions, to places of worship as well as gatherings for prayer and other religious practices;

(o) To restore enjoyment of the rights of all individuals, without any discrimination based on origin or religion or belief, revoke the decisions that banned cultural and religious institutions, non-governmental organizations, human rights organizations and media outlets and restore enjoyment of the rights of individuals belonging to ethnic communities in temporarily occupied Crimea, in particular ethnic Ukrainians and Crimean Tatars, including the right to freely participate in the cultural life of the community;

(p) To respect, protect and fulfil the right to be free from arbitrary or unlawful interference with a person's privacy, family, home or correspondence;

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<sup>18</sup> Resolution [70/175](#), annex.

<sup>19</sup> Resolution [65/229](#), annex.

(q) To ensure that the right to freedom of opinion and expression and the rights to peaceful assembly and freedom of association can be exercised by all Crimean residents in any form, including single-person pickets, without any restrictions other than those permissible under international law, including international human rights law, and without discrimination on any grounds, and to end the practices of abusing requirements of prior authorization for peaceful assemblies and issuing warnings or threats to potential participants in those assemblies;

(r) To refrain from criminalizing the rights to hold opinions without interference and to freedom of expression and the right to peaceful assembly and quash all penalties imposed on Crimean residents for expressing dissenting views, including regarding the status of temporarily occupied Crimea and the unprovoked Russian aggression against Ukraine;

(s) To ensure the availability of education in the Ukrainian and Crimean Tatar languages, and stop the blocking of access to Ukrainian education;

(t) To respect the rights of the Indigenous Peoples of Ukraine set out in the United Nations Declaration on the Rights of Indigenous Peoples, revoke immediately the decision declaring the Mejlis of the Crimean Tatar People an extremist organization and banning its activities, repeal the decision banning leaders of the Mejlis from entering Crimea, repeal the sentences, including in absentia, against Crimean Tatars and their leaders and immediately release those arbitrarily detained, including the leaders of the Mejlis of the Crimean Tatar People, and refrain from maintaining or imposing limitations on the ability of the Crimean Tatars to conserve their representative institutions;

(u) To stop the illegal drafting and mobilization of Crimean residents into the Armed Forces of the Russian Federation, stop pressure aimed at compelling Crimean residents to serve in the armed or auxiliary forces of the Russian Federation, as well as using propaganda, also targeted at children and through the education system, and ensure strict compliance with its international obligations as an occupying Power;

(v) To end also the practice of criminal prosecution of inhabitants who resist conscription and mobilization into the armed or auxiliary forces of the Russian Federation;

(w) To end the practice of deporting Ukrainian citizens from Crimea for not taking Russian citizenship, stop transferring its own civilian population to Crimea and end the practice of encouraging such transfers;

(x) To immediately and unconditionally reverse the decision to simplify the procedure for obtaining Russian citizenship for Ukrainian orphans or children left without parental care;

(y) To provide to the relevant United Nations bodies and international organizations full information on Ukraine's children forcibly transferred or deported to the Russian Federation, including on those children who were subsequently adopted or transferred to foster families, in order to ensure that these children are provided with protection and care in accordance with international law;

(z) To cease forcible transfers or deportation of Ukraine's children to the Russian Federation and take all necessary steps with a view to their safe return and family reunification in line with the best interests of the child and in accordance with international law;

(aa) To cooperate fully and immediately with the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe and the Independent International Commission of Inquiry on Ukraine, which must have safe, secure and unhindered access to the entire territory of Ukraine,

including the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, and the Council of Europe on the situation of human rights in Crimea;

(bb) To create the conditions, as well as provide the means, to allow for the voluntary, safe, dignified and unhindered return to their homes of all internally displaced persons and refugees affected by the temporary occupation of Crimea by the Russian Federation;

(cc) To stop the policy of forcibly changing the demographic, including ethnic, composition of the population and take the necessary measures aimed at limiting the free migration of citizens of the Russian Federation to Crimea;

(dd) To ensure compliance with obligations under international law, including humanitarian law and the Convention for the Protection of Cultural Property in the Event of Armed Conflict,<sup>20</sup> regarding the preservation of monuments of the cultural heritage of Ukraine in Crimea, in particular regarding the Khan Palace in Bakhchysarai and the monument “The ancient city of Chersonese and its Chora”, to prevent and stop reported illegal archaeological excavations on the territory of the Crimean peninsula, and the illicit transfer of cultural property of Ukraine outside the territory of Ukraine;

8. *Calls upon* the Russian Federation to address the substantive concerns and all recommendations highlighted in the reports of the Secretary-General and the Office of the United Nations High Commissioner for Human Rights on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as previous relevant recommendations from reports on the situation of human rights in Ukraine by the Office of the High Commissioner based on the work of the United Nations human rights monitoring mission in Ukraine established to prevent further deterioration of human rights in Crimea;

9. *Supports* the efforts of Ukraine to maintain economic, financial, political, social, informational, cultural and other ties with its citizens in Crimea in order to facilitate their access to democratic processes, economic opportunities and objective information;

10. *Calls upon* all international organizations and specialized agencies of the United Nations system, when referring to Crimea in their official documents, communications, publications, information and reports, including with regard to statistical data of the Russian Federation or provided by the Russian Federation, as well as those placed or used on official United Nations Internet resources and platforms, to refer to “the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation”, and to refer to bodies of the Russian Federation and their representatives in Crimea as “occupying authorities of the Russian Federation”, and encourages all States and other international organizations to do the same;

11. *Calls upon* Member States to support human rights defenders in Crimea and across Ukraine and to continue advocacy for the respect of human rights, including by condemning the violations committed by the Russian Federation in the temporarily occupied Crimea at bilateral and multilateral forums;

12. *Also calls upon* Member States to engage constructively in concerted efforts, including within international frameworks and the International Crimea Platform, aimed at improving the human rights situation in the occupied peninsula, as well as to continue to use all diplomatic means to press and urge the Russian Federation to comply with its obligations under international human rights law and as an occupying Power under international humanitarian law and to grant unimpeded access to Crimea

<sup>20</sup> United Nations, *Treaty Series*, vol. 249, No. 3511.

for established regional and international human rights monitoring mechanisms, in particular the human rights monitoring mission in Ukraine and the Organization for Security and Cooperation in Europe Special Monitoring Mission to Ukraine;

13. *Condemns* all attempts by the Russian Federation to legitimize or normalize its attempted illegal annexation of Crimea and other territories of Ukraine, including the automatic imposition of citizenship of the Russian Federation, illegal election campaigns and voting, population census, forcible change of the demographic structure of the population and suppression of national identity;

14. *Calls upon* the international community to continue to support the work of the United Nations to uphold international human rights law and international humanitarian law in the temporarily occupied Crimea and other territories of Ukraine under temporary military control by the Russian Federation;

15. *Requests* the Secretary-General to continue to seek ways and means, including through consultations with the United Nations High Commissioner for Human Rights and relevant regional organizations, to ensure safe and unfettered access to Crimea and other territories of Ukraine temporarily controlled by the Russian Federation by established regional and international human rights monitoring mechanisms, in particular the United Nations human rights monitoring mission in Ukraine and the Independent International Commission of Inquiry on Ukraine, to enable them to carry out their mandates;

16. *Urges* the Russian Federation to ensure the proper and unimpeded access of international human rights monitoring missions and human rights non-governmental organizations to the temporarily occupied Crimea and other territories of Ukraine temporarily controlled by the Russian Federation, including all places where persons may be deprived of their liberty, recognizing that the international presence and monitoring of compliance with international human rights law and international humanitarian law are of paramount importance in preventing further deterioration of the situation;

17. *Decides* to include the item entitled “The situation in the temporarily occupied territories of Ukraine” in the agenda of the General Assembly until the violations committed as a result of foreign occupation and control of parts of the territory of Ukraine are duly dealt with and the territorial integrity of Ukraine within its internationally recognized borders is fully restored;

18. *Requests* the Secretary-General to remain actively seized of the matter and to take all steps necessary, including within the Secretariat, to ensure the full and effective coordination of all United Nations bodies with regard to the implementation of the present resolution;

19. *Also requests* the Secretary-General to continue to provide his good offices and pursue his discussions relating to the matter, involving all relevant stakeholders and including the concerns addressed in the present resolution;

20. *Further requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the progress made in the implementation of all provisions of the present resolution, including options and recommendations to improve its implementation, and to submit for consideration an interim report to the Human Rights Council at its fifty-third session, to be followed by an interactive dialogue, in accordance with Council resolution [47/22](#) of 13 July 2021;<sup>21</sup>

21. *Decides* to continue its consideration of the matter at its seventy-eighth session under the item entitled “Promotion and protection of human rights”.

