



General Assembly

Seventy-seventh session

Official Records

Distr.: General
7 April 2023

Original: English

Third Committee

Summary record of the 33rd meeting

Held at Headquarters, New York, on Wednesday, 26 October 2022, at 10 a.m.

Chair: Mr. Blanco Conde (Dominican Republic)
later: Mr. Venancio Guerra (Vice-Chair)..... (Portugal)
later: Mr. Blanco Conde (Dominican Republic)

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

Agenda item 68: Promotion and protection of human rights (continued)

- (a) **Implementation of human rights instruments (continued)** ([A/77/40](#), [A/77/44](#), [A/77/228](#), [A/77/230](#), [A/77/231](#), [A/77/279](#), [A/77/289](#) and [A/77/344](#))
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- (c) **Human rights situations and reports of special rapporteurs and representatives (continued)** ([A/77/149](#), [A/77/168](#), [A/77/181](#), [A/77/195](#), [A/77/220](#), [A/77/227](#), [A/77/247](#), [A/77/255](#), [A/77/311](#), [A/77/328](#) and [A/77/356](#))
- (d) **Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (continued)** ([A/77/36](#))

1. **Ms. Novruz** (Azerbaijan), speaking on behalf of the Movement of Non-Aligned Countries, said that, at the eighteenth summit of the Movement of Non-Aligned Countries, held in Baku in October 2019, the Heads of State and Government of the Non-Aligned Movement had reaffirmed the importance of the promotion and protection of human rights and their commitment to fulfilling their obligations to promote universal respect for and observance and protection of all universally recognized human rights and fundamental freedoms, in accordance with the Charter of the United Nations, other core international human rights instruments and international law.

2. At the summit, they had also reaffirmed that all human rights, including the right to development, were universal, inalienable, indivisible, interdependent and interrelated. Moreover, human rights issues must be addressed in the global context in a fair and equal manner through a constructive, non-confrontational,

non-politicized and non-selective approach based on dialogue, with objectivity, respect for national sovereignty and territorial integrity, non-interference in the internal affairs of States, impartiality and transparency as the guiding principles, taking into account the political, historical, social, religious and cultural particularities of each country.

3. The Non-Aligned Movement unequivocally condemned gross and systematic violations of human rights and fundamental freedoms, and serious obstacles to and violent acts that infringed upon the full enjoyment of those rights and freedoms.

4. At the summit, the Non-Aligned Movement had emphasized the role of the Human Rights Council as a subsidiary organ of the United Nations General Assembly responsible for the consideration of human rights situations in all countries in the context of the universal periodic review, based on cooperation and constructive dialogue.

5. The Non-Aligned Movement expressed its deep concern about the continuation and proliferation of the selective adoption of country-specific resolutions in the Third Committee and in the Human Rights Council, which was a means of exploiting human rights for political purposes and, as such, breached the principles of universality, impartiality, objectivity and non-selectivity in addressing human rights issues and undermined cooperation as the essential principle to effectively promote and protect all universally recognized human rights. The Movement reaffirmed the need to promote greater coherence and complementarity between the work of the Committee and the Council so as to prevent duplication and ensure constructive working relations.

6. The universal periodic review was the main intergovernmental cooperative mechanism for the review of national-level human rights issues in all countries without distinction, with the full involvement of the country concerned and with due consideration for its capacity-building needs. In that context, the Non-Aligned Movement rejected the practice in the Security Council of furthering certain States' political objectives on the pretext of addressing human rights concerns.

7. The Non-Aligned Movement reiterated the importance of ensuring the implementation of the universal periodic review as an action-oriented cooperative mechanism based on objective and reliable information and interactive dialogue with the full involvement of the countries under review and conducted in an impartial, transparent, non-selective,

constructive, non-confrontational and non-politicized manner.

8. **Mr. Andrews** (Special Rapporteur on the situation of human rights in Myanmar), introducing his report (A/77/494), said that, at present, remarkable civil society leaders and networks were documenting human rights violations, providing life-saving aid and organizing non-violent resistance in Myanmar. The junta had made a serious miscalculation if it believed that its crimes against humanity and war crimes would incapacitate human rights defenders in the country. Human rights defenders and journalists were risking their lives to document atrocities, activists were organizing in communities, lawyers were risking their lives and their careers to represent political prisoners, doctors were launching mobile clinics and teachers were setting up alternative education systems. Those heroes were the best of Myanmar and of humanity and they needed and deserved the international community's attention, respect and, most importantly, support.

9. Recently, a Myanmar military helicopter gunship had descended on a school in Sagaing Region and soldiers had opened fire, resulting in the massacre of 13 people, including young children. Moreover, 60 concertgoers had been killed in a junta air strike in Kachin State. Crimes against humanity and war crimes were the stock-in-trade of the military junta, whose ongoing atrocities reflected the very worst of humanity. He had recently spoken to a group of teenagers who lived in Myanmar about their lives since the coup. When asked about their hopes and dreams for the future, one 14-year-old girl had answered that her greatest hope was to have a good night's sleep, describing how she and her family were routinely jarred awake by the sounds of gunfire and shelling.

10. The people of Myanmar were disappointed and disturbed by the failure of Member States to help address the crisis in a just, responsible and humane way. They understood that attention was focused elsewhere, including on Ukraine. In fact, there was a connection between the two countries: some of the types of weapons being used to attack the people of Ukraine were being used to attack the people of Myanmar. Moreover, those weapons came from the same source: the Russian Federation. While the people of Myanmar empathized with the Ukrainian people and supported the defence of Ukraine, they had been waiting 18 months for the same action that had taken four days for the United Nations to take with respect to the crisis in Ukraine. The Rohingya had been waiting even longer. Not only were too few States helping the people of Myanmar, but some were making the situation worse by continuing to provide the junta with weapons to attack

civilians or by indicating a willingness to aid and abet the junta's sham "election" that it hoped to orchestrate in 2023.

11. Some neighbours of Myanmar were detaining or pushing those fleeing the junta's violence back into conflict areas. In the past few weeks, Malaysia had deported more than 100 Myanmar nationals, including military defectors who were likely to be tortured and face the death penalty. That was a gross violation of international law. Over the past year, he had recommended that a coalition of like-minded nations launch a coordinated initiative to deprive the junta of the weapons, finances and legitimacy it needed to sustain its attacks, and to provide greater humanitarian support to the people of Myanmar, because the present uncoordinated, non-strategic approach was both inadequate and costing an untold number of lives. However, there had still been no change in the status quo approach, nor was it being considered. For the people of Myanmar, that was incomprehensible.

12. **Mr. Tun** (Myanmar), said that his delegation strongly supported the report of the Special Rapporteur and welcomed its key recommendations, including for the Security Council to pass a resolution that imposed a comprehensive arms embargo on the military junta and for an emergency meeting to be convened on Myanmar.

13. Since the illegal military coup in February 2021, the situation in Myanmar had been worsening by the day and the people in the country had suffered inhumane and irrational treatment by the terrorist military. Some 2,390 people had been brutally killed and nearly 16,000 people had been arbitrarily arrested by the junta. Over 1 million people had been displaced and over 14 million people were in need of humanitarian assistance. The illegal military junta had been violating the fundamental human rights of the people of Myanmar in a widespread and systematic manner, which, according to the Independent Investigative Mechanism for Myanmar, amounted to crimes against humanity and war crimes. For the first time in over three decades, the military had executed four political prisoners. Moreover, it had arbitrarily arrested targeted individuals and had abducted their family members as hostages. Detainees continued to suffer torture, inhumane and degrading treatment and sexual assault inside prisons. The junta had also massacred innocent civilians across the country and had launched air attacks and shot heavy weaponry into civilian areas. Those attacks had been followed by ground assaults that included torching houses, destroying livestock and abducting and killing villagers.

14. The military junta might have believed that it could crush the people's democratic aspirations using

guns and violence and that it would never be held accountable for their serious crimes. However, the people of Myanmar had not submitted to the junta's reign of terror and were more determined than ever to oppose the military's attempted illegal rule both through peaceful means and by taking up arms. As a result, the junta's administration had collapsed in many parts of the country. The international community must prove that there would be no more impunity for the serious international crimes committed in Myanmar. In that regard, the National Unity Government had informed the International Criminal Court that Myanmar accepted the Court's jurisdiction. It would continue to cooperate fully with all accountability efforts, including the Independent Investigative Mechanism for Myanmar and the application of the principle of universal jurisdiction. It was time to break the cycle of military atrocities.

15. The Special Rapporteur had repeatedly expressed his concerns about the deteriorating human rights situation in Myanmar and had called on the international community to support the people of Myanmar in their fight for their rights and democracy. Despite international pressure and the demands of the Special Rapporteur, the junta continued to enjoy impunity as if none of the reported events had happened and as if none of the innocent lives mattered. But the lives of those who had suffered and died under the military junta of course mattered. He asked the Special Rapporteur what steps he planned to take to urge the international community, including the members of the Security Council and the member States of the Association of Southeast Asian Nations (ASEAN), to take decisive and immediate action to stop the atrocities committed by the military and to save the lives of the people of Myanmar.

16. **Ms. Padmasari** (Indonesia) said that her country continued to follow the situation in Myanmar closely, particularly the deteriorating situation of the people in the country. The lack of significant progress in the implementation of the ASEAN five-point consensus was of deep concern. The recent developments in Myanmar, especially the execution of four political prisoners, showed the authorities' gross lack of commitment to the effective implementation of the five-point consensus, which remained the only road map for achieving progress. In that context, the 55th ASEAN Foreign Ministers' meeting had recommended that the ASEAN Summit assess progress in the implementation of the five-point consensus to guide the decision on the next steps. Mindful of the importance of the international community's support and as the upcoming Chair of ASEAN, Indonesia would continue to push for cooperation between the international community and ASEAN.

17. As a neighbour of Myanmar and a member of ASEAN, Indonesia wished to see meaningful progress in that country. The cessation of hostilities was imperative, beginning with a path towards an inclusive, peaceful and sustainable solution, a return to normalcy and democratic transition. The authorities should ensure the unimpeded delivery of humanitarian assistance to those in need. Moreover, it was imperative to create conditions conducive to the voluntary, safe, secure and dignified return of Rohingya refugees. Her delegation hoped that the Special Rapporteur would continue to work in a constructive and collaborative manner.