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<sup>21</sup> See *Official Records of the General Assembly, Seventy-sixth Session, Supplement No. 53 (A/76/53)*, chap. VII, sect. A.

## Draft resolution V

### Situation of human rights in the Syrian Arab Republic

*The General Assembly,*

*Guided by the Charter of the United Nations,*

*Reaffirming* the purposes and principles of the Charter, the Universal Declaration of Human Rights<sup>1</sup> and relevant international human rights treaties, including the International Covenants on Human Rights,<sup>2</sup>

*Reaffirming its strong commitment* to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter, and strongly demanding that the Syrian regime meet its responsibility to protect the Syrian population and to respect, protect and fulfil the human rights of all persons within its territory and subject to its jurisdiction,

*Recalling* its resolutions [66/176](#) of 19 December 2011, [66/253 A](#) of 16 February 2012, [66/253 B](#) of 3 August 2012, [67/183](#) of 20 December 2012, [67/262](#) of 15 May 2013, [68/182](#) of 18 December 2013, [69/189](#) of 18 December 2014, [70/234](#) of 23 December 2015, [71/130](#) of 9 December 2016, [71/203](#) of 19 December 2016, [71/248](#) of 21 December 2016, [73/182](#) of 17 December 2018, [74/169](#) of 18 December 2019, [74/262](#) of 27 December 2019, [75/193](#) of 16 December 2020 and [76/228](#) of 24 December 2021, Human Rights Council resolutions [S-16/1](#) of 29 April 2011,<sup>3</sup> [S-17/1](#) of 23 August 2011,<sup>4</sup> [S-18/1](#) of 2 December 2011,<sup>5</sup> [19/1](#) of 1 March 2012,<sup>6</sup> [19/22](#) of 23 March 2012,<sup>7</sup> [S-19/1](#) of 1 June 2012,<sup>8</sup> [20/22](#) of 6 July 2012,<sup>9</sup> [21/26](#) of 28 September 2012,<sup>10</sup> [22/24](#) of 22 March 2013,<sup>11</sup> [23/1](#) of 29 May 2013,<sup>12</sup> [23/26](#) of 14 June 2013,<sup>13</sup> [24/22](#) of 27 September 2013,<sup>14</sup> [25/23](#) of 28 March 2014,<sup>15</sup> [26/23](#) of 27 June 2014,<sup>16</sup> [27/16](#) of 25 September 2014,<sup>17</sup> [28/20](#) of 27 March 2015,<sup>18</sup> [29/16](#) of 2 July 2015,<sup>19</sup> [30/10](#) of 1 October 2015,<sup>20</sup> [31/17](#) of 23 March 2016,<sup>21</sup> [32/25](#) of 1 July 2016,<sup>22</sup> [33/23](#) of 30 September 2016,<sup>23</sup> [S-25/1](#) of 21 October 2016,<sup>24</sup> [34/26](#) of

<sup>1</sup> Resolution [217 A \(III\)](#).

<sup>2</sup> Resolution [2200 A \(XXI\)](#), annex.

<sup>3</sup> See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53 (A/66/53)*, chap. I.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, *Supplement No. 53B* and corrigendum ([A/66/53/Add.2](#) and [A/66/53/Add.2/Corr.1](#)), chap. II.

<sup>6</sup> *Ibid.*, *Sixty-seventh Session, Supplement No. 53* and corrigendum ([A/67/53](#) and [A/67/53/Corr.1](#)), chap. III, sect. A.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*, chap. V.

<sup>9</sup> *Ibid.*, chap. IV, sect. A.

<sup>10</sup> *Ibid.*, *Supplement No. 53A (A/67/53/Add.1)*, chap. III.

<sup>11</sup> *Ibid.*, *Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. IV, sect. A.

<sup>12</sup> *Ibid.*, chap. V, sect. A.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*, *Supplement No. 53A (A/68/53/Add.1)*, chap. III.

<sup>15</sup> *Ibid.*, *Sixty-ninth Session, Supplement No. 53 (A/69/53)*, chap. IV, sect. A.

<sup>16</sup> *Ibid.*, chap. V, sect. A.

<sup>17</sup> *Ibid.*, *Supplement No. 53A* and corrigenda ([A/69/53/Add.1](#), [A/69/53/Add.1/Corr.1](#) and [A/69/53/Add.1/Corr.2](#)), chap. IV, sect. A.

<sup>18</sup> *Ibid.*, *Seventieth Session, Supplement No. 53 (A/70/53)*, chap. II.

<sup>19</sup> *Ibid.*, chap. V, sect. A.

<sup>20</sup> *Ibid.*, *Supplement No. 53A (A/70/53/Add.1)*, chap. II.

<sup>21</sup> *Ibid.*, *Seventy-first Session, Supplement No. 53 (A/71/53)*, chap. II.

<sup>22</sup> *Ibid.*, chap. IV, sect. A.

<sup>23</sup> *Ibid.*, *Supplement No. 53A* and corrigendum ([A/71/53/Add.1](#) and [A/71/53/Add.1/Corr.1](#)), chap. II.

<sup>24</sup> *Ibid.*, *Supplement No. 53B* and corrigendum ([A/71/53/Add.2](#) and [A/71/53/Add.2/Corr.1](#)), chap. II.



24 March 2017,<sup>25</sup> 35/26 of 23 June 2017,<sup>26</sup> 36/20 of 29 September 2017,<sup>27</sup> 39/15 of 28 September 2018,<sup>28</sup> 40/17 of 22 March 2019,<sup>29</sup> 41/23 of 12 July 2019,<sup>30</sup> 42/27 of 27 September 2019,<sup>31</sup> 43/28 of 22 June 2020,<sup>32</sup> 44/21 of 17 July 2020,<sup>33</sup> 45/21 of 6 October 2020,<sup>34</sup> 46/22 of 24 March 2021,<sup>35</sup> 47/18 of 13 July 2021,<sup>36</sup> 48/15 of 8 October 2021,<sup>37</sup> 49/27 of 1 April 2022,<sup>38</sup> 50/19 of 8 July 2022<sup>39</sup> and 51/26 of 7 October 2022,<sup>40</sup> Security Council resolutions 1325 (2000) of 31 October 2000, 2042 (2012) of 14 April 2012, 2043 (2012) of 21 April 2012, 2118 (2013) of 27 September 2013, 2139 (2014) of 22 February 2014, 2165 (2014) of 14 July 2014, 2170 (2014) of 15 August 2014, 2178 (2014) of 24 September 2014, 2191 (2014) of 17 December 2014, 2209 (2015) of 6 March 2015, 2235 (2015) of 7 August 2015, 2242 (2015) of 13 October 2015, 2254 (2015) of 18 December 2015, 2258 (2015) of 22 December 2015, 2268 (2016) of 26 February 2016, 2286 (2016) of 3 May 2016, 2314 (2016) of 31 October 2016, 2319 (2016) of 17 November 2016, 2328 (2016) of 19 December 2016, 2332 (2016) of 21 December 2016, 2336 (2016) of 31 December 2016, 2393 (2017) of 19 December 2017, 2401 (2018) of 24 February 2018, 2449 (2018) of 13 December 2018, 2504 (2020) of 10 January 2020, 2533 (2020) of 11 July 2020, 2585 (2021) of 9 July 2021 and 2642 (2022) of 12 July 2022, and the statements by the President of the Security Council of 3 August 2011,<sup>41</sup> 2 October 2013,<sup>42</sup> 17 August 2015<sup>43</sup> and 8 October 2019,<sup>44</sup>

*Deploring* the fact that March 2022 marked 11 years since the peaceful uprising and its brutal repression that led to the conflict in the Syrian Arab Republic, which has had and continues to have a devastating impact on civilians, including through grave violations and abuses of international human rights law and violations of international humanitarian law,

*Strongly condemning* the grave human rights situation in the Syrian Arab Republic, the indiscriminate killing and deliberate targeting of civilians, including humanitarian workers, including those involving the continued indiscriminate use of heavy weapons and aerial bombardments, which has caused more than 500,000 fatalities, including the killing of more than 29,000 children, the continued widespread and systematic gross violations, as well as abuses, of human rights and violations of international humanitarian law, including by the starvation of civilians as a method of warfare and the use of chemical weapons, including sarin and chlorine

<sup>25</sup> Ibid., *Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. II.

<sup>26</sup> Ibid., chap. V, sect. A.

<sup>27</sup> Ibid., *Supplement No. 53A (A/72/53/Add.1)*, chap. III.

<sup>28</sup> Ibid., *Seventy-third Session, Supplement No. 53A (A/73/53/Add.1)*, chap. III.

<sup>29</sup> Ibid., *Seventy-fourth Session, Supplement No. 53 (A/74/53)*, chap. IV, sect. A.

<sup>30</sup> Ibid., chap. V, sect. A.

<sup>31</sup> Ibid., *Supplement No. 53A (A/74/53/Add.1)*, chap. III.

<sup>32</sup> Ibid., *Seventy-fifth Session, Supplement No. 53 (A/75/53)*, chap. IV, sect. A.

<sup>33</sup> Ibid., chap. V, sect. A.

<sup>34</sup> Ibid., *Supplement No. 53A (A/75/53/Add.1)*, chap. III.

<sup>35</sup> Ibid., *Seventy-sixth Session, Supplement No. 53 (A/76/53)*, chap. V, sect. A.

<sup>36</sup> Ibid., chap. VII, sect. A.

<sup>37</sup> Ibid., *Seventy-sixth Session, Supplement No. 53A (A/76/53/Add.1)*, chap. IV, sect. A.

<sup>38</sup> Ibid., *Seventy-seventh Session, Supplement No. 53 (A/77/53)*, chap. VI, sect. A.

<sup>39</sup> Ibid., chap. VIII, sect. A.

<sup>40</sup> Ibid., *Seventy-seventh Session, Supplement No. 53A (A/77/53/Add.1)*, chap. III, sect. A.

<sup>41</sup> S/PRST/2011/16; see *Resolutions and Decisions of the Security Council, 1 August 2011–31 July 2012 (S/INF/67)*.

<sup>42</sup> S/PRST/2013/15; see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014 (S/INF/69)*.

<sup>43</sup> S/PRST/2015/15; see *Resolutions and Decisions of the Security Council, 1 August 2015–31 December 2016 (S/INF/71)*.

<sup>44</sup> S/PRST/2019/12.

gas, and sulfur mustard, which are prohibited under international law, and acts of violence by the Syrian regime that foment sectarian tensions within the Syrian population,

*Welcoming* the work of the Investigation and Identification Team of the Organisation for the Prohibition of Chemical Weapons, noting its findings in its two reports to date, and anticipating the publication of its reports into further chemical weapons attacks, including those perpetrated in Mari' on 1 September 2015 and in Duma on 7 April 2018,

*Noting with grave concern* that the Office of the United Nations High Commissioner for Human Rights has identified 306,887 civilians by full name, together with an established date of death and location, who were killed in the conflict in the Syrian Arab Republic between March 2011 and March 2022 and that, of those identified, 26,727 were women and 27,126 were children, recalling also that the list compiled by the Office of the United Nations High Commissioner for Human Rights indicates a minimum verifiable number and is certainly an undercount of the actual number of killings,

*Recalling* its demand that all parties, especially the Syrian regime, take all appropriate steps to protect civilians, including members of ethnic and religious communities,

*Reiterating* that the only sustainable solution to the current crisis in the Syrian Arab Republic is through an inclusive and Syrian-led political process, under the auspices of the United Nations, that meets the legitimate aspirations of the Syrian people in line with Security Council resolution [2254 \(2015\)](#), with a view to establishing credible, inclusive and non-sectarian governance, with the full, equal and meaningful participation and leadership of all women and youth at all levels, welcoming the establishment of the Constitutional Committee, reaffirming in this regard the important role of women in the prevention and resolution of conflicts and in peacebuilding, stressing the importance of their full, equal and meaningful participation and involvement in all efforts for the maintenance and promotion of peace and security and their role in decision-making with regard to conflict prevention and resolution, and recognizing the work carried out by the Special Envoy of the Secretary-General for Syria to that end,

*Expressing concern* that the implementation of Security Council resolutions [2254 \(2015\)](#) and [2268 \(2016\)](#) remains unresolved,

*Reiterating* the urgent need to strengthen efforts to address the humanitarian situation in the Syrian Arab Republic, including through the protection of civilians and safe, full, immediate, unimpeded and sustained humanitarian access throughout the Syrian Arab Republic, including through the continuation of cross-border assistance, as recalled by the Security Council in its resolutions [2139 \(2014\)](#), [2165 \(2014\)](#), [2191 \(2014\)](#), [2258 \(2015\)](#), [2286 \(2016\)](#), [2393 \(2017\)](#), [2401 \(2018\)](#), [2449 \(2018\)](#), [2504 \(2020\)](#), [2533 \(2020\)](#), [2585 \(2021\)](#) and [2642 \(2022\)](#),

*Welcoming* the efforts of the Special Envoy to advance United Nations efforts to achieve a sustainable political solution to the conflict in the Syrian Arab Republic in line with Security Council resolution [2254 \(2015\)](#), recalling the importance of advancing the work of the Constitutional Committee and achieving tangible results, and in that regard urging all parties to engage meaningfully in the work of the Constitutional Committee, particularly the Syrian regime, and underlining that a political solution to the conflict in the Syrian Arab Republic requires full implementation of all aspects of resolution [2254 \(2015\)](#), including the holding of free and fair elections, under the supervision of the United Nations, to the satisfaction of the governance and to the highest international standards of transparency and

accountability, with all Syrians, including displaced persons, refugees and members of the diaspora, eligible to participate, as well as the establishment of a neutral and safe environment, noting that the 2021 presidential elections held in the Syrian Arab Republic were neither free, fair, nor consistent with the political process called for by the Council in its resolution [2254 \(2015\)](#),