18. **Ms. Livermore** (Australia) said that her delegation called on the military regime to end the horrific violence against civilians, engage in dialogue, release those unjustly detained, including the Australian professor Sean Turnell, and allow unimpeded access for humanitarian assistance. Australia remained committed to supporting the people of Myanmar as the number of those displaced and in humanitarian need continued to grow. It supported the international efforts for accountability and de-escalation of the violence and urged the Myanmar regime to engage constructively with ASEAN and to fully implement its commitments under the five-point consensus. Australia would continue to work closely with the United Nations and ASEAN to find options to de-escalate the crisis. Her delegation wished to know how to best support civil society and democratic voices in Myanmar to help return the country to the path of democracy.

19. **Mr. Prongthura** (Thailand) said that, as an immediate neighbour with the longest land border with Myanmar, Thailand continued to follow the situation in that country with grave concern and called for the immediate cessation of all violence and respect for human rights and international humanitarian law. It supported the role of the ASEAN Chair and called for a broader implementation of the five-point consensus as a means of reaching a negotiated peaceful political settlement of the conflict. As the situation in Myanmar was deep-rooted, complex and multidimensional, the international community needed understanding, prudence and pragmatism in addressing it. There could be no simple answers; meaningful dialogue and constructive engagement were key. The work of the various mandates on the situation in Myanmar must be complementary. Humanitarian assistance was urgently needed for all those in need without politicization. Thailand would continue to work with partners to achieve peace, stability and sustainable development in Myanmar while promoting and protecting human rights for all. Any peaceful solution to the conflict was a

delicate balancing act that required flexibility on the part of stakeholders.

20. **Mr. Kuzmin** (Russian Federation) said that his delegation reiterated its principled position of rejecting the flawed practice of adopting selective, one-sided resolutions on the human rights situation in individual countries. That method of work was ineffective and brought the international community no closer to resolving problems. He wondered whether the Special Rapporteur could reign in his emotions during his statements and whether he hailed from the United States. It was not for the Special Rapporteur to talk about whose weapons were killing civilians, women, the elderly and children around the world. He had been appointed the Special Rapporteur on the situation of human rights in Myanmar and should thus focus on Myanmar and not on Ukraine.

21. The information presented in the report was not always supported by facts; not to mention the fact that the Special Rapporteur had not been on the ground and had not been able to personally verify the reliability of the information provided by his sources. Unfortunately, the report had failed to mention that more than 3,500 civilians had been killed and an equal number injured by armed groups in Myanmar between 1 February and 31 August 2022. Of particular concern were attacks by armed groups against teachers and education workers. Militants had attacked over 600 schools, killing education personnel. None of that was consistent with efforts to protect human rights in Myanmar. The Special Rapporteur should still present an objective picture of events.

22. **Mr. Dinger** (United States of America) said that his delegation remained deeply concerned about the human rights abuses highlighted in the report. The reports of the military's involvement in torture, extrajudicial killings and sexual violence and abuses against and affecting children were disgraceful and exemplified the military's complete disregard for human rights and the rule of law. The results of the military's actions had been disastrous for Myanmar, with reports indicating a breakdown in the country's public health and education systems, growing poverty and food insecurity and increasing numbers of displaced persons. The courageous resolve of the people of Myanmar to continue to call for democracy and the protection of human rights in the face of such unrelenting violence and other challenges could not be ignored.

23. The United States called for coordinated action and an international arms embargo to deprive the military of the weapons and revenues used to carry out its scorched-earth campaign. The continuing abuses

against Rohingya and escalating violence impacting people across Myanmar underscored the importance of addressing impunity and promoting accountability and justice for human rights abuses. It was critical for all Member States, including Myanmar and its neighbours, to cooperate with and allow access to the Independent Investigative Mechanism for Myanmar to carry out its mandated activities. The international community must also consult with and support the country's civil society, ethnic communities and pro-democracy movement in their work to address the humanitarian and political crisis. His delegation wished to know what actions the international community could take to pressure the military to cease the violence and release those unjustly detained.

24. **Mr. Reed** (United Kingdom) said that his delegation shared the Special Rapporteur's deep concern about the grave and urgent human rights situation in Myanmar. The military's violence coupled with its restrictions on humanitarian access had exacerbated the humanitarian crisis, which was extremely worrying in such areas as Rakhine State, where the Rohingya were bearing the brunt. The military's oppression must stop. The United Kingdom was committed to working with partners to target the regime's access to the finance, weapons and equipment that facilitated its egregious human rights violations. His country had imposed a comprehensive arms embargo on Myanmar and called on all Member States to enact similar measures. He asked the Special Rapporteur to further elaborate on how the international community could work together to put pressure on those States that continued to sell arms to the Myanmar military.

25. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that the sharp increase in indiscriminate attacks on civilians by armed and security forces and in the number of children killed and maimed was of extreme concern. Internal displacement was also putting children at a higher risk of sexual exploitation and trafficking. Meanwhile, Rohingya and persons belong to other minorities continued to face important movement restrictions, impeding their access to basic services and livelihood. The response of the European Union to the human rights abuses in Myanmar was strong and coordinated with like-minded partners. It included severe rounds of sanctions against the junta and the military's economic interests.

26. The European Union was appalled by the death sentences carried out by the junta against four civil society activists after decades with no recorded executions in Myanmar, which seemed to totally negate

any prospect of the country's return to a democratic path and further compromised the implementation of the five-point consensus, in particular the establishment of a constructive political dialogue. The holding of elections under the conditions currently set by the junta could only lead to more violence in the country.

27. **Ms. Song Hye Ryoung** (Republic of Korea) said that her Government was gravely concerned about the worsening human rights and humanitarian crisis in Myanmar. It strongly condemned the military's continued violence against civilians and the recent execution of four pro-democracy activists. Such acts of violence further demonstrated the military's flagrant disregard for human rights and the rule of law. Her delegation called for an immediate cessation of all acts of violence, the release of those arbitrarily detained and unhindered humanitarian access to all people in need across Myanmar. It reaffirmed its support for the efforts of the United Nations and ASEAN to find a peaceful solution to the situation in Myanmar and called on the military authority to faithfully implement the ASEAN five-point consensus. The human rights and humanitarian crisis faced by the Rohingya in and outside of Myanmar was also of deep concern. She thanked Bangladesh and other host nations for their sustained humanitarian efforts to help Rohingya refugees. The Republic of Korea was committed to continuing its participation in international efforts to find a peaceful solution to the situation in Myanmar and would continue to provide humanitarian assistance to Myanmar and Rohingya refugees.

28. **Mr. Oehri** (Liechtenstein) said that his delegation fully supported the Special Rapporteur's call for the Security Council to pass a resolution that imposed a comprehensive arms embargo and targeted economic sanctions on Myanmar and that referred the situation in Myanmar to the International Criminal Court. Such a decision should ideally be adopted before the ASEAN Summit in November 2022 so as to express political support for ASEAN. Accountability for the crimes committed remained key; his delegation thus supported the intention of the National Unity Government to ratify the Rome Statute of the International Criminal Court and that of the prosecutor to open an office in Cox's Bazar. His delegation would appreciate it, if the Special Rapporteur could elaborate on his work in support of those initiatives. Liechtenstein was very concerned about the human rights violations, especially the recent death sentences carried out against pro-democracy activists. He asked the Special Rapporteur to elaborate on his efforts to facilitate a return to the previous de facto moratorium on the death penalty.

29. **Ms. Mejia** (Switzerland) said that her delegation welcomed the focus in the report of the Special Rapporteur on civil society and human rights defenders in Myanmar, who risked their lives every day to protect the human rights of their compatriots. The security forces must respect human rights and international humanitarian law and release all persons arbitrarily detained. Moreover, all parties must immediately stop attacks on civilians and the use of anti-personnel landmines. Switzerland was deeply concerned by the recent air strike in Kachin State, which had shown the military regime's disregard for its obligation to protect civilians and respect the principles and rules of international humanitarian law and highlighted the responsibility of the military regime for the crisis and instability in the country. Switzerland encouraged all parties to cooperate with international mechanisms and to commit themselves to seeking a political solution to the serious multidimensional crisis. It stressed the need for credible, transparent, independent and impartial investigations into all violations of international law so that the alleged perpetrators could be brought to justice. She asked the Special Rapporteur how the cooperation between his mandate and that of the Special Envoy of the Secretary-General on Myanmar was progressing.

30. **Mr. Mohd Zim** (Malaysia) said that, gravely concerned by the deteriorating situation in Myanmar, his delegation concurred with the Special Rapporteur that the international community must support the people of Myanmar in restoring normalcy, provide an incentive for a peaceful resolution of the crisis and send a clear message that there could be no impunity for persistent violence against innocent populations. While Malaysia appreciated the support for the ASEAN five-point consensus, it believed that the United Nations, especially the Security Council, must supplement the efforts of ASEAN and not shift its primary responsibility, especially in the face of the military junta's blatant disregard for the five-point consensus. The international community, particularly States parties to the 1951 Convention relating to the Status of Refugees beyond the South-East Asia region and those that regarded themselves as promoters of human rights, should do their part by offering asylum to those fleeing the crisis in Myanmar. Despite not being a party to the Convention, Malaysia was hosting more than 200,000 refugees from Myanmar. It simply did not have the capacity to handle additional arrivals into the country.

31. With regard to the deportation of Myanmar nationals by Malaysian law enforcement authorities, he noted that the Special Rapporteur had conveyed that point in a letter to the Permanent Representative of Malaysia in Geneva. His country was undertaking

internal consultations with the relevant agencies to establish the facts of the matter and would convey the concerns expressed and respond to the letter in due course.

32. **Mr. Rae** (Canada) said that, as the representative of the Russian Federation had commented that the Special Rapporteur did not know what was happening in Myanmar because he was not on the ground, Canada was sure that he would support access for the Special Rapporteur, the Special Envoy on Myanmar, the Independent Investigative Mechanism for Myanmar and the International Criminal Court so that the Committee could obtain the reliable information that the Russian representative insisted he was looking for. His delegation wished to know how the international community could coordinate support to protect those in vulnerable situations, including internally displaced persons and refugees. It further wished to know how the international community could follow the “do no harm” principle to ensure that those undertaking rescue missions, such as humanitarian actors and human rights defenders, were protected and not placed at further risk.