*Reconfirming* its endorsement of the Geneva communiqué of 30 June 2012,<sup>45</sup> endorsing the joint statement on the outcome of the multilateral talks on Syria held in Vienna of 30 October 2015 and the statement of the International Syria Support Group of 14 November 2015 (the Vienna statements) in pursuit of the full implementation of the Geneva communiqué, facilitated by the Special Envoy, as the basis for a Syrian-led and Syrian-owned political transition in order to end the conflict in the Syrian Arab Republic, and stressing that the Syrian people will decide the future of the Syrian Arab Republic,

*Welcoming* the call made by the Secretary-General for a global ceasefire and that of the Special Envoy for a complete, immediate and nationwide ceasefire throughout the Syrian Arab Republic, as endorsed by the Security Council in its resolutions [2532 \(2020\)](#) of 1 July 2020 and [2565 \(2021\)](#) of 26 February 2021, and reaffirming that Member States must ensure that any measures taken to counter terrorism comply with all their obligations under international law, in particular international human rights law, international refugee law and international humanitarian law, while continuing to support legitimate counter-terrorism operations against Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), Al-Qaida and Hay'at Tahrir al-Sham (formerly known as the Nusra Front), and all other individuals, groups, undertakings and entities associated with Al-Qaida or ISIL, and other terrorist groups, which have been designated by the Security Council,

*Urging* all parties, particularly the Syrian regime, to engage meaningfully in the political process under the auspices of the Special Envoy and his office in Geneva, in line with Security Council resolution [2254 \(2015\)](#), and including the full, equal and meaningful participation and representation of women, and by girls as appropriate, in all efforts and decisions, expressing concern for the delays in the Syrian-led and Syrian-owned Constitutional Committee convened and facilitated by the Special Envoy in Geneva, and strongly urging the regime to engage in the United Nations-facilitated Constitutional Committee in line with the agreed terms of reference and rules of procedure,

*Reaffirming* the importance of the full implementation of the women, peace and security agenda of the Security Council, pursuant to Security Council resolution [1325 \(2000\)](#), and its nine subsequent resolutions, in this regard, and welcoming the inclusion of civil society in the political process, in particular through the Civil Society Support Room and Syrian Women's Advisory Board,

*Recognizing* that women and girls have been disproportionately affected by conflict and continue to be among the worst affected and on multiple grounds, including women becoming the main or sole breadwinners for their families, a situation that may be exacerbated by the disappearance of their loved ones, while facing increased caregiving responsibilities and alarming levels of violence,

*Noting with deep concern* the culture of impunity from within the Syrian regime for the most serious violations of international law and violations and abuses of human rights law committed during the present conflict, some of which rise to the level of war crimes and crimes against humanity, which has provided a fertile ground for further violations and abuses,

<sup>45</sup> Security Council resolution [2118 \(2013\)](#), annex II.

*Emphasizing* the importance of accountability for the most serious crimes in violation of international law committed during the conflict for ensuring sustainable peace,

*Recalling* all relevant resolutions on the safety and security of humanitarian personnel and the protection of United Nations personnel, including its resolution [73/137](#) of 14 December 2018, as well as Security Council resolutions on the protection of humanitarian personnel, including resolutions [2175 \(2014\)](#) of 29 August 2014 and [2286 \(2016\)](#) of 3 May 2016, the relevant statements by the President of the Security Council referring to the specific obligations under international humanitarian law to respect and protect, in situations of armed conflict, all medical personnel and humanitarian workers exclusively engaged in medical duties, their means of transport, equipment, hospitals and other medical facilities, and to ensure that the wounded and sick receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required, and condemning attacks against hospitals and places where the sick and wounded are collected, including makeshift hospitals, as well as attacks against medical personnel and humanitarian workers that are in violation of international humanitarian law,

*Expressing grave concern* at the continued indiscriminate use of force by the Syrian regime against civilians, which continues to cause immense human suffering and fomented the spread of violent extremism and violent extremist groups and which demonstrates the continuing failure of the Syrian regime to protect the population and implement the relevant resolutions and decisions of United Nations bodies and has created a safe haven and operating environment for perpetrators of war crimes and crimes against humanity,

*Expressing grave concern also* at the remaining presence of violent extremism and violent extremist groups, terrorists and terrorist groups, and strongly condemning all violations and abuses of human rights and violations of international humanitarian law committed in the Syrian Arab Republic by any party to the conflict, in particular ISIL (also known as Da'esh), Al-Qaida-affiliated terrorist groups, armed groups and non-State actors, and also the Syrian regime and its allies,

*Expressing support* for the work carried out by the Independent International Commission of Inquiry on the Syrian Arab Republic, welcoming its reports, strongly condemning the continued lack of cooperation by the Syrian regime with the Commission of Inquiry, reiterating its decision to transmit the reports of the Commission of Inquiry to the Security Council, expressing its appreciation to the Commission of Inquiry for its briefings to members of the Security Council, and requesting that the Commission of Inquiry continue to brief the General Assembly and members of the Security Council,

*Condemning in the strongest possible terms* the fact that chemical weapons have been used repeatedly in the Syrian Arab Republic, including the instances independently attributed by the Organisation for the Prohibition of Chemical Weapons, the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism and the Investigation and Identification Team of the Organisation for the Prohibition of Chemical Weapons, noting that the Joint Investigative Mechanism concluded that the Syrian Arab Armed Forces had been responsible for attacks that released toxic substances in 2014 and 2015 and that ISIL (also known as Da'esh) had used sulfur mustard in 2015 and 2016, and further concluded in October 2017 that the Syrian Arab Air Force had been responsible for the use of chemical weapons on 4 April 2017 in Khan Shaykhun, and noting also that the Investigation and Identification Team concluded in April 2020 that there were reasonable grounds to believe that the Syrian Air Force had carried out three chemical weapons attacks in Ltamenah in March 2017 and further concluded in April 2021 that

there were reasonable grounds to believe the Syrian Air Force had carried out a chemical weapons attack in Saraqib in February 2018,

*Welcoming* the reports for 2019, 2020, 2021 and 2022 of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011<sup>46</sup> and their consideration by the General Assembly, noting with serious concern the observation of the Commission of Inquiry that, since March 2011, there are reasonable grounds to believe that the Syrian regime has conducted widespread and systemic attacks against the civilian population amounting to war crimes and crimes against humanity, including targeted attacks on protected persons and objects, including medical facilities, and personnel and transport and blocked humanitarian convoys, as well as enforced disappearances, torture in detention, arbitrary detentions, summary executions and other violations and abuses, and underscoring the need for those allegations to be examined and evidence to be collected and made available for future accountability efforts,

*Noting with serious concern* the findings of the Independent International Commission of Inquiry on the Syrian Arab Republic that non-State armed groups still resort to the use of force against civilians,

*Expressing grave concern* about all persons missing as a result of the situation in the Syrian Arab Republic, including those subject to abductions, enforced disappearance and arbitrary detention, first and foremost by the Syrian regime, noting the comments of the Commission of Inquiry and the Special Envoy of the Secretary-General for Syria that at least 100,000 people are estimated to be missing in the Syrian Arab Republic, recalling Human Rights Council resolutions [45/3](#) of 6 October 2020,<sup>47</sup> [48/15](#) and [51/26](#) and Security Council resolutions [2254 \(2015\)](#), [2139 \(2014\)](#) and [2191 \(2014\)](#) in this regard, and encouraging all parties to enhance engagement with the Office of the Special Envoy on the issue of arbitrary detention, as action to address enforced disappearance and arbitrary detention is intrinsically linked to protecting the rights of all Syrians and a lasting political settlement in the Syrian Arab Republic,

*Strongly condemning* the reported killing of detainees in Syrian military intelligence facilities and the widespread practice of enforced disappearance, arbitrary detention and the use of sexual and gender-based violence and torture in detention centres referred to in the reports of the Commission of Inquiry,

*Noting* that, consistent with Security Council resolution [2474 \(2019\)](#) of 11 June 2019, States bear the primary responsibility to respect and ensure the human rights of all individuals within their territory and subject to their jurisdiction, and that parties to armed conflict bear the primary responsibility to take all feasible measures to account for persons reported missing as a result of hostilities and to put in place appropriate channels enabling response and communication with families on the search process, and noting also that, in the same resolution, the Council called upon parties to armed conflict to take steps to prevent persons from going missing as a result of armed conflict,

*Urging* the Syrian regime to provide families with the remains of their relatives whose fate has been disclosed, including those who have been summarily executed, to take all appropriate measures immediately to protect the lives and rights of all persons currently detained or unaccounted for, and to clarify the fate of those who remain missing or are still in custody, in accordance with Security Council resolution

<sup>46</sup> [A/73/295](#), [A/73/741](#), [A/74/313](#), [A/74/699](#), [A/75/311](#), [A/75/743](#) and [A/76/690](#).