33. **Ms. Schmiedova** (Czechia) said that her country was appalled by the military’s relentless attacks on civilians in Myanmar. Since February 2021, a total of 2,367 people, including pro-democracy activists and other civilians, had been killed. Some 12,674 people were in detention and 1,549 were serving sentences. Czechia had great respect for the local activists, human rights defenders, journalists and thousands of young people in Myanmar who were risking imprisonment and their lives for democracy. Women and women-led civil society organizations deserved no less admiration and support for their tremendous bravery when serving others in need. Her country condemned the junta’s flagrant disregard for the ASEAN five-point consensus and called on it to immediately cease its violence and attacks on civilians and to begin a constructive dialogue and enable the delivery of humanitarian assistance. Member States, the international community, international organizations and United Nations agencies all had to act and work together to get the junta to stop terrorizing and killing the people of Myanmar. The Special Rapporteur had offered a number of specific steps in that regard and Czechia was ready to lead by example. The junta had no legitimacy and must be deprived of resources and the perpetrators of atrocities held accountable. The international community must support all pro-democracy forces in Myanmar. She wished to know how far the Special Rapporteur thought the junta was willing to go in committing atrocities, irrespective of the growing pressure on and deterioration in the country.

34. **Ms. Dale** (Norway) said that the atrocities and humanitarian crisis unfolding in Myanmar, including the deliberate targeting of children, was of deep concern. Her delegation called for an immediate end to all forms of violence, including sexual and gender-based violence, torture, killings and arson. The perpetrators must be brought to justice. Myanmar must cooperate fully with the United Nations human rights mechanisms, including the Office of the Special Rapporteur and that of the Independent Investigative Mechanism for Myanmar. Norway reaffirmed its continued support for civil society and human rights defenders. An entire generation of children and young people were at risk. As Chair of the Working Group on Children and Armed Conflict, Norway had a special focus on children in Myanmar. She therefore wished to know what the Special Rapporteur’s recommendations would be on how to best protect and support children’s rights during the crisis.

35. **Mr. Lohr** (Luxembourg) said that his delegation called on the military regime in Myanmar to immediately cease its attacks on and indiscriminate shelling of the civilian population and to respond positively to requests for access by humanitarian organizations and the Independent Investigative Mechanism for Myanmar. Luxembourg was appalled by the reports of abductions, arbitrary detention, sexual violence and torture committed by the junta and the other reports that might constitute crimes against humanity. The climate of impunity that encouraged the repetition of the most serious crimes must end; accountability must be ensured. His delegation condemned in the strongest terms the use of the death penalty against political prisoners. The proliferation of armed groups, increasing displacement, illegal exploitation of natural resources and the production of drugs that fuelled the conflict would continue to complicate any future reconciliation and rebuilding of State institutions.

36. Luxembourg supported the initiative of the Special Envoy on Myanmar to create a platform on women and peace and security in Myanmar. Despite the violence to which they were subjected, women and youth had repeatedly demonstrated an extraordinary capacity to increase their influence and strengthen their voice. Armed actors could not be the only ones invited to the platform: peaceful civil society groups and representatives must also be able to participate. A new course of action was needed as the conflict and humanitarian crisis worsened. His delegation wondered how the security and protection of civil society and local communities could be enhanced.

37. **Mr. Tozik** (Belarus) reiterated his country's principled position against country-specific approaches in the work of the Committee and mandate holders, including the mandate of the Special Rapporteur on the situation of human rights in Myanmar. Such approaches had proven counterproductive in practice and violated the principles of universality, impartiality, objectivity and non-selectivity that should guide the Committee's work. Belarus was convinced that it was necessary to seek a new way of resolving problems that was constructive and mutually acceptable to all parties, engaging countries in dialogue rather than isolating them from international cooperation. The universal periodic review was the main intergovernmental mechanism for the promotion and protection of human rights, which allowed for a constructive dialogue on all human rights issues in a non-confrontational and non-politicized manner.

38. **Mr. Magosaki** (Japan) said that his country was deeply concerned by the continued lack of action to improve the human rights and humanitarian situation in Myanmar after the coup and deplored the recent air raid, the execution of citizens, including pro-democracy activists, and the other recent convictions, despite the consistent calls by Japan and other States for the release of detainees. Such actions had served only to inflame the conflict due to the hardening of public sentiment and had further isolated Myanmar from the international community. Japan would continue to support the efforts of ASEAN to improve the situation in Myanmar. The military must work towards a peaceful resolution of the situation by taking real action to immediately stop the violence, release those detained, swiftly restore the country's democratic political system and implement the ASEAN five-point consensus. Japan sincerely hoped that the human rights and humanitarian situation in Myanmar would improve in a manner that reflected the will of its people.

39. **Ms. Al-Mehaid** (Saudi Arabia) said that her country had a long-standing commitment to assist afflicted countries and peoples without discrimination. Conflict resolution, addressing the root causes of refugee and displacement crises and providing humanitarian assistance were vital.

40. Saudi Arabia had provided more than \$25 million in vital humanitarian and development assistance to the Rohingya community of Myanmar, in cooperation with the Islamic Development Bank, the Organization of Islamic Cooperation, the United Nations and the United Nations Children's Fund. Her delegation commended the United Nations, through the Special Envoy of the Secretary-General on Myanmar, and the Organization of Islamic Cooperation, through its Contact Group on

Rohingya Muslims, for their continued efforts to alleviate the suffering of the Rohingya. Moving forward, the objective should be a multilaterally facilitated, lasting solution that protected the rights of the Rohingya and enabled them to coexist peacefully with other communities in Myanmar.

41. **Ms. Jarvilehto** (Finland) said that her delegation strongly condemned the recent execution of pro-democracy leaders and the human rights violations and abuses in Myanmar, which the Special Rapporteur had indicated might amount to crimes against humanity. The reporting on systematic sexual and gender-based violence and crimes against and affecting children was especially appalling. The deterioration of the human rights situation in Myanmar, especially for persons belonging to minorities, underlined the importance of a well-functioning accountability mechanism. The nearly 3 million information items in the Independent Investigative Mechanism repository sent a clear message that perpetrators would be held accountable. Finland called on all partners of the international community to cooperate fully with the Mechanism so that it could deliver and victims could get justice. She asked the Special Rapporteur which of the instruments that the international community had at its disposal he considered to be the most efficient in ascertaining whether those who had committed atrocities against children and other most vulnerable persons in Myanmar could be held accountable.

42. **Ms. Xu Daizhu** (China) said that, as a friendly neighbour, her country genuinely hoped that Myanmar would maintain peace and stability. Since the political changes in Myanmar, China had been working with all parties in that country in a spirit of objectivity and impartiality to facilitate dialogue and peace. China supported ASEAN in its efforts to address the issue and to work with Myanmar to implement the five-point consensus in an orderly manner. Her country held the view that the international community's voice and actions should be conducive to bridging the differences between the parties in Myanmar and solving the problem, instead of exacerbating disagreements and further complicating the situation. China advocated constructive dialogue and cooperation on the basis of equality and mutual respect in properly addressing human rights differences. It opposed politicization, selectivity, double standards, the provocation of confrontation, as well as the use of human rights to put pressure on countries and the establishment of country-specific human rights mechanisms without the consent of the country concerned.

43. **Mr. Abdullah** (Bangladesh) said that it was regrettable that Myanmar continued to deny the Special

Rapporteur access to the country. His delegation was deeply concerned about the worsening situation in Myanmar after the coup, particularly the escalation of conflicts between the military and the Arakan Army, which impacted both Myanmar and Bangladesh. He wondered whether the Special Rapporteur had plans to intensify his efforts to ensure access to Rakhine State for himself and other United Nations agencies. He further wondered how the Special Rapporteur was planning to engage with States to implement his recommendation to put on hold the sale and transfer of weapons and aviation fuel to the Myanmar military and impose sanctions on key sources of revenue. Lastly, he wished to know how the Special Rapporteur thought he could raise awareness among the international community about its collective responsibility to comply with the recommendations contained in General Assembly resolution 76/180 on the situation of human rights of Rohingya Muslims and other minorities in Myanmar, which encouraged all business enterprises to respect the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework.

44. **Mr. Andrews** (Special Rapporteur on the situation of human rights in Myanmar) said that, regarding the question about how he planned to get the international community to take stronger action, he would first continue to engage with the people of Myanmar and provide the Committee with the truth based on their experience of the crisis. Secondly, he would continue to engage with the Permanent Representative of Myanmar, the National Unity Government, the National Unity Consultative Council, ethnic resistance organizations and others on the front lines of the crisis. All States should engage with those organizations and representatives to get a clear picture of the crisis and what could be done to solve it. He was eager to engage with human rights advocates and activists around the world so that together they could urge those in decision-making positions to do the right thing.

45. Regarding the question about what the international community could do, he said that the Security Council should pass a resolution that imposed a comprehensive arms embargo and targeted economic sanctions on the military of Myanmar and that referred Myanmar to the International Criminal Court. Given the inevitable veto that such a resolution would face, it should then be submitted to the General Assembly for debate and a vote. Those nations that supported democracy and human rights should form a coalition to develop and implement a coordinated strategy to deprive the junta of weapons, finances and legitimacy. The type of cooperation that had been seen in other

crises, including the one in Ukraine, had not materialized because no country or group of countries had stepped forward to lead the effort. All Member States must halt the sale and transfer of weapons and dual-use technology, including aviation fuel. Together with international bodies, they must take every opportunity to deny the junta the recognition and legitimacy that it sought, especially by refraining from engaging in the junta’s plan to orchestrate sham elections for 2023. Free and fair elections were impossible when the military arrested, tortured and arrested its opponents and when it was against the law to criticize the junta. Member States and other donors should significantly increase their humanitarian assistance, as international donors and international humanitarian organizations desperately needed support. Refugees from Myanmar needed better support and should under no circumstances be forced to return to Myanmar. Neighbours of that country should ensure that the Human Rights Council had access to refugees so it could work towards their resettlement in third countries, and the international community must do more to support the neighbours of Myanmar who were under great pressure.

46. With regard to the question about holding the junta accountable for its crimes, he said that, if the Security Council did not refer Myanmar to the International Criminal Court, Member States could join the genocide case brought by the Gambia at the International Court of Justice, support universal jurisdiction cases and ensure that the Independent Investigative Mechanism for Myanmar was sufficiently resourced. It was imperative that the international community did not lose sight of the suffering of the Rohingya in Myanmar, in Rakhine State or in Bangladesh. There had been no improvements in the situation of the Rohingya in Myanmar and the architects of the genocidal attacks against them were currently at the head of the junta. The tragic situation of the Rohingya was an important reminder of why it was so important to recognize the fact that impunity fuelled cycles of violence and oppression and that if impunity was not addressed, the cycle would continue.

47. With regard to the questions about the situation of women and girls in Myanmar, he said that there had been a steep increase in gender-based violence linked to the military, police and forces aligned with the junta. The prevalence of rape and sexual violence was of utmost concern. Women’s basic rights had continued to be eroded and the hard-fought gains that women’s organizations had made before the coup had been lost. It was extremely important for the international community to maintain its focus on the situation of

women and girls in Myanmar and on the civil society organizations on the front lines that needed support.

48. He looked forward to continuing his work with the ASEAN network of countries and welcomed the fact that new approaches to the five-point consensus were being discussed.

49. **Ms. Salmón** (Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea), introducing her report (A/77/522), said that experience on working on human rights had shown that the victims of human rights violations must be the focus of any human rights endeavour, which entailed providing them with a voice and visibility, mobilizing all relevant actors to respond to their concerns and aspirations, promoting truth-seeking and exploring the full range of accountability options. That principle defined her approach to the implementation of her mandate. With the intention of building on the important work done by her predecessors, she had first systematized their experiences and achievements to better envision the road ahead. That road consisted of three objectives: to seek the cooperation of the Democratic People's Republic of Korea to transform its practices that seriously violated human rights, to strengthen the possibilities of accountability and to raise awareness of the grave situation, including by allowing new actors to join those efforts.

50. The limited cooperation between the Government of the Democratic People's Republic of Korea and the previous mandate holders had made it harder to accurately assess the situation of human rights in the country and to identify the reforms necessary to address serious rights violations, meaning that underlying human rights issues remained unaddressed. As a member of the United Nations, the Democratic People's Republic of Korea was expected to engage and cooperate with the Organization's human rights mechanisms, including the mandate of the Special Rapporteur. In implementing that mandate, she would explore new ways of engaging with the Democratic People's Republic of Korea to advance the implementation of the recommendations made by the United Nations human rights bodies; seek new synergies by working with other stakeholders and focusing on more specific situations and groups, especially women and girls; and promote and support new and effective ways of securing truth and justice for victims, given the current absence of accountability for victims of human rights violations, including crimes against humanity. The international community should continue to advocate for the need to end impunity and achieve accountability, including through criminal prosecutions. To that end, she would engage with stakeholders and

advocate for exploring all available avenues to guarantee the victims' right to justice. She would also continue to advocate that the Security Council should refer the situation to the International Criminal Court and that the General Assembly should establish an ad hoc tribunal or other comparable mechanism.

51. With neither access to the Democratic People's Republic of Korea nor to any reliable information since the country had imposed coronavirus disease (COVID-19) restrictions in January 2020, it was impossible to verify, confirm and corroborate the number of deaths caused by or related to COVID-19. The limited access to food and health care in the wake of the restrictions was of particular concern, with older persons being particularly vulnerable. That situation further highlighted the need to reopen the country to humanitarian assistance in order to address some of the impacts of the pandemic, and for a clear road map for the return of United Nations and embassy staff and humanitarian actors with the necessary freedom of movement and access to beneficiaries to carry out their life-saving work.

52. **Mr. Rodríguez Cuadros** (Peru) said that his delegation took note with great interest of the objectives, scope and layers of work defined by the Special Rapporteur for the fulfilment of her mandate. It attached particular importance to the measures concerning implementation by the Democratic People's Republic of Korea of its international human rights obligations, especially those arising from its status as a signatory to and ratifier of the International Covenant on Civil and Political Rights. In that respect, Peru considered the actions that could be taken not only by the Special Rapporteur but also by the international community to be of the utmost importance so that the Democratic People's Republic of Korea could recognize the Office of the Special Rapporteur. The measures adopted for the specific monitoring of the human rights situation were of particular relevance, especially issues related to enforced disappearances and other violations, which must be subjected to detailed and precise monitoring. In that regard, his Government assured the Rapporteur of its full support and backing for her future actions.

53. **Mr. Dinger** (United States of America), noting that the report of the Special Rapporteur highlighted a dismaying lack of engagement or progress by the Democratic People's Republic of Korea, said that his delegation strongly supported the call for justice and accountability in that country by the Special Rapporteur and the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea and commended the field office of

the Office of the United Nations High Commissioner for Human Rights (OHCHR) for its continued monitoring and documentation of human rights violations and abuses. The egregious human rights violations and abuses in the Democratic People's Republic of Korea, including those involving extrajudicial killings and torture, remained of deep concern. The United States strongly condemned the involvement of the Democratic People's Republic of Korea in transnational repression, including those acts involving enforced disappearances, and strongly urged all States to respect the fundamental principle of non-refoulement. The adverse impact of the COVID-19 measures taken by the Democratic People's Republic of Korea on human rights in that country were also of deep concern.

54. The Democratic People's Republic of Korea must acknowledge that serious human rights violations and abuses were occurring within its borders, take immediate steps to address them and grant international humanitarian organizations and human rights monitors immediate and unhindered access. He wished to know how Member States could assist mandate holders in their efforts to obtain access to the Democratic People's Republic of Korea.

55. **Ms. Brossard** (Cuba) said that her delegation was not in favour of country-specific mandates that were not supported by the country concerned, as they were selective, discriminatory and politically motivated. Such practices served to foment political confrontation and mistrust rather than advance human rights. Punitive measures against countries were contrary to the spirit of cooperation and dialogue that should prevail when addressing human rights issues, an area in which no country was exempt from challenges. Her delegation was concerned about the insistence by some countries on imposing punishment and sanctions on the Democratic People's Republic of Korea, which infringed upon the enjoyment by the people of that country of their human rights. Cuba did not support the actions taken by bodies seeking to endorse punishment and sanctions such as the Security Council, which did not hold a human rights mandate; on the contrary, it was necessary to reject politicization and deepen a constructive and respectful dialogue with the Democratic People's Republic of Korea. Cooperation and dialogue based on the principles of objectivity, impartiality and non-selectivity were the best way to promote and protect human rights.

56. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his delegation rejected country-specific mechanisms and mandates on human rights, which caused confrontation, hindered constructive dialogue and were contrary to the spirit in which the

United Nations had been founded. As a position of principle, his delegation opposed the establishment of any country-specific instrument, report or resolution without the consent of the Government concerned as an example of politicization and selectivity in the treatment of human rights. As they did not engage in dialogue with all parties, those mechanisms tended to refer to tertiary and quaternary sources, and their reports were often used for political purposes by other actors, which did not contribute to the confidence-building necessary to address important issues. Politically motivated, country-specific reports, mechanisms and resolutions violated the principles of impartiality, objectivity, transparency, non-selectivity, non-politicization, non-confrontation, equality and mutual respect, non-interference in the internal affairs of States and the right of peoples to self-determination, contrary to the principles and purposes of the Charter of the United Nations. Venezuela called for the continued promotion of multilateralism by strengthening the institutional framework of the Human Rights Council, leaving aside interference and prioritizing the universal periodic review as the most suitable mechanism for addressing issues with the full involvement of the State concerned.

57. **Mr. Jiménez** (Nicaragua) said that his delegation reaffirmed that it was the duty of all nations to foster friendly relations on the basis of respect for the principle of equal rights and the obligation imposed on them by the Charter of the United Nations not to intervene in matters that were essentially within the domestic jurisdiction of States. It further reaffirmed its rejection of reports that were based on politicized selectivity, lacking in objectivity and did not have the consent of the country concerned. The Committee and its mechanisms were obliged to uphold the principles of universality, impartiality, non-selectivity, genuine dialogue and cooperation, which were the fundamental pillars of the United Nations. Nicaragua firmly opposed the manipulation and use of the human rights agenda as a pretext to interfere in the internal affairs of sovereign and independent States. That illegitimate, opportunistic approach aimed to tarnish the image of sovereign States and to replace the universally accepted principles of international law and multilateralism.

58. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that the report of the Special Rapporteur showed that the deteriorating human rights and humanitarian situation in the Democratic People's Republic of Korea continued to deserve international attention. The European Union remained appalled by the past and ongoing widespread and systematic human rights violations, some of which might constitute crimes against humanity. Noting the

Special Rapporteur's concern about the impact of COVID-19 prevention and response measures on women and girls, he said that the European Union supported her focus on improving the situation for specific groups with a view to enhancing access to food and health care for all citizens of the country. The European Union supported the Special Rapporteur's approach aimed at building upon the work of her predecessors and seeking new avenues for engagement and agreed with a continuation of the two-track approach that sought both engagement and accountability. He wished to know how the United Nations membership, not least the countries in the region, could support the Special Rapporteur's efforts to achieve a meaningful dialogue and cooperation with the Democratic People's Republic of Korea.

59. **Mr. Magosaki** (Japan) said that his country was deeply concerned about the human rights situation in the Democratic People's Republic of Korea, in particular the abductions, which constituted a serious crime and a violation of fundamental human rights and, as such, was a matter for the entire international community. In view of the tremendous suffering endured by the victims and their families over the years, there was no time to lose, and Japan counted on the continued understanding and cooperation of the Special Rapporteur and the international community at large in securing the immediate return of all abductees to Japan. His delegation recalled the recommendations in the report by the previous Special Rapporteur that the Democratic People's Republic of Korea address the allegations of enforced disappearances, including abductions of foreign nationals, and provide accurate information to the families of the victims on the fate and whereabouts of their missing relatives.

60. In closing, he said that the international community should continue to call on the Democratic People's Republic of Korea to abide by Security Council resolutions, stop the diversion of its resources to nuclear and missile development and focus on the welfare of its people. Any thoughts the Special Rapporteur had on that matter would be welcome.