<sup>47</sup> See *Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 53A (A/75/53/Add.1)*, chap. III.

2474 (2019), many of whom still remain in detention and are highly vulnerable to the coronavirus disease (COVID-19) owing to overcrowded conditions and pre-existing health issues, such as widespread malnutrition and tuberculosis, despite calls from the Secretary-General, the Special Envoy and the international community for the large-scale release of detainees in the Syrian Arab Republic to mitigate the spread of the virus,

*Welcoming* the report of the Secretary-General on missing persons in the Syrian Arab Republic,<sup>48</sup> and underscoring the report's finding that any measure towards addressing the continuing tragedy of missing persons in the Syrian Arab Republic requires a coherent and holistic approach going beyond current efforts, which must be inclusive and centred on victims,

*Recalling* the statements made by the Secretary-General, the United Nations High Commissioner for Human Rights and the special procedures of the Human Rights Council that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, noting the repeated encouragement by the High Commissioner for the Security Council to refer the situation to the International Criminal Court, and regretting that a draft resolution<sup>49</sup> was not adopted, notwithstanding broad support from Member States,

*Recalling also* the report of 6 April 2020 of the United Nations Board of Inquiry<sup>50</sup> into strikes that damaged and destroyed health-care facilities in the north-west of the Syrian Arab Republic, including sites whose coordinates had been recorded on the United Nations deconfliction list as a step to ensure that they would not be targeted or impacted by violence, and which in most instances examined, concluded that it was "highly probable that the strikes had been carried out by the Government of the Syrian Arab Republic and/or its allies" and found that health-care services were being provided at the time of some of the strikes and that there were no armed opposition groups in or near the facilities, and calling upon all parties to adhere to and comply with the deconfliction mechanism,

*Recalling further* the report of March 2021 of the Independent International Commission of Inquiry<sup>51</sup> reporting regime and pro-regime forces' indiscriminate bombardment of civilian populated areas and deliberate targeting of hospitals and medical facilities, and areas with large civilian concentrations, including markets, schools and neighbourhoods, and concluding that government forces had committed war crimes and crimes against humanity in the conduct of their use of air strikes and artillery shelling of civilian areas,

*Emphasizing* that the humanitarian cross-border mechanism remains an essential and life-saving channel to address the humanitarian needs of a significant portion of the population of the Syrian Arab Republic, which cannot be reached through existing operations within the Syrian Arab Republic, and emphasizing the importance of cross-line operations and that an immediate and significant improvement in cross-line access to all parts of the Syrian Arab Republic and respect for principled humanitarian action are essential to prevent further unnecessary suffering and loss of life,

*Recalling its commitment* to Security Council resolutions 2170 (2014), 2178 (2014) and 2253 (2015) of 17 December 2015,

*Alarmed* that more than 5.6 million refugees, including more than 3.8 million women and children, have been forced to flee the Syrian Arab Republic and that

<sup>48</sup> A/76/890.

<sup>49</sup> S/2014/348.

<sup>50</sup> See S/2020/278, annex.

<sup>51</sup> A/HRC/46/55.



11.1 million people in the Syrian Arab Republic, of whom 6.6 million are internally displaced, require urgent humanitarian assistance, which has resulted in an influx of Syrian refugees into neighbouring countries, other countries in the region and beyond, and alarmed also at the risk the situation presents to regional and international stability,

*Calling for* the immediate repeal of Law No. 10/2018, concerned about the Syrian regime's infringement on the housing, land and property of Syrians, particularly through the dispossession of displaced Syrians' land and property in the national legislation and similar measures, which would have a significant detrimental impact on the rights of Syrians displaced by the conflict to claim their property and to return to their homes in a safe, voluntary and dignified manner when the situation on the ground allows it, and expressing concern about reports of armed groups' abuses of Syrians' housing, land and property rights in areas under their control,

*Expressing its profound indignation* at the death of more than 29,000 children and the many more injured since the beginning of the peaceful protests in March 2011, and at all violations and abuses committed against children, in particular by the Syrian regime, in contravention of applicable international law, including those involving their recruitment and use, abduction, killing and maiming and rape and other forms of sexual and gender-based violence, attacks on schools and hospitals, and denial of humanitarian access, as well as their arbitrary arrest, detention, torture and ill-treatment and their use as human shields, and noting in this regard the adoption on 18 July 2019 of the Security Council Working Group on Children and Armed Conflict conclusions on children and armed conflict in the Syrian Arab Republic<sup>52</sup> as well as the report of 13 January 2020 of the Independent International Commission of Inquiry entitled "They have erased the dreams of my children: children's rights in the Syrian Arab Republic", and emphasizing that the Syrian regime and its allies must comply with their applicable international law obligations that are relevant to children, including under the Convention on the Rights of the Child<sup>53</sup> and the Optional Protocols<sup>54</sup> thereto,

*Noting with concern* that the Hawl camp currently hosts over 58,000 people, 93 per cent of whom are women and children, including some 35,000 children under 12 years of age who live under extremely challenging conditions,

*Welcoming* Security Council resolution [2475 \(2019\)](#) of 20 June 2019 on the situation of persons with disabilities in armed conflict, expressing serious concern regarding the disproportionate impact that armed conflict has on persons with disabilities, including abandonment, violence and lack of access to basic services, stressing the protection and assistance needs of all affected civilian populations, and emphasizing the need to consider the particular needs of persons with disabilities in humanitarian response in the Syrian conflict,

*Expressing its deep appreciation* for the significant efforts that have been made by neighbouring countries and other countries in the region to accommodate Syrians, while acknowledging the increasing financial, socioeconomic and political impact of the presence of large-scale refugee and displaced populations in those countries,

*Welcoming* the efforts of the United Nations and the League of Arab States and all diplomatic efforts to achieve a political solution to the Syrian crisis based on the final communiqué of the Action Group for Syria of 30 June 2012 and consistent with Security Council resolution [2254 \(2015\)](#),

<sup>52</sup> [S/AC.51/2019/1](#).

<sup>53</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>54</sup> *Ibid.*, vols. 2171, 2173 and 2983, No. 27531.