61. **Ms. Mbasogo** (Equatorial Guinea) said that it was important for Governments, in collaboration with civil society and supported by the United Nations through OHCHR, to continue to reflect on the efforts that were needed to improve the human rights situation around the world. That was obviously an ongoing and permanent task. The promotion of human rights should be guided by the principles of universality, impartiality, objectivity, non-selectivity, and constructive and genuine international dialogue. In that regard, Equatorial Guinea reaffirmed its full commitment to the

sovereignty, territorial integrity and unity of any State dealt with under the present agenda item and was optimistic and confident that, through genuine and constructive dialogue, common ground could be found in order to overcome disagreements.

62. **Ms. Lee Hyun Goo** (Republic of Korea) said that the abductions, enforced disappearances and prisoners of war not returned continued to be of deep concern and should be addressed immediately. Her country deplored the incident in which an unarmed civilian of the Republic of Korea was killed by the military of the Democratic People's Republic of Korea in the Yellow Sea in September 2020 and urged the Democratic People's Republic of Korea to disclose all relevant information and ensure that such events were not repeated. Moreover, that country must engage on the issue of the reunion of separated families, especially for ageing family members. Citizens of the Republic of Korea detained in the Democratic People's Republic of Korea should not be forgotten. The international community should make every effort to put an end to the human rights abuses in the Democratic People's Republic of Korea. In that regard, her Government shared the Special Rapporteur's view that the Security Council should resume discussing the human rights situation in the Democratic People's Republic of Korea as it had done from 2015 to 2017.

63. The brutal record of human rights violations committed by the Democratic People's Republic of Korea had been sidelined for decades while that country had continued to develop its nuclear and missile programmes in spite of international efforts towards the country's denuclearization. In the meantime, the overall human rights and humanitarian situation in the Democratic People's Republic of Korea, particularly for vulnerable people, including women and girls, had worsened. Global leaders should thus step up their efforts to address the human rights issues in the Democratic People's Republic of Korea while sparing no efforts to achieve the denuclearization of that country.

64. **Ms. Fontana** (Switzerland) said that, worried by the lack of information coming out of the Democratic People's Republic of Korea, Switzerland called on that country to take advantage of the appointment of the Special Rapporteur to restart collaboration with the special procedures. Moreover, full and unhindered access to the country for humanitarian actors must be ensured. It was regrettable that no progress has been made in holding accountable those responsible for human rights violations in the Democratic People's Republic of Korea, some of which might constitute crimes against humanity. Peace and stability in the

region could only be achieved through a substantial improvement in human rights that would contribute to the sustainable development of the Democratic People's Republic of Korea. Her delegation wondered how the Special Rapporteur intended to address the situation of the rights of girls and women within her mandate.

65. **Ms. Dale** (Norway) said that her delegation shared the Special Rapporteur's grave concerns regarding the systematic and widespread human rights violations in the Democratic People's Republic of Korea, some of which might amount to crimes against humanity. The complete absence of an independent and impartial judiciary underscored the gravity of the situation. Her delegation further shared the concern that the country's prolonged and strict COVID-19 measures had resulted in rising food insecurity, a lack of access to adequate health-care services, a collapse in economic activity and generally increased vulnerability to human rights violations. That situation would only improve if the Democratic People's Republic of Korea opened its borders and allowed access for humanitarian assistance, cooperated with the United Nations and ensured that it met the requirement for receiving vaccines under the COVID-19 Vaccine Global Access (COVAX) Facility. It was clear that the disproportionate share of the State budget allocated to military spending and firing missiles not only crippled the ability of the Democratic People's Republic of Korea to meet the needs of its own population but also resulted in a deteriorated security situation for all people in the region. The Democratic People's Republic of Korea must cooperate fully with the Special Rapporteur and engage with the United Nations human rights mechanisms. She wished to know how the international community could best engage with the Democratic People's Republic of Korea to improve the human rights situation in the country.

66. **Ms. Schmiedova** (Czechia) said that her country condemned the ongoing and systematic gross human rights violations taking place in the Democratic People's Republic of Korea, whose Government was failing to protect the basic rights of the population, and echoed the Special Rapporteur's call for a gradual opening of the borders. The Democratic People's Republic of Korea must ensure full, safe and unhindered humanitarian access to the entire country and allow the resumption of regular diplomatic rotation. As a party to the International Covenant on Civil and Political Rights, the Democratic People's Republic of Korea must respect the right to freedom of thought, opinion, expression and information. It must also abrogate its law of December 2020 on rejecting reactionary ideology and culture and allow civil society organizations, trade unions and independent media to freely function and exercise their

rights. Czechia called on the Democratic People's Republic of Korea to initiate dialogue with the Special Rapporteur and special procedure thematic mandate holders and invite them to carry out official country visits, which would hopefully lead to a mutual dialogue and the promotion and protection of human rights in the country. She asked the Special Rapporteur what steps she would suggest the new United Nations High Commissioner for Human Rights should take that would lead to a new and creative approach.

67. **Mr. Dang** Tran Nam Trung (Viet Nam) said that his delegation strongly believed that human rights situations should be addressed through genuine dialogue and constructive cooperation, taking into account the domestic priorities and national circumstances of each country. The work of the United Nations human rights mechanisms should be guided by such principles as impartiality, non-politicization and non-selectivity. The international community should work together to promote denuclearization and lasting peace on the Korean Peninsula and to achieve sustainable development so as to provide guarantees for the enjoyment of all human rights by the people of the Democratic People's Republic of Korea.

68. **Mr. Tozik** (Belarus) said that his delegation reaffirmed its principled position against country-specific approaches in the work of the Committee and mandate holders, including the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. Belarus consistently opposed the instrumentalization of human rights, including through the preparation of country reports, which, in practice, contained repetitive clichés and conclusions made up of a series of well-known demands. The important topic of the impact of unilateral coercive measures and sanctions on human rights was only briefly mentioned in the report, without any analysis. The only salient message in the document was in paragraph 43 (a), which called on countries to create the conditions for peace and cooperation in the field of human rights. That was where the work should begin, and it did not require a costly Special Rapporteur or recommendations. What was needed was the will of States to engage in equitable and mutually respectful dialogue, which his delegation called for.

69. **Mr. Kuzmin** (Russian Federation) said that the Special Rapporteur had a long way to go in order to gain the trust of the authorities and people of the Democratic People's Republic of Korea; it would not be easy. Her predecessors had done far too much damage by distorting and politicizing the country's human rights record. It was time to stop taking information about events in the Democratic People's Republic of Korea

from slavish Western non-governmental organizations whose interests were far from a concern for human rights. The West had been retelling different variations of the same old story about the situation in the Democratic People's Republic of Korea since the Korean War. So many lies had been written that they could make up a whole book. Those lies had not added credibility to any of the special rapporteurs yet, however, so a new approach was needed. It was necessary to get to know the traditions and foundations of the society of the Democratic People's Republic of Korea and to respect its desires and ideals. The Democratic People's Republic of Korea had many achievements that the so-called "beacons of democracy" could only dream of, including universal literacy, free higher education and zero unemployment. For some reason, all special rapporteurs saw their task solely as lambasting the States whose dossiers they had been assigned to. Meanwhile, it would be much better if the Special Rapporteur would just give an honest, objective picture. Judging from the report, the Special Rapporteur planned to follow a two-track approach of dialogue and accountability. She should start with dialogue.

70. **Mr. Khaopaseuth** (Lao People's Democratic Republic) said that it was his delegation's consistent view that country-specific mandates could not address human rights issues and that human rights matters should be addressed at the Human Rights Council and through the universal periodic review process on the basis of mutual respect, dialogue, understanding and cooperation while avoiding selectivity, non-objectivity and politicization. The international community and the Democratic People's Republic of Korea must establish an appropriate channel for constructive and genuine dialogue and cooperation.

71. **Ms. Heifetz** (United Kingdom) said that her delegation was concerned that the human rights violations in the Democratic People's Republic of Korea were being exacerbated by the country's prolonged isolation as a result of the Government's pandemic-related restrictions. The international community was committed to maintaining pressure on the regime to cease its illegal weapons programmes, which threatened international peace and stability, and had a collective responsibility to hold the Government of the Democratic People's Republic of Korea to account for failing to ensure its peoples' human rights and fundamental freedoms. The Democratic People's Republic of Korea must accept the extent of its human rights violations and address them seriously through dialogue with the Special Rapporteur. Moreover, it should review its COVID-19 quarantine measures to avoid unnecessary restrictions and allow the new Special Rapporteur

access to conduct official country visits in order to effect improvements and permanent change for its people. The United Kingdom stood ready to engage and assist the Democratic People's Republic of Korea in addressing its human rights issues. She asked what could be done to prevent refugees from the Democratic People's Republic of Korea being forcibly repatriated when crossing international borders and facing imprisonment under appalling conditions on their return.

72. **Mr. Altarsha** (Syrian Arab Republic) said that his delegation continued to oppose the use of the Committee and of human rights mechanisms to target certain States for political purposes. As the mechanisms in question had been established without the agreement of the concerned countries, the Syrian Arab Republic did not recognize the mandates of those mechanisms. He called for delegations to resume dialogue and abandon confrontation.

73. **Ms. Xu Daizhu** (China) said that, in recent years, the Democratic People's Republic of Korea had made progress in the promotion and protection of human rights, having focused on improving living standards, social justice, education and health, and on guaranteeing the rights of children, women and persons with disabilities. As countries had different national circumstances and levels of development, the international community should safeguard countries' legitimate right to development, respect the political systems and development paths chosen independently by them, fight against hegemonism and power politics and oppose the imposition of the will of a few countries and unfair rules on others. Concerned about the impact of the situation on the Korean Peninsula on the human rights of the people of the Democratic People's Republic of Korea, China urged the international community to promote denuclearization and lasting peace on the continent, achieve sustainable development and provide fundamental guarantees for the development of human rights in the Democratic People's Republic of Korea. Furthermore, countries should lift their unilateral coercive measures against that country and stop violating the human rights of its people. The United States and a few Western countries were obsessed with establishing country-specific human rights mechanisms that targeted developing countries in the Committee, the Human Rights Council and other bodies, plotting joint statements and smearing developing countries while turning a blind eye to their own human rights problems and those of their allies. As no country had a perfect human rights record, China wondered why those countries always attacked developing countries without exception and whether they would agree to establish any human rights mechanism for themselves.

74. **Mr. Wennholz** (Germany) said that his delegation was deeply concerned about the ongoing, systematic and widespread human rights violations in the Democratic People's Republic of Korea. The disproportionate and arbitrary punitive measures taken by the Government of that country, including the death penalty and detention under inhuman conditions, were particularly worrying. Imprisoned without fair trial, people were facing torture and ill-treatment and were systematically refused access to the most basic human rights. The Democratic People's Republic of Korea must immediately and effectively end all human rights violations. The medical condition of people living in that country was also of increasing concern, as the COVID-19 outbreak had worsened the already widespread malnutrition. Limited vaccine supplies and restricted access to sufficient health care meant that women and children in particular were living in fatal conditions. The isolation of the Democratic People's Republic of Korea from the outside world since its self-imposed pandemic-related restrictions in January 2020, which had also led to border closures and the departure of all international humanitarian staff from the country, had further deteriorated the situation. The Democratic People's Republic of Korea must urgently grant access and unimpeded freedom of movement to humanitarian aid workers and organizations in order to provide much needed health-care services and should cooperate with the United Nations human rights framework, including by providing access to the country for the Special Rapporteur. He asked how the Special Rapporteur assessed the current situation regarding food insecurity in the Democratic People's Republic of Korea, especially with regard to those already suffering from malnutrition, and what could be done to improve food security.

75. **Ms. Micael** (Eritrea) said that her delegation opposed the country-specific mandate relating to the Democratic People's Republic of Korea as it was a selective approach to addressing human rights. Country-specific resolutions often targeted developing countries, failed to have a meaningful impact and often derailed efforts to contribute to the promotion of human rights in a meaningful manner. The universal periodic review was the most comprehensive and appropriate mechanism for addressing human rights challenges in all countries in a fair and equal manner that respected national sovereignty. Ensuring universality, objectivity and non-selectivity and eliminating double standards and politicization were the only ways to advance international cooperation in the promotion and protection of human rights.

76. *Mr. Venancio Guerra (Portugal), Vice-Chair, took the Chair.*

77. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that the continued selective adoption of country-specific resolutions, in particular in the Third Committee, and the exploitation of that platform for political aims contravened the principles of universality, non-selectivity, impartiality and objectivity in addressing human rights issues and undermined cooperation and dialogue as the essential principles for the promotion and protection of human rights. The United Nations mechanism for country reporting must be based on professionalism, justice, non-discrimination and non-politicization. Iran reiterated its full support for the universal periodic review mechanism, which ensured equal treatment for all States. It urged the United States to repeal all unilateral coercive measures against the Democratic People's Republic of Korea and stop violating the human rights of its people. Moreover, the international community should work to achieve sustainable development by providing a fundamental guarantee for the development of the Democratic People's Republic of Korea.

78. **Mr. Belgore** (Nigeria) said that his country firmly believed in the principles of universality, objectivity and non-selectivity in addressing human rights issues and opposed politicization and double standards. The politicization of human rights had proven counterproductive and confrontational and had failed to achieve meaningful outcomes in the promotion and protection of human rights and fundamental freedoms. Human rights in all countries should be assessed in a fair and objective manner, with full respect for national sovereignty and human dignity. The universal periodic review remained the sole universally agreed mechanism to address the human rights situation of every Member State in an equal and constructive manner. Nigeria welcomed the various initiatives taken by the Government of the Democratic People's Republic of Korea to further improve the human rights of its citizens, including its participation in three cycles of the universal periodic review process and the presentation of its first voluntary national review during the high-level political forum on sustainable development in 2022. It further welcomed the positive developments and efforts of the Democratic People's Republic of Korea towards peace and regional cooperation and urged the international community to recognize those developments and support the country in consolidating its efforts.

79. **Mr. Hamer** (Australia) said that his delegation remained gravely concerned by the continuing and widespread human rights violations perpetrated by the

Government of the Democratic People's Republic of Korea. The reports that the Government's ongoing COVID-19 measures had worsened the already disturbing human rights situation were troubling. The conditions in that country's political prison camps also remained of particular concern. Australia noted with alarm that the Democratic People's Republic of Korea had done little to improve its track record on human rights since the finding of the 2014 commission of inquiry on human rights in the Democratic People's Republic of Korea that the human rights violations in the country constituted crimes against humanity. His country therefore urged the Democratic People's Republic of Korea to ensure that its citizens could exercise their human rights freely, to implement the recommendations from the Special Rapporteur's report and to cease diverting resources to its pursuit of weapons of mass destruction and associated delivery systems.

80. Although it supported humanitarian exemptions to sanctions on the Democratic People's Republic of Korea where appropriate, Australia could not support broader sanctions relief while that country refused to address the reasons why the sanctions had been imposed in the first place. He asked the Special Rapporteur to expand on how she would respond to the challenge of lack of access to the Democratic People's Republic of Korea in order to fulfil her mandate.

81. **Ms. Salmón** (Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea) said that there was a very clear legal basis for her decision to focus during her mandate on the situation of women and girls in the Democratic People's Republic of Korea. That country was a party to five human rights treaties, had submitted 11 reports to human rights mechanisms and bodies and had accepted 132 of the 262 recommendations of the universal periodic review, many of which pertained to women and children. However, there had been no follow-up, nor any technical support or cooperation provided to the Democratic People's Republic of Korea on the issue. Moreover, she hoped that, by focusing on the situation of women and girls, she would be able to bring new stakeholders to the table who could help to provide a better picture of the situation and above all to alleviate the terrible situation of women who were suffering discrimination and violence, trying to get ahead through economic activity in the markets, which was limited, or trying to leave the Democratic People's Republic of Korea and faced trafficking and sexual violence, among other things. Not to continue with engagement would be to abandon the people of the Democratic People's Republic of Korea, who needed visibility and the

solidarity of the international community. That was why her reports would take a victim-centred approach.

82. The fact that the Democratic People's Republic of Korea had made some progress in recent years should encourage the country to open up so that it could receive visits, cooperation and support, rather than close itself off from the international community. Interest in the issue should be renewed through the work of the Secretary-General and any contacts he made. Moreover, it was important for the new United Nations High Commissioner for Human Rights to give priority to the situation in the Democratic People's Republic of Korea. It was also possible to revive public discussion of the issue in the Security Council and to take human rights into account when talking about the security agenda. The security agenda could not move forward without a human rights approach that could provide a comprehensive response to problems.

83. Despite the lack of cooperation between the Democratic People's Republic of Korea and her predecessors, there had been some achievements. Firstly, the international community had been presented with objective, reliable and cross-checked information from various sources, meaning that the human rights crisis in the country was known to all. Secondly, her predecessors had served to promote the commission of inquiry on human rights in the Democratic People's Republic of Korea, which had provided such a powerful report in 2014 that experts had been appointed to consider specific approaches to achieving accountability. Lastly, the work of the special rapporteurs had served to insert the issue of human rights into any discussion on the security situation on the Korean Peninsula.

84. *Mr. Blanco Conde (Dominican Republic) resumed the Chair.*

85. **Mr. Bennett** (Special Rapporteur on the situation of human rights in Afghanistan) said that he had visited Afghanistan in May and October 2022 in order to make an independent and informed assessment of the human rights situation based on first-hand information from affected individuals and groups and other relevant stakeholders. While his initial report had been received positively by many Afghans as a fair and accurate assessment of the human rights situation, the Taliban de facto authorities had expressed disappointment that the report had been too critical and had not highlighted their achievements sufficiently. They claimed to have made further progress since May 2022, having declared that the rate of suicide and extrajudicial killing of women and kidnapping and torture in prisons had dropped to zero. While there might be a few promising

developments, that was far from the reality. Nevertheless, the de facto authorities continued to desire engagement.

86. During both visits, he had met with a range of stakeholders including members of civil society, especially women, the de facto authorities and the international community in Afghanistan, including the newly appointed Special Representative of the Secretary-General for Afghanistan. He had listened to the voices of human rights defenders, journalists, judicial officers, community elders, religious scholars and, most importantly, the victims of human rights violations and their families. He had also travelled to several provinces in Afghanistan and had visited places of detention, hospitals and cultural heritage sites.

87. The human rights situation in Afghanistan remained deeply worrying, with the few signs of change being outweighed by the regression in other areas. The country still faced a human rights and humanitarian crisis and the people of Afghanistan continued to suffer. Women had been erased from public life and their civil, political, economic, social and cultural rights had been disregarded. Numerous directives issued by the Taliban had removed their fundamental rights and freedoms. The women and girls he had met had expressed anger, anguish, fear and desperation and their physical and mental well-being had been greatly impacted. Yet, they were determined to take their rightful place in society. There was no religious justification for the closure over a year ago of girls' secondary schools. In no other country were girls denied the right to secondary school education. The reopening of those schools had fundamental implications for the future of both girls and the country and would be a test for the de facto authorities' compliance with their international human rights obligations. Women attached priority to regaining livelihoods owing to the multiple positive impacts that brought. While it did not restore the right to work, the international community should support ongoing initiatives of business owners and women's markets as an initial step. Some solutions would come from within communities.

88. The situation of ethnic and religious minorities remained deeply troubling, notably the violent attacks against the Hazara, Shia, Sikh and Sufi religious minorities. In addition, representatives of Uzbek and Turkmen communities had expressed concern about their marginalization. The attack on the Kaaj educational centre on 30 September 2022 had claimed the lives of 54 people, including 51 Hazara women, and injured 114 others. While the attack had triggered a global wave of grass-roots protests and had been roundly condemned by the United Nations, it had received scant coverage in international media. The

attacks often claimed by Islamic State in Iraq and the Levant-Khorasan had been going on for years, appeared systematic, bore the hallmarks of serious international crimes and must be fully investigated. Members of the Hazara community had reiterated that, since August 2021, their lives had become highly restricted. Having failed to safeguard minority communities against such attacks, the de facto authorities must take every possible measure to protect those communities and bring the perpetrators and instigators to justice in accordance with international standards.

89. Clashes were continuing between Taliban security forces and armed opposition groups in Panjshir and other northern provinces. There were numerous credible reports of extrajudicial killings of captured fighters, indicating serious violations of international human rights and humanitarian law. Moreover, communities in those areas were being heavily suppressed. He was convinced that the Taliban needed to reverse its policies and undertake a full independent investigation. The Taliban's targeted and revenge killings of former security forces, contrary to the amnesty declared in 2021, were of concern. The killings and disappearances only fuelled tensions and animosity within communities and would not help any future reconciliation efforts. The de facto authorities should enforce the amnesty and prosecute individuals involved in such acts.

90. Afghanistan almost certainly remained the worst country in the world to be a woman or a girl. While it needed to remain firm and principled, the international community must engage with Afghanistan to avoid further deterioration. The pervasive climate of impunity must be challenged, with human rights monitoring and reporting a first step on the rung of accountability.

91. **Mr. Faiq** (Afghanistan) said that, as his country continued to experience serious multifaceted social, economic, security, political and humanitarian crises as a result of the Taliban's inaction and its failure to meet its obligations and comply with its commitments, the Special Rapporteur's mandate was indispensable to the promotion and protection of human rights in Afghanistan. His delegation shared the Special Rapporteur's concerns about the staggering regression in the enjoyment by women and girls of civil, political, economic, social and cultural rights, in other words the current gender apartheid imposed by the Taliban in Afghanistan. Moreover, the reprisal killings, torture, cruel and inhuman treatment and detention of former security forces, human rights defenders, journalists and protestors constituted grave violations of international human rights law. The conflict-related egregious human rights violations and abuses in Panjshir, Takhar, Badakhshan, Baghlan and Sari Pul Provinces, including

arbitrary arrests of civilians, extrajudicial killings, torture, enforced displacements and collective punishments and summary killings of prisoners of war, were very worrying. Afghanistan strongly condemned the restrictions on freedom of expression, association and peaceful assembly and expressed concern about the continued undermining of human rights, development, stability, governance and rule of law by organized crime. Terrorism, which constituted a grave violation of human rights and a crime against humanity, was also a major source of concern, especially the targeted attacks against minorities, Sufis, Hazaras, Shias and educational centres.

92. He asked whether the Special Rapporteur had been able to meet with the Supreme Leader of the Taliban during his visit to Afghanistan to talk about human rights issues, including the right of women to employment and of girls to education, and wondered if there were any updates regarding the opening of secondary schools to girls and whether the Taliban had shown any commitment in that regard. He further asked if the Special Rapporteur had seen any indications of commitment by the Taliban to a political settlement. Furthermore, he wondered whether cases had been found where the Taliban had held perpetrators of human rights violations accountable.

93. Regarding the systematic and targeted killings of Hazara-Shia communities, he asked whether the Special Rapporteur supported or recommended the creation of an international inquiry or fact-finding mission to investigate what was considered by many to be genocide. Noting that the Special Rapporteur had been unable to visit the people of Panjshir Province, he asked whether he had been able to visit the sites of alleged war crimes by the Taliban where a total of 75 captives had been extrajudicially executed. He further asked whether the Special Rapporteur had been able to meet independent witnesses of the massacres or the families of those executed and whether he had examined the video and audio recordings of those incidents by the Taliban that had surfaced on social media. If he had, then what was his assessment on how the perpetrators of those crimes could be brought to justice. If he had not, then what could be done to ensure access to witnesses and the victims' families. As there were documented violations, he asked whether the Special Rapporteur thought there was a need for a commission of inquiry or independent investigative mechanism.

94. **Ms. Fontana** (Switzerland) said that her country was gravely concerned about the situation in Afghanistan. The separation of the population by gender and the revocation of many women's rights was an appalling development. Her country strongly condemned the increasing attacks on places of worship, schools,

transport systems and the persecution of ethnic and religious minorities, including the Hazara community. She wondered how the establishment of an independent, effective and adequately funded investigative mechanism could complement the Special Rapporteur's mandate in the search for accountability.

95. **Ms. Almeida Marinho** (Portugal) said that her delegation was particularly concerned by the situation in Afghanistan concerning women and girls who had been practically shunned from the public sphere and whose human rights, particularly the right to education, had been restricted beyond measure. The situation of those who had worked for the Afghan Government prior to the Taliban takeover; lesbian, gay, bisexual, transgender and intersex persons; journalists; human rights defenders and persons belonging to ethnic or religious minorities was also worrying. She asked the Special Rapporteur to elaborate further on potential international mechanisms to address impunity and provide redress for survivors.

96. **Ms. Garcia** (Luxembourg) said that her delegation was deeply concerned by the humanitarian and security situation in Afghanistan and by the recent attacks on schools and places of worship targeting in particular religious minorities and the Hazara community. The situation of women and girls in Afghanistan was desperate. The exclusion of women from the workforce and girls from secondary education were abuses of their basic human rights. The Taliban must strictly respect their obligations under international human rights law without exception. Luxembourg was dismayed by the reports of attacks on women journalists and human rights defenders. She wished to know how the international community could support the struggle of human rights defenders in Afghanistan.

97. **Mr. Rashid** (Pakistan) said that it was in the interests of all to stabilize the political and economic situation in Afghanistan. Urgent efforts were needed to address the country's humanitarian and economic problems in order to protect the social and economic rights of all Afghans and to prevent an economic collapse. If left unaddressed, those problems would only exacerbate the existing humanitarian crisis and further limit access to basic human rights. Pakistan hoped that the human rights violations committed by all actors in Afghanistan, not just by the Taliban, would be fully taken into account and comprehensively addressed. Sustained and constructive engagement that was free from political considerations remained the only realistic way to advance the objectives of all in Afghanistan.

98. **Mr. Dinger** (United States of America), noting that the Special Rapporteur had outlined alarming,

credible reports of human rights abuses presently faced by Afghans, said that his delegation called for those abuses and all targeted attacks against minority communities to end immediately. The United States remained deeply concerned for all Afghans as the Taliban and other actors continued to erode respect for human rights and fundamental freedoms. It was particularly concerned for women, girls and members of such minority groups as the Hazara, which continued to be the most vulnerable. His country reaffirmed the importance of the right to education for all Afghans, including girls, and called on the Taliban to adhere to their commitments to reopen schools in March 2023 for all female students across the country without further delay.

99. **Ms. Padmasari** (Indonesia) said that it was deeply regrettable that women and girls were being erased from public life in Afghanistan. The full, equal and meaningful participation of women in Afghan society was crucial to building a peaceful, stable and prosperous country. Indonesia called for the reopening of schools and access for girls to education. It had been working with partners to provide educational support, scholarships and capacity-building to Afghanistan and had continued to promote dialogue among ulamas as a critical factor in finding a solution. Afghan women and girls deserved to be heard equally; by amplifying their voices it was possible to capture the urgency of the pressing issues on the ground. Women's leadership was needed to bolster such efforts so as to gain a better understanding of the unique circumstances they were faced with and to find a long-lasting solution.

100. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that the European Union remained deeply alarmed by the increase in human rights violations and abuses and international humanitarian law violations in Afghanistan and shared the Special Rapporteur's grave concern about the staggering regression in the enjoyment by women and girls of human rights since the Taliban had taken power. He wondered how the United Nations membership could support the Special Rapporteur in following up on his initial report, how the international community could best help Afghan women and human rights defenders and how international monitoring of attacks against Tajiks in Panjshir and against ethnic and religious communities, which appeared systematic in nature, could be reinforced.

101. **Mr. Rae** (Canada) asked the Special Rapporteur how the international community could support the efforts to ensure accountability for human rights violations and especially the attacks on women in Afghanistan.

102. **Ms. Hardwick** (Austria) said that her country was deeply alarmed by the dire situation of human rights in Afghanistan, which had significantly deteriorated since the Taliban's takeover of the country and was profoundly interlinked with the humanitarian crisis. Those who committed human rights and international humanitarian law violations must be held accountable. She therefore recalled that Afghanistan was a party to the Rome Statute. Austria was particularly concerned by the severe curtailing of the rights of women and girls in Afghanistan, which was aimed at absolute gender segregation and effectively rendering women invisible. No woman should be forced to cover her face in public, nor should any girl be out of school.

103. **Ms. Narváez Ojeda** (Chile) said that, as a sponsor of the resolutions condemning human rights and international humanitarian law violations in Afghanistan, including all forms of discrimination and violence, especially sexual and gender-based violence, Chile reiterated its deep concern about the acute regression in the enjoyment by women and girls in Afghanistan of their civil, political, economic, social and cultural rights.

104. **Mr. Al-Suwaidi** (Qatar) said that Qatar had continued to promote and protect the civil, political, economic and social rights of the Afghan people, especially women and girls, through its mediation efforts. His delegation stressed the need for the international community to continue to provide assistance and cooperation to ensure that adequate resources were made available to realize the economic and social rights of the Afghan people, including the rights to humanitarian assistance, health and education for all without discrimination. In that connection, Qatar had participated in the High-level Pledging Event on Supporting the Humanitarian Response in Afghanistan 2022, in cooperation with the United Nations Office for the Coordination of Humanitarian Affairs, Germany and the United Kingdom.

105. **Mr. Zinken** (Netherlands) said that the fears about the rights of the Afghan population after the Taliban had seized control of the country in 2021 had unfortunately proven to be true. The continuous and increasing human rights violations and abuses in Afghanistan were of grave concern, specifically the staggering regression in women's rights, attacks on minorities, the clampdown on the media and the decreasing space for human rights defenders. The documentation of human rights violations remained vital for the road to accountability. While his country welcomed the extension of the mandate of the Special Rapporteur, more was needed. He asked the Special Rapporteur to elaborate on the steps necessary to ensure justice for victims and

accountability for perpetrators of human rights violations.

106. **Mr. Mohd Zim** (Malaysia) said that his country was deeply concerned by the deterioration of the human rights and humanitarian situation in Afghanistan, which was at a critical juncture. The international community and United Nations entities must undertake the necessary efforts to assist and support the people of Afghanistan. Malaysia remained committed to an Afghan-led, Afghan-owned and Afghan-controlled peace and national reconciliation process. However, that process must be inclusive and uphold human rights and fundamental freedoms, including the full and meaningful participation of women, youth and persons belonging to ethnic, religious and other minority groups. In view of the tumultuous situation in Afghanistan, he asked how the international community could ensure that international assistance was received by populations in need.

107. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that, following the Taliban's takeover, the situation in Afghanistan remained challenging. The de facto authorities had yet to fulfil their international obligations or respond to the repeated calls to form an inclusive and representative government that accurately reflected the country's multi-ethnic society. Iran highlighted the critical need to provide security throughout Afghanistan against the terror attacks that had targeted various ethnic and religious communities. The rights of women in Afghanistan should be insured, including their right to education. Since 2021, thousands of Afghans had been entering Iran on a daily basis. While the countries neighbouring Afghanistan should shoulder the refugee burden, the international community must continue to assist Afghanistan in that regard. Moreover, frozen assets belonging to the Afghan people must be returned in full and without politicization or conditions.

108. **Mr. Hamer** (Australia) said that his country remained gravely concerned about the attacks against ethnic and religious minorities in Afghanistan, which had claimed the lives of hundreds of innocent Afghan people since the Taliban takeover, and strongly condemned the systematic, targeted attacks on places of worship, schools and public spaces. The Hazara community in Afghanistan was disproportionately and methodically targeted by the Taliban and terrorist groups. The attack on the Kaaj educational centre was yet another devastating example of why that minority population lived in fear. Australia reiterated the calls from Afghan human rights defenders, the Special Rapporteur and the international community for those responsible for the abhorrent attacks to be brought to

justice. It also echoed the call for girls of all ethnicities and ages to have the right to access education.

109. **Ms. Egan** (Ireland) said that the egregious human rights abuses taking place in Afghanistan at the hands of the Taliban were deeply alarming. The regression in the enjoyment by women and girls of their rights, especially the right to education, was at the forefront of her delegation's concerns. Ireland recognized the bravery of the women protestors calling for their rights to be upheld and was disturbed by the reports of peaceful protestors being subjected to violence. The threats faced by persons belonging to minorities, lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI) persons, human rights defenders, journalists and other media workers were of deep concern. Her delegation condemned the recent attacks on the Kaaj educational centre and supported the Special Rapporteur's call for an international inquiry into the attacks on ethnic and religious communities in Afghanistan that appeared to be systematic in nature. She asked how the United Nations could support international monitoring of the situation of LGBTQI persons in Afghanistan.

110. **Mr. Oehri** (Liechtenstein) said that his country was very concerned about the human rights crisis in Afghanistan, particularly with regard to the desperate situation of women and girls. He asked the Special Rapporteur to what extent his recent visit to Afghanistan had allowed him to actively demand the upholding of the rights of women and girls to education, and what the response was from the Afghan authorities. He further asked the Special Rapporteur to elaborate on how Member States could best support and fund local non-governmental organizations and human rights defenders in the light of the failing economic system.

111. **Mr. Lamce** (Albania) said that, since the Taliban had taken power, the gains made by women towards political representation in the civic space had evaporated. Women and girls were being systematically excluded from public life and faced severe restrictions and limitations on their freedom of movement, dress, work and access to education, justice and health services, including sexual and reproductive health services. That was unacceptable. His delegation wished to know more about the situation of civil society in Afghanistan, especially women human rights defenders and women protesters, and what could be done to better monitor the situation and ensure accountability for cases of reprisals and violence.

112. **Ms. Dale** (Norway) said that her delegation was deeply concerned about the deteriorating human rights situation in Afghanistan, particularly for women and girls, but also for minorities, children, human rights

defenders and journalists. It was encouraging that the Special Rapporteur had been able to engage directly with the de facto authorities and ensure full access to the country, which showed the important role of the United Nations in Afghanistan. She wondered what the best way was for Member States engaging directly with representatives of the de facto authorities to raise concerns about human rights.

113. **Ms. Skoczek** (Poland) said that her country shared the Special Rapporteur's grave concern about the deteriorating human rights situation of women and girls, the ban on girls' secondary education, the restrictions on freedom of movement, the high level of violence and the collapse of protection mechanisms in Afghanistan. Poland echoed the call for the Taliban to urgently reverse its discriminatory policies against women and girls and to guarantee their freedoms. While they were directed only at the female half of the population, those policies gravely affected the whole of society, depriving it of opportunities to develop and function fully. Her delegation noted with concern the Special Rapporteur's observation that food insecurity in Afghanistan was soaring, thanks in part to the Russian war against Ukraine. In that context, she asked how the international community could deliver humanitarian aid to Afghanistan in a more efficient and equitable manner.

114. **Mr. Kuzmin** (Russian Federation) said that it was unfortunate that the report of the Special Rapporteur completely failed to mention the crimes committed against the Afghan population by the armed forces of the United States, United Kingdom, Australia and other countries while they had been in Afghanistan. The report rightly pointed out that poverty was one of the problems faced by Afghanistan. Moreover, it contained a call for the international community to accept responsibility for the situation in Afghanistan. However, it was his country's view that direct responsibility for the plight of that country lay with the United States, which, unlike the Union of Soviet Socialist Republics, had done nothing but embezzle financial resources that belonged to the people of Afghanistan – resources that could have been used to improve the situation of Afghan women, children and even the lesbian, gay, bisexual and transgender community, about which the delegation of Ireland was so concerned.

115. **Ms. Heifetz** (United Kingdom) said that her country was committed to supporting the Afghan people and standing up for the rights of the most vulnerable. She asked how the international community could ensure that those responsible for human rights violations and abuses in Afghanistan were held to account.

116. **Mr. Martinet** (France) said that the continuing deterioration of the human rights situation of Afghans and the deepening chaos in the country remained of grave concern. Since the Taliban had taken power by force, women and girls had faced widespread violence and the imposition of increasing restrictions on all aspects of their daily lives: deprivation of rights, muzzling of freedom of speech, imposition of the full veil, prohibition on going to school after the age of 12 and exclusion from public life. Such intrusive measures were aimed at one thing only: isolating women to make them invisible. That policy was an insult to human dignity and was doomed to failure. As could be seen around the world, when their rights were violated, women fought for their dignity. That was the case in Afghanistan as elsewhere. France praised the courage of Afghan women who were fighting to preserve their freedoms and urged the Taliban to respect the commitments it had made to the international community.

117. **Ms. Jarvilehto** (Finland) said that, one year on from the regime change in Afghanistan, women and girls had rapidly disappeared from all spheres of public life. The international community would not give up on them. In supporting Afghanistan, the international community should listen to women and girls, find out their needs and vision for their country and how to make that vision a reality. The inadequate protection of human rights and fundamental freedoms, the shrinking space for civil society and discrimination and violence against persons belonging to minorities, including the Hazara, were of primary concern. Finland would continue to remind the de facto authorities that Afghanistan was bound by a series of international commitments. The improvement of the situation of women and girls in Afghanistan should remain a top priority, sending a clear message that they would not be forgotten.

118. **Ms. Vázquez Muñoz** (Mexico) said that her delegation wondered whether the Special Rapporteur had discussed with the Taliban the announcement in January 2022 that it intended to reopen the Ministry of Women's Affairs and what the response had been. Moreover, it wished to know whether women human rights activists and civil society leaders who had met with the Office of the Special Rapporteur had faced reprisals or attacks and, if so, whether such attacks had been publicly condemned as a preventative measure.

119. **Ms. Xu Daizhu** (China) said that Afghanistan had entered a new stage of nation-building, national healing and peaceful reconstruction. The past two decades had proven that military intervention and foreign models did not work. The future and destiny of Afghanistan could only be determined by the Afghan people. The

international community should put into practice the Afghan-led, Afghan-owned principle, support the Afghan people's independent choice of development path and increase assistance to the country. It was extremely important to help Afghanistan ease its humanitarian and economic crisis. China urged the United States to return the frozen assets to the Afghan people in full and without delay so as to alleviate their humanitarian suffering. China supported the United Nations' role in the peaceful reconstruction of Afghanistan and would continue to assist the country to the best of its ability through multilateral channels.

120. **Mr. Bennett** (Special Rapporteur on the situation of human rights in Afghanistan) said that, even if there was equality for woman and girls in Afghanistan, the country would still be facing a critical human rights situation, with press freedom declining, civic space shrinking and access to justice in disarray. While those crises had had adverse impacts on the entire population, women and girls had been most affected. However, more attention should also be paid to other marginalized groups, especially children, older persons, persons with disabilities and members of sexual and gender minorities. There were a few signs of change. Although he had not met with the Supreme Leader of the Taliban, he had been able to raise his human rights concerns with the Deputy Prime Minister, Minister of Foreign Affairs and other ministers.

121. Responding to the question posed by the representative of Mexico, he said that the Ministry of Foreign Affairs of Afghanistan had revived its department on human rights and women's international affairs and had set up an interministerial committee on technical cooperation and coordination. Although it remained to be seen whether those developments would bear fruit, it did perhaps show a willingness to engage. There had been no sign of a restoration of the Ministry of Women's Affairs, however. In fact, it had been rather disturbing to find that the office for the prevention of vice and propagation of virtue was located in the previous office of the Ministry of Women's Affairs. There was a need to reinstate the recently disbanded Afghanistan Independent Human Rights Commission or to establish a similar organization that adhered to the principles relating to the status of national institutions for the promotion and protection of human rights.

122. Regarding the issue of accountability, he said that it was important first to take stock of the existing mechanisms and only then decide if further mechanisms were needed and what shape those mechanisms should take. For example, the United Nations Assistance Mission in Afghanistan already had a human rights component and mandate, there was OHCHR and the

International Criminal Court prosecutor had indicated that he planned to open an investigation into Afghanistan. Furthermore, the mandate of the Special Rapporteur on the situation of human rights in Afghanistan was somewhat different from most country mandates of special rapporteurs in that it set out a responsibility, if not to investigate, then to receive, seek, examine and act on information. Moreover, the extended mandate included the responsibility to document and preserve information, for which the United Nations had provided additional resources. Serious consideration was needed as to whether there were sufficient resources dedicated to monitoring human rights with a view to bringing perpetrators to account in Afghanistan. Any human rights mechanism must be even-handed, not be directed only at one party and look also at events prior to August 2021.

The meeting rose at 12.55 p.m.