1. *Strongly condemns* the systematic, widespread and gross violations and abuses of international human rights law and violations of international humanitarian law committed in the Syrian Arab Republic and the indiscriminate and disproportionate attacks against the civilian population and against civilian infrastructure, in particular attacks on medical facilities and schools, which continue to claim civilian lives, and demands that all parties comply with their obligations under international humanitarian law;

2. *Deplores and condemns in the strongest terms* the continued armed violence by the Syrian regime against the Syrian people since the beginning of the peaceful protests in 2011, and demands that the Syrian regime immediately put an end to all attacks against civilians, take all feasible precautions to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects and meet its responsibilities to protect the Syrian population and immediately implement Security Council resolutions [2254 \(2015\)](#), [2258 \(2015\)](#) and [2286 \(2016\)](#);

3. *Urges* all Member States to create conditions for continued negotiations for a political solution to the Syrian conflict, under the auspices of the United Nations, and to this end recalls the importance of advancing the work of the Constitutional Committee, within the context of the United Nations-facilitated Geneva process, and achieving tangible results, and in that regard urging all parties to engage meaningfully in the work of the Constitutional Committee, as well as by working towards the nationwide ceasefire, to enable safe, full, immediate, unimpeded and sustained humanitarian access and to lead to the release of those arbitrarily detained and ensure the assessment of the number of people who remain in prisons, consistent with Security Council resolution [2254 \(2015\)](#), as only a durable and inclusive political solution to the conflict can bring an end to the systematic, widespread and gross violations and abuses of international human rights law and violations of international humanitarian law;

4. *Strongly condemns* the use of chemical weapons in the Syrian Arab Republic, demands that all parties desist from any use or preparation of chemical weapons in the Syrian Arab Republic, expresses its strong conviction that those responsible for the use of chemical weapons must be held accountable, and recalls in this regard decision C-25/DEC.9 of 21 April 2021 of the Conference of the States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;

5. *Welcomes* the establishment and operationalization of the Investigation and Identification Team of the Organisation for the Prohibition of Chemical Weapons, which is authorized to identify the perpetrators of the use of chemical weapons in the Syrian Arab Republic, thereby making an important contribution towards the ultimate goal of holding such perpetrators to account;

6. *Demands* that the Syrian regime adhere fully to its international obligations, including the requirement that it declare in full its chemical weapons programme, with special emphasis on the need for the Syrian Arab Republic to urgently resolve the verified gaps, inconsistencies and discrepancies pertaining to its declaration in respect of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and to eliminate its chemical weapons programme in its entirety;<sup>55</sup>

7. *Requests* that the Executive Council of the Organisation for the Prohibition of Chemical Weapons consider additional procedures for stringent verification pursuant to article IV, paragraph 8, and article V, paragraph 10, of the Convention, in

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<sup>55</sup> Security Council resolution [2118 \(2013\)](#), annex I.



order to ensure the complete destruction of the Syrian chemical weapons programme and prevent any further use of chemical weapons;

8. *Deplores and condemns in the strongest terms* the continued widespread and systematic gross violations and abuses of human rights and fundamental freedoms and all violations of international humanitarian law by the Syrian regime, the government-affiliated militias and those who fight on their behalf, including those deliberately targeting civilians or civilian objects, attacks on schools, hospitals, civilian water stations and places of worship, indiscriminate attacks with heavy weapons, aerial bombardments, cluster munitions, ballistic missiles, barrel bombs, chemical or other weapons and other force targeting civilians, as well as the starvation of the civilian population as a method of warfare, massacres, arbitrary executions, extrajudicial killings, the killing of peaceful protesters, human rights defenders and journalists, individuals and members of communities on the basis of their religion or belief, arbitrary detention, enforced disappearances, forced displacement of members of minority groups and of those opposed to the Syrian regime, unlawful interference with access to medical treatment, failure to respect and protect medical personnel, torture, systematic sexual and gender-based violence, including rape in detention, and ill-treatment, other violations and abuses of human rights, including those of women and children, and violations of international humanitarian law;

9. *Condemns unequivocally* all attacks and violence against journalists and media workers by the Syrian regime, the government-affiliated militias and non-State armed groups, urges all parties to respect the professional independence and rights of journalists, and recalls in this regard that journalists and media workers engaged in dangerous professional missions in areas of armed conflict shall be considered civilians and shall be protected as such, provided that they take no action adversely affecting their status as civilians;

10. *Strongly condemns* all violations and abuses of human rights and all violations of international humanitarian law, including the killing and persecution of individuals and members of communities on the basis of their religion or belief, by armed non-State actors, as well as any human rights abuses or violations of international humanitarian law by non-State armed groups, including Hizbullah and those designated as terrorist groups by the Security Council;

11. *Deplores and strongly condemns* the terrorist acts and violence committed against civilians by ISIL (also known as Da'esh), Hay'at Tahrir al-Sham (formerly known as the Nusra Front), Al-Qaida-affiliated terrorist groups, terrorist groups, such as Hurras al-Din, designated by the Security Council and other violent extremist groups and their continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism cannot and should not be associated with any religion, gender, ethnicity, nationality or civilization;

12. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by terrorist groups and armed groups, including so-called ISIL (also known as Da'esh), in particular those involving the killing of women and girls, sexual and gender-based violence, including the enslavement and sexual exploitation and abuse of women and girls and the recruitment, use and abduction of children;

13. *Condemns* the reported forced displacements of the population in the Syrian Arab Republic, including forced displacement of civilians as a result of local truce agreements, as highlighted by the Commission of Inquiry, and the alarming impact thereof on the demography of the country, which amounts to a strategy of radical demographic change initiated by the Syrian regime, its allies and other non-State actors, calls upon all parties concerned to cease immediately all activities

related to these actions, including any activities that may amount to war crimes and crimes against humanity, notes that impunity for such crimes is unacceptable, reaffirms that those responsible for such breaches of international law must be brought to justice, and supports efforts to collect evidence in view of future legal action;

14. *Emphasizes* the importance of creating conditions conducive to voluntary, safe, dignified and informed movements of internally displaced persons within the Syrian Arab Republic, and strongly urges all parties to work with the United Nations to ensure that any such movements are in line with the Guiding Principles on Internal Displacement,<sup>56</sup> and that displaced persons receive the information they need to make informed and voluntary decisions about their movement and safety;

15. *Condemns* the reported forced displacement of populations in the Syrian Arab Republic, expresses deep concern at reports of social and demographic engineering in areas throughout the country, and calls upon all parties concerned to cease immediately all activities that cause these actions, including any activities that may amount to war crimes or crimes against humanity;

16. *Reminds* the Government of the Syrian Arab Republic of its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>57</sup> including its obligation to take effective measures to prevent acts of torture in any territory under its jurisdiction, and calls upon all States parties to the Convention to comply with any relevant obligations under the Convention, including with respect to the obligation to extradite or prosecute contained in article 7 of the Convention;

17. *Deplores* the continued closure of the Bab al-Salam and Ya'rubiyah border crossings for the purpose of cross-border humanitarian aid, expresses its concern regarding the limited renewal of the cross-border resolution for only six months, which is considered unsustainable and insufficient, considering growing humanitarian needs as winter approaches, noting that needs have increased to the highest levels since 2011, with more than 14.6 million Syrians in need, according to the United Nations, and urges the Security Council to renew the cross-border mechanism by January 2023 and to reauthorize the use of these border crossings for at least 12 months, emphasizes that more than 6.9 million people live in areas not under the control of the Syrian regime and 5.3 million require humanitarian assistance in the north-east and north-west, and considers with great concern the serious threats posed by the recent outbreak of cholera, which disproportionately affects those who are already most vulnerable, and that the cross-border mechanism remains an indispensable tool to address the humanitarian needs of the population, including to deliver vaccines and supplies to combat the COVID-19 pandemic, which cannot be adequately reached through existing operations within the Syrian Arab Republic;

18. *Demands* that the Syrian regime and all other parties to the conflict not hinder safe, full, timely, immediate, unrestricted and sustained humanitarian access, and calls for the continuation of cross-border humanitarian support beyond January 2023 and for at least 12 months;

19. *Strongly condemns* the persistent and widespread use of sexual and gender-based violence, abuse and exploitation, such as in government detention centres, including those run by the intelligence agencies, reaffirms that acts of sexual and gender-based violence, when committed as part of a widespread or systematic attack directed against any civilian population, can constitute crimes against humanity, and that acts of sexual and gender-based violence in situations of armed conflict can constitute war crimes, reaffirms the need to end impunity through the prosecution of

<sup>56</sup> E/CN.4/1998/53/Add.2, annex.

<sup>57</sup> United Nations, *Treaty Series*, vol. 1465, No. 24841.

perpetrators of sexual and gender-based crimes under national and international law, stresses the need for the perpetrators of these crimes to be held accountable by national justice systems or, where applicable, international courts and tribunals, notes that such acts may constitute violations of international humanitarian law, violations of international human rights law and abuses of human rights, in this regard expresses deep concern at the prevailing climate of impunity for sexual and gender-based violence, urges all parties to the conflict, especially the Syrian regime, to immediately cease the perpetration of sexual and gender-based violence, and urges the Syrian regime to ensure that victims and survivors of sexual and gender-based violence have access to holistic support and are able to seek reparations and redress;

20. *Also strongly condemns* all violations and abuses committed against children in contravention of applicable international law, including those involving their recruitment and use, killing and maiming, rape and all other forms of sexual and gender-based violence, child, early and forced marriage, abductions, denial of humanitarian access and education for children, and attacks on civilian objects, including schools and hospitals, as well as their arbitrary arrest, unlawful detention, torture and ill-treatment and their use as human shields;

21. *Urges* the Syrian regime to comply with its obligations under the Convention on the Rights of the Child;

22. *Reaffirms* the Syrian regime's responsibility for the systematic use of enforced disappearances, takes note of the assessment of the Commission of Inquiry that the Syrian regime's use of enforced disappearances amounts to a crime against humanity, and condemns the targeted disappearances of young men and boys and the exploitation of ceasefires as an opportunity to forcibly recruit and arbitrarily detain them;

23. *Expresses deep concern* that, according to the recent findings of the Commission of Inquiry, the Syrian regime forces continue to deliberately conceal the fate and whereabouts of forcibly disappeared persons, intentionally prolonging the suffering of hundreds of thousands of family members of the forcibly disappeared, and strongly calls upon the Syrian regime to provide information on detained, missing or forcibly disappeared persons to their families;

24. *Encourages* all parties to the conflict to enhance their engagement with the Special Envoy of the Secretary-General for Syria to hasten the release of all arbitrarily detained persons by the Syrian regime and to make progress on the issue of missing persons;

25. *Strongly condemns* all attacks on the wounded and sick and on medical, health and humanitarian personnel, facilities and means of transport and equipment, as well as indiscriminate and disproportionate attacks on civilians, civilian objects, schools and water stations, taking place in the Syrian Arab Republic, which may constitute war crimes, as well as the intentional denial of humanitarian assistance to civilians, and demands that the Syrian regime meet its responsibility to protect the Syrian population in accordance with its obligations under relevant provisions of international human rights law and international humanitarian law;

26. *Also strongly condemns* the targeting of humanitarian workers and persons engaged in medical duties, their means of transport and equipment and hospitals and other medical facilities, which may constitute war crimes, including the attack against the deconflicted Atarib cave hospital on 21 March 2021 and the terrorist attack against Al-Shifa' hospital on 12 June 2021;

27. *Demands* that the Syrian regime cooperate fully with the Commission of Inquiry, including by granting it immediate, full, safe, unhindered and sustained access throughout the Syrian Arab Republic;

28. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign organizations and foreign forces fighting on behalf of the Syrian regime, expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region, and further demands that all foreign terrorist fighters, and those who are fighting in support of the Syrian regime, including all militias sponsored by foreign Governments, must immediately withdraw from the Syrian Arab Republic;

29. *Demands* that all parties immediately put an end to all violations of international human rights law, abuses of human rights and violations of international humanitarian law and take all appropriate steps to protect and cease any attacks on civilians and civilian objects;

30. *Emphasizes* the need for accountability for crimes involving breaches of international law, in particular of international humanitarian law and human rights law, some of which may constitute war crimes or crimes against humanity, committed in the Syrian Arab Republic since March 2011, through fair and independent investigations and prosecutions at the domestic or international level;

31. *Requests* the International, Impartial and Independent Mechanism to submit an annual report to the General Assembly, starting at its seventy-fifth session, on the implementation of its mandate while preserving the confidential nature of its substantive work, in time for the annual presentation of the report by the Head of the Mechanism in April at a plenary meeting of the Assembly under the agenda item entitled "Prevention of armed conflict";

32. *Welcomes* efforts by the International, Impartial and Independent Mechanism to assist in the search for missing persons in the Syrian context, as stated in the Mechanism's reports to the General Assembly, and further encourages the Mechanism to identify additional ways and means to contribute to this end;

33. *Also welcomes* the victim/survivor-centred approach practised by the International, Impartial and Independent Mechanism and commends its model of engagement with victim and survivor groups, as well as civil society in general, through bilateral cooperation and regular consultations;

34. *Further welcomes* the full funding for the International, Impartial and Independent Mechanism and continued support to the Mechanism through the programme budget to ensure the effective discharge of its mandate;

35. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, stresses the need to pursue practical steps towards this goal, and for that reason encourages the Security Council to take appropriate action to ensure accountability, noting the important role that the International Criminal Court can play in this regard in accordance with complementarity;

36. *Welcomes* the efforts by States to investigate conduct in the Syrian Arab Republic and to prosecute crimes within their jurisdiction committed in the Syrian Arab Republic, encourages them to continue to do so and to share relevant information between States in accordance with their national legislation and international law, and also encourages other States to consider doing the same;

37. *Urgently requests* the Commission of Inquiry to present its latest reporting to the General Assembly during an interactive dialogue at its seventy-eighth session on the situation of human rights in the Syrian Arab Republic, and encourages United Nations monitoring and reporting to further document violations of international

humanitarian law and violations and abuses of human rights, including those that may amount to crimes against humanity and war crimes, to provide recommendations to facilitate improvements in civilian protection and accountability measures, and to feature witness testimony of Syrian human rights defenders, survivors of torture and sexual and gender-based violence, former detainees, and other Syrian voices through appropriate and safe means, and where informed consent has been provided;

38. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic, and urges the international community to assume its responsibility for providing urgent financial support to enable the host countries and communities to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the importance of burden-sharing;

39. *Calls upon* all members of the international community, including all donors, to fulfil their previous pledges and continue to provide much-needed support to the United Nations, its specialized agencies and other humanitarian actors to provide humanitarian and medical assistance to the millions of Syrians who are in need, including those displaced both internally and in host countries and communities;

40. *Welcomes* the efforts of those countries outside the region that have put in place measures and policies to assist and host Syrian refugees, encourages them to do more, also encourages other States outside the region to consider implementing similar measures and policies, with a view to providing Syrian refugees with protection and humanitarian assistance, acknowledges the need to improve the conditions on the ground to facilitate the return of refugees in a safe, voluntary, informed and dignified manner to their place of origin or another location of their choice, and takes note of the recent finding of the Commission of Inquiry that the Syrian Arab Republic does not yet offer a safe and stable environment for the sustainable and dignified return of refugees or for the 6.7 million displaced persons inside the country;

41. *Demands* that the Syrian regime and all other parties to the conflict ensure the full, immediate, unimpeded and sustained safe and unhindered access of the United Nations and humanitarian actors, including to besieged and hard-to-reach areas such as Rukban, that the Syrian regime cease to impede the ability of the United Nations and humanitarian actors to move through the north-east of the Syrian Arab Republic and beyond, especially in the light of the restricted humanitarian space and worsened humanitarian situation following the failure to reauthorize the Ya'rubiyah border crossing in Security Council resolutions [2504 \(2020\)](#), [2533 \(2020\)](#), [2585 \(2021\)](#) and [2642 \(2022\)](#) and that all parties preserve the Fish Khabur border crossing and other crossing points along the Turkish borders with the Syrian Arab Republic, and allow sustained deliveries of humanitarian assistance to persons in need across the Syrian Arab Republic, including through commercial routes, consistent with Security Council resolutions [2139 \(2014\)](#), [2165 \(2014\)](#), [2191 \(2014\)](#), [2254 \(2015\)](#), [2258 \(2015\)](#), [2332 \(2016\)](#), [2393 \(2017\)](#), [2401 \(2018\)](#), [2449 \(2018\)](#), [2504 \(2020\)](#), [2533 \(2020\)](#), [2585 \(2021\)](#) and [2642 \(2022\)](#);

42. *Strongly condemns* the reported killing of detainees in Syrian military intelligence facilities, and calls upon the Syrian regime to release all unlawfully held detainees, including women, children and the elderly, and to facilitate information about those still in detention as well as those who died while in detention by the Syrian regime, returning their remains, with full transparency regarding what happened to these individuals, and urges the regime to immediately reverse its abhorrent use of mass detentions and torture as means of silencing and repressing political opposition, journalists and other media workers and of depriving Syrian citizens of their rights to freedom of expression;

43. *Calls for* the appropriate international monitoring bodies to be granted access to detainees in all prisons and detention centres, including all military facilities referred to in the reports of the Commission of Inquiry;

44. *Demands* that all parties take all appropriate steps to protect civilians and persons hors de combat, including persons belonging to national or ethnic, religious and linguistic minorities, and stresses that, in this regard, the primary responsibility to protect the population lies with the Syrian regime;

45. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, in particular that of Palmyra and Aleppo, and the organized looting and trafficking of Syrian cultural property, as outlined by the Security Council in its resolutions [2199 \(2015\)](#) of 12 February 2015 and [2347 \(2017\)](#) of 24 March 2017, affirms that attacks intentionally directed against historic monuments may amount to war crimes, and underlines the need to bring the perpetrators of such crimes to justice;

46. *Deplores* the military offensive that began in Idlib Province and surrounding areas in December 2019 and caused large-scale injuries, deaths, displacement and suffering in the civilian population and devastating damage to civilian infrastructure, recalls the findings of the United Nations Board of Inquiry established by the Secretary-General in this regard, notes with grave concern the recent findings of the Commission of Inquiry that there are reasonable grounds to believe that war crimes and crimes against humanity were committed during the said offensive, also notes the Commission's comments on the gendered impact of the military offensive, and remains extremely concerned about the situation;

47. *Notes with concern* the continued insecurity in the north-east of the Syrian Arab Republic, the significant increase in humanitarian needs and the restricted humanitarian space following the failure to reauthorize the Ya'rubiyah border crossing, in Security Council resolutions [2504 \(2020\)](#), [2533 \(2020\)](#) and [2585 \(2021\)](#), further compounded by lack of access to water and electricity, which continues to undermine the stability and security of the whole region, eroding progress in the fight against ISIL (also known as Da'esh) and worsening the humanitarian situation and humanitarian actors' ability to respond to humanitarian needs;

48. *Stresses* the situation of particular concern in north-west Syrian Arab Republic, particularly Idlib, strongly condemns the attacks on civilians and first responders and civilian infrastructure where ongoing violence, including air strikes, continues to cause death and injury among civilians and first responders, as well as devastating damage to civilian infrastructure, including health-care and educational facilities, and welcomes the establishment of the United Nations Board of Inquiry mandated to investigate the destruction of and damage to facilities on the United Nations deconfliction list and United Nations-supported facilities;

49. *Expresses concern* about reports of attacks on civilians in areas such as Daraa that supported peaceful protests in 2011, and the siege-like conditions in Daraa that have displaced 40,000 people and resulted in acute food and medicine shortages, and, targeted assassinations of civilian leaders including former judges, medical workers and others engaged in reconciliation negotiations, noting that the Chair of the Commission of Inquiry reported in June 2021 that at least 130 such incidents had been recorded between July 2020 and April 2021, underscoring the pervasively unstable environment;

50. *Expresses deep concern* in particular about the violence in the north-west, including air strikes, and the impact on civilians of that violence, stresses the urgent need for the immediate cessation of military hostilities in Idlib and the surrounding areas, for the prioritization of the protection of all civilians, including those displaced, and for full, timely, immediate, unrestricted and safe humanitarian access, including

cross-border access, recalls the Additional Protocol to the Memorandum on the Stabilization of the Situation in the Idlib De-escalation Area, signed by the Russian Federation and Turkey on 5 March 2020, and stresses the importance of continuing work towards preserving calm on the ground and creating the necessary conditions for the safe, dignified and voluntary returns of displaced people;

51. *Calls upon* all Member States, relevant United Nations bodies, international organizations and civil society to coordinate further efforts and proactively focus attention on the issue of missing persons in the Syrian Arab Republic, including those subjected to enforced disappearance, and recalls the importance of the full and meaningful participation of victims, survivors and their families in such efforts;

52. *Welcomes* the report of the Secretary-General on missing persons in the Syrian Arab Republic, supports its findings and notes with appreciation its recommendations, in this regard expresses its intention to take further action on the matter and to ensure that survivors and their families are included throughout the process, and therefore requests an informal briefing in the form of an interactive dialogue from the Secretary-General before 28 February 2023;

53. *Urges* all parties to the conflict to take all appropriate steps to ensure the safety and security of United Nations and associated personnel, personnel of the specialized agencies and all other personnel engaged in humanitarian relief activities, including national and locally recruited personnel, as required by international humanitarian law, without prejudice to their freedom of movement and access, stresses the need not to impede or hinder these efforts, recalls that attacks on humanitarian workers may amount to war crimes, and notes in this regard that the Security Council has reaffirmed that it will take further measures in the event of non-compliance with its resolutions [2139 \(2014\)](#), [2165 \(2014\)](#), [2191 \(2014\)](#), [2234 \(2015\)](#), [2258 \(2015\)](#), [2286 \(2016\)](#), [2393 \(2017\)](#), [2401 \(2018\)](#), [2449 \(2018\)](#), [2585 \(2021\)](#) and [2642 \(2022\)](#) by any Syrian party;

54. *Urges* the international community to support the leadership and full, effective and meaningful participation of women in all efforts aimed at finding a political solution to the Syrian crisis, as envisaged by the Security Council in its resolution [1325 \(2000\)](#) and all subsequent resolutions of the women, peace and security agenda;

55. *Reaffirms* that there can only be a political solution to the conflict in the Syrian Arab Republic, reiterates its commitment to the national unity and territorial integrity of the Syrian Arab Republic, and urges the parties to the conflict to abstain from actions that may contribute to the continuing deterioration of the human rights, security and humanitarian situation, in order to reach a genuine political transition, based on the final communiqué of the Action Group for Syria of 30 June 2012, consistent with Security Council resolutions [2254 \(2015\)](#), [2268 \(2016\)](#) and [2585 \(2021\)](#), that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, with the full, equal and meaningful participation and leadership of all women at all levels, where there is no room for sectarianism or discrimination on ethnic, religious, linguistic, gender or any other grounds, and where all persons receive equal protection, regardless of gender, religion or ethnicity, and further demands that all parties work urgently towards the comprehensive implementation of the final communiqué, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions.