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Chair: Mr. Blanco Conde (Dominican Republic)

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The meeting was called to order at 3.05 p.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. Marin** (Special Rapporteur on the situation of human rights in Belarus), speaking via video link to introduce her report ([A/77/195](#)), said that she had focused on Belarusian nationals compelled to go into exile because of the human rights situation in their country, whose numbers were reportedly in the hundreds of thousands. To prepare her report, she had met with dozens of Belarusians who had been prompted to flee their homeland by the continuous erosion of the rights to political participation and freedoms of assembly, association, opinion and expression. The first-hand information that they had provided lay at the heart of her report. Given the risk of retaliation, she had decided to preserve their anonymity.

2. The contested presidential election in Belarus in 2020 had triggered a wave of peaceful protests, which had been met with brutal repression, forcing Belarusians to leave their country en masse. Many of those who had left had said that they had feared arbitrary arrest and

detention for legitimately exercising their human rights or simply doing their work. One recurrent push factor had been intimidation and infringement of rights in the workplace, including the deprivation of licences for lawyers, accreditation for journalists and registration for civil society organizations, and the termination of work contracts for artists, cultural workers and other professionals.

3. Choosing a country of relocation had been affected by factors such as financial means, personal networks, visa requirements and options for status regularization. Ukraine had been a primary destination for many Belarusians, but most of them had been forced to relocate again following the armed attack of the Russian Federation against Ukraine on 24 February 2022. Since then, she had received reports of a new wave of emigration from Belarus owing to the stifling of protests against the war or fear of being called to fight in the war.

4. She had documented the continuing crackdown on civil society, the media and political opposition in Belarus. The number of people detained on politically motivated charges had surpassed 1,300. The intimidation of people who had participated in peaceful marches and protests in 2020 had intensified, with criminal charges brought against people for allegedly organizing or financing what the authorities labelled as “mass disorder”, while people calling for respect for the freedom of peaceful assembly faced prison terms on grounds of extremism. The reporting period had been marked by a tightening of the legislation against extremism and terrorism, which was used to stifle and punish all forms of dissidence in the country.

5. As raids on private homes and offices, arbitrary arrests and prosecution on politically motivated grounds had become systematic, many people had concluded that they could not be safe in Belarus. Even after relocating abroad, many lived in insecurity and fear. She had received credible reports that Belarusians in exile continued to receive personalized threats and constantly feared for their family members who had stayed in Belarus, where they were subjected to intimidation, interrogation and arbitrary arrests. The intentional destruction of their property by law enforcement agents during search procedures was another form of retaliation against the people in exile.

6. Of particular concern was the deliberate use of domestic legislation, policies and institutions to force Belarusian nationals into exile. Alongside the Committee of State Security (KGB), public institutions such as the Ministry of Internal Affairs, the fiscal police and bodies tasked with combating organized crime were being used in a concerted manner to eradicate all dissent

from the country. Long prison sentences on politically motivated grounds and pretrial detention without charges were emblematic of the abuse of the justice system and the impunity with which Belarusian authorities acted. Belarusians in exile might soon face trial in absentia, as the criminal legislation had been amended in July 2022 to make such trials possible against emigrants allegedly involved in vaguely defined acts of terrorism, treason, sabotage, extremism or calling for sanctions. Of equal concern were two draft laws that provided for the deprivation of citizenship for involvement in “extremist activities” and restrictions in the name of national security on leaving the country.

7. The absence of an independent judiciary and law enforcement institutions meant that the possibility of safe return remained out of reach for many Belarusians. States should ensure non-discriminatory access to procedures for the legalization of stay, employment and education and to health care and other services for exiled Belarusians.

8. Despite all her efforts to engage the Government of Belarus in a constructive dialogue, the authorities had maintained their policy of not recognizing her mandate or cooperating with her. All her requests for access to the country had remained unanswered, as had the allegation letters that she had sent that year together with other special procedure mandate holders. An empty chair policy in interactive dialogues was regrettably becoming the new norm.

9. The Government of Belarus also seemed to be intent on closing a crucial avenue for upholding the right to seek international consideration of, and redress for, human rights violations, namely, the Optional Protocol to the International Covenant on Civil and Political Rights. The authorities should reconsider signing into law the draft bill on denouncing that Protocol.

10. The Government of Belarus should stop repressing its own people, immediately and unconditionally release all persons detained on politically motivated grounds and allow all those forced into exile to safely return to Belarus. More than ever, the country needed inclusive and transparent dialogue among all representatives of society to jointly decide on the future of the country. The international community should redouble efforts aimed at holding perpetrators of human rights abuses in Belarus accountable.

11. **Ms. Millard** (United States of America) said that her Government condemned the Belarusian regime’s brutal repression of the pro-democracy movement in the country and its deployment of new tools to intimidate and harass the Belarusian people and deny their human rights and fundamental freedoms, including allowing

the death penalty for criminal charges that were often used to target pro-democracy activists and those who opposed the unprovoked war of Russia in Ukraine, and adopting legislation enabling Belarusians to be tried in absentia without adequate legal protections. The more than 1,300 political prisoners in Belarus should be released immediately, and the regime should end such detentions. The United States was alarmed by the regime’s broader efforts to undermine respect for human rights, including its reported attempts to withdraw Belarus from the Optional Protocol to the International Covenant on Civil and Political Rights. She would like to know what more could be done by the international community to hold the Government of Belarus accountable for its violations and abuses of human rights, and how it could ensure that Belarusians were able to report those violations and abuses.

12. **Mr. Restrepo Barman** (Switzerland) said that his delegation would be interested to hear how the Special Rapporteur worked together with other multilateral institutions active in Belarus, such as the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, and whether she had seen any progress towards reducing the number of political prisoners.

13. The systematic abuse of the judicial system by the authorities in Belarus was alarming. Switzerland supported the Special Rapporteur’s call for Ales Bialiatski to be freed. Belarus should stop repressing and criminalizing peaceful protestors, human rights defenders, journalists, members of the opposition and other citizens who expressed their opinion. The Government of Belarus should immediately and unconditionally free all those who had been arbitrarily detained. Belarus should recognize the mandate of the Special Rapporteur and cooperate fully with her, as well as with the Office of the United Nations High Commissioner for Human Rights (OHCHR).

14. **Ms. Kim** (Australia) said that the recent commemoration of the World Day against the Death Penalty had been a reminder that Belarus was the only country in Europe that retained and applied the death penalty for certain serious crimes. The Criminal Code of Belarus had been amended to allow the death penalty for attempted acts of terrorism. Australia reiterated its long-standing call for the Government of Belarus to abolish the death penalty. All people who had been arbitrarily detained in Belarus for exercising their legitimate rights to peaceful assembly, freedom of opinion and expression and freedom of association should be released. Australia condemned not only the repression by Belarus of its own citizens but also its aiding of the illegal invasion by Russia of Ukraine. She asked what

could be done to hold Belarus to account for its human rights violations.

15. **Mr. Polin** (Representative of the European Union, in its capacity as observer) said that, since the crackdown two years previously on Belarusians peacefully seeking democratic governance, the repression of and attacks against civil society, human rights defenders, journalists, media workers, lawyers and ordinary citizens who voiced any criticism of the system had become systematic and widespread in Belarus. The Lukashenko regime had also intensified its persecution of persons belonging to the Polish and Lithuanian national minorities. The Belarusian authorities must immediately and unconditionally release all arbitrarily detained persons, including political prisoners, drop all charges against them and end the brutal repression and harassment of civil society.

16. The Lukashenko regime had, against the will of the vast majority of the Belarusian people, become an accomplice to the unprovoked and unjustified war of aggression of Russia against Ukraine by permitting Russia to use Belarusian territory to invade Ukraine and serve as a launchpad for its missiles and by granting Moscow full political and logistical support. The regime also persecuted Belarusians for standing against the war. The Belarusian authorities should stop enabling the Russian war of aggression. Any further or more direct involvement in the conflict would entail severe consequences for Belarus.

17. The European Union reiterated its steadfast support for the democratic aspirations of the Belarusian people. Aleksandr Lukashenko lacked any democratic legitimacy. The authorities in Belarus should fully adhere to the principles of democracy, uphold the rule of law and respect their international human rights obligations. Belarus should cooperate with international human rights monitoring mechanisms, including with the Special Rapporteur.

18. He wished to know how support for representatives of Belarusian civil society and independent media in exile could be improved despite the risks and restrictions.

19. **Ms. Eberl** (Austria) said that her delegation would be interested to learn how civil society organizations, media workers and journalists, academics and others were dealing with the situation in Belarus from abroad and how they could be supported to continue their work in an organized manner. Austria was particularly concerned about the policies targeting civil society organizations and joined the Special Rapporteur's call for the restoration of non-governmental organizations in Belarus. The Government of Belarus should reconsider

its policy of not engaging with the Special Rapporteur. She wondered what the implications of the recent implementation of counter-terrorism measures were for civil society in Belarus. Austria was committed to amplifying the voices of the people of Belarus who were standing up for their rights and democracy. Belarusian civil society would be participating in the conference on the safety of journalists to be held in Vienna in November 2022.

20. **Ms. Andrić** (Croatia) said that the Special Rapporteur's findings of systematic repression and persecution of civil society, human rights defenders and independent media were alarming. Of particular concern was the unprecedented number of arrests during peaceful protests, including those against the ongoing aggression of Russia against Ukraine and the involvement of Belarus therein. Her Government deplored the formation of the joint Russian and Belarusian military group in Belarus and the false accusations made by the Government of Belarus against Ukraine. Belarus should release all political prisoners immediately and unconditionally, and stop the harassment and reprisals against individuals for exercising their human rights. Croatia was dismayed by the charges brought against the activist Ales Bialiatski for legitimate human rights work and called for his immediate release. She asked how the international community could promote and enable conditions for Belarusians in exile to continue to participate actively in the public life of Belarus.

21. **Mr. Szczerski** (Poland) said that, as a neighbouring country, Poland was extremely concerned about the continuous suppression by the Belarusian authorities of peaceful dissent, including protests against the support of Belarus for the Russian aggression against Ukraine, and condemned the detention of, and criminal charges, intimidation and harassment against, human rights defenders, journalists, lawyers, athletes, artists and members of the Polish national minority and the Catholic community. Poland had continuously offered a safe refuge for Belarusians who had left their country for fear of political persecution and had issued more than 450,000 visas to Belarusian nationals, including 43,000 humanitarian visas, since the fraudulent presidential elections in 2020.

22. Poland stood in solidarity with all politically persecuted persons in Belarus and strongly condemned their prolonged arbitrary detention. Belarus must stop labelling political prisoners as extremists, as in the cases of Andrzej Poczobut, Volha Loika, Alena Talkachova and many others. His Government deplored the suppression of education in minority languages and the demolition of Polish cemeteries and memorials. The

Belarusian authorities should immediately release all political prisoners, drop charges against them and bring all perpetrators of human rights violations to justice. He would like to hear more about the Special Rapporteur's recommendation for the international community to establish an effective mechanism for providing legal status to Belarusians unable to return to their homeland.

23. **Ms. Bimbaite** (Lithuania), speaking on behalf of the Nordic and Baltic countries (Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden), said that the Nordic and Baltic countries strongly condemned the Belarusian regime for its abuses and violations of human rights. The Belarusian authorities suppressed their own people, targeted national minorities, used the lives of innocent people to achieve their political goals and undermined the international obligations of the country through their involvement in the unprovoked, unjustified and illegal war of aggression of Russia against peaceful Ukraine. The Belarusian regime must be held accountable for those crimes. She wondered how civil society actors who had remained in Belarus could be supported.

24. **Ms. Oehri** (Liechtenstein) said that her delegation shared the Special Rapporteur's concerns about the suppression and attacks on an unprecedented scale against civil society and human rights defenders in Belarus, including reprisals for their cooperation with the United Nations. Of particular concern was the increased violence against women human rights defenders and activists, who were important agents of political change and must be protected. She would be interested to hear more about the ways in which the human rights situation in Belarus had been affected by the aggression against Ukraine.

25. **Ms. Schmiedova** (Czechia) said that her country supported an independent international investigation by appropriate mechanisms into all atrocities in Belarus and strongly condemned the further restrictive measures of the Belarusian authorities against the freedom of expression and independent media both online and offline. The unlawfully imprisoned blogger Ihar Losik, his wife, Darya Losik, and other independent journalists and media workers should be released immediately. Belarus should refrain from any further engagement in the Russian unlawful military aggression against Ukraine and fully adhere to its international obligations. Her delegation would welcome more information on the situation of independent media in Belarus and best practices for supporting them.

26. **Mr. Croker** (United Kingdom) said that the Belarusian State had meticulously organized a mass campaign of suppressing criticism and peaceful dissent,

extending such repression to those protesting against support for the illegal war of Russia in Ukraine. Protests against the war in February 2022 had been met with over 800 arrests. The Belarusian people had no desire to be dragged into the illegal actions of Russia. The Belarusian authorities should end their campaign of repression, call free and fair elections and begin to cooperate with the Special Rapporteur. He asked what immediate steps should be taken by the Belarusian authorities to enable those in exile to return safely and how the international community could ensure that such steps were taken.

27. **Mr. Zahneisen** (Germany) said that, more than two years after the fraudulent presidential elections, the Belarusian regime's brutal and unprecedented repression of its own people had continued unabated. Over the past year alone, the regime had tightened its grip by expanding the scope of application of the death penalty, terrorizing human rights defenders, closing down independent civil society organizations and the media and continuing the practice of arbitrary and unlawful detentions. Many of the more than 1,300 political prisoners detained unlawfully under inhumane conditions were subjected to torture or other forms of systematic human rights violations. Under the recent amended Penal Code, some of them could even be sentenced to death. The Belarusian regime should immediately release all political prisoners, end repression and violence against civil society and begin a meaningful and inclusive national dialogue on the future of the country. He wondered how the international community could help to improve the human rights situation in Belarus.

28. **Ms. Marin** (Special Rapporteur on the situation of human rights in Belarus), speaking via video link, said that no progress or positive trends could be observed in the situation of human rights in Belarus; rather, the situation had been deteriorating constantly since 2020. If the number of people detained on political grounds seemed to be going down, that was only because many of the people who had been condemned to, for example, two years in prison were reaching the end of their sentence. Once they had been liberated, most of them would seek exile to obtain psychological and medical support. Such support was unlikely to be granted in Belarus because that would amount to acknowledging that those people had suffered ill-treatment in detention. Every day new arbitrary sentences and detentions were made on the basis of fabricated criminal accusations, with people recently condemned for up to 25 years. That could not be called progress.

29. Given that there were no effective remedies inside Belarus to hold the Government accountable, it was

important to support international mechanisms working towards accountability, such as the OHCHR examination of the human rights situation in Belarus launched in March 2021. She was providing support for the implementation of that mandate, which included seeking redress for the victims of human rights violations and identifying perpetrators.

30. Judges in national courts abroad that had recognized the principle of universal jurisdiction for the most serious crimes, such as torture and other ill-treatment, enforced disappearances and extrajudicial executions, had a responsibility to address those very serious human rights violations. Although the judiciary was independent from the executive in democratic countries, Governments could support the process towards seeking justice for Belarusian victims of human rights violations by giving judges and prosecutors in their countries the material means and the time needed to prosecute crimes committed in other countries.

31. In spite of the risks and challenges, it was important to show solidarity with civil society in exile. Measures should be designed to meet the immediate needs of Belarusians forced into exile, for example with regard to visas and legalization of stay. Some humanitarian visas were valid for only one year. Permanent residence permits should be provided wherever possible to enable people to begin their new lives, reconstitute their communities, work and earn a living, educate their children and continue to have access to their culture. Some Belarusians would be at risk of losing their citizenship if the law to punish so-called extremists by stripping them of their citizenship was implemented. Another problem faced by many Belarusians in exile was related to the expiration of Belarusian passports, which were usually valid for five years. People with many visas and stamps in their passports had to apply for additional pages or a new passport when the pages ran out. However, people were afraid of visiting Belarusian consulates abroad because they would have to share their new address with the Belarusian authorities, which could be used for retaliation. Furthermore, they would only have access to those services if they had a permanent residence permit. Without one, they would be told to return to Belarus to apply for a new passport there, which many of them understandably did not want to do.

32. Places for digital nomads, such as media hubs and business harbours, that were specifically adapted to the needs of Belarusians in exile had been a great help. Governments should ask the Belarusians in exile in their countries what they needed. A practical recommendation that she had heard in Georgia was the need for Belarusian-speaking schools. Belarusians in exile also

faced difficulties in obtaining Belarusian books, many of which had been listed as extremist in the country. If such books were discovered during raids of the homes of family members who had remained in Belarus, those family members could be held accountable, and the books would be destroyed. It should be ensured that such books were not seized by the authorities and were made available to those who needed them abroad for reconstituting their community and defending their culture. Grants, fellowships and prizes to reward professional journalism, especially those aimed at raising awareness to combat disinformation, were a useful way of supporting high-quality media and freedom of speech within and outside Belarus.

33. Although civil society was being decapitated inside Belarus, people were continuing to work underground in difficult conditions. They should not be forgotten.

34. **Mr. Rehman** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran), introducing his report ([A/77/181](#)), said that he had provided an overview of the key concerns regarding the human rights situation in the Islamic Republic of Iran and had highlighted the extent of arbitrary deprivation of life in the country. By September 2022, the overall annual number of executions in the Islamic Republic of Iran had reportedly passed 400 for the first time in five years. That number included the execution of 12 women and two individuals below the age of 18 years at the time of the alleged commission of the crime. Ethnic minorities had continued to be disproportionately affected by executions. Since the issuance of his report, he had publicly expressed concern about the persecution and harassment of religious minorities and the policy of systematic persecution of members of the Baha'i faith.

35. The tragic death of Jina Mahsa Amini on 16 September 2022 had given way to huge waves of protests spanning the country. The authorities had responded by brutally repressing peaceful demonstrators and shutting down Internet connections with a view to stifling free expression and association. On 22 September, together with seven special procedure mandate holders, he had denounced the crackdown and urged the Iranian authorities to immediately stop using lethal force in policing peaceful assemblies, to avoid further violence, to conduct an independent, impartial and prompt investigation into Ms. Amini's death, to make the findings of the investigation public and to hold all perpetrators accountable.

36. The unabated violent response by the security forces, including the Islamic Revolutionary Guard Corps and the paramilitary Basij forces, had reportedly

led to the deaths of at least 215 people. At least 27 children had been killed by live ammunition and metal pellets at close range, while some had been beaten to death. The Committee on the Rights of the Child had reported that many families had been pressured into absolving the security forces by declaring that their children had committed suicide and making false confessions. Thousands of men, women and children had been arrested and jailed, among them dozens of human rights defenders, students, lawyers, civil society activists and journalists. A number of schools had been raided, with children and head teachers arrested by the security forces. On 11 October, the Minister of Education had confirmed that an unspecified number of children had been sent to psychological centres after being arrested for allegedly participating in protests against the State.

37. Several reports had been issued by State officials and the State forensic office, all indicating no misconduct or wrongdoing in the death of Ms. Amini. Those reports had all been rejected by Ms. Amini's family, whose request for the establishment of a committee of independent doctors to investigate her death had been denied. Members of her family had reportedly faced threats and pressure from the authorities. The so-called investigations into Ms. Amini's death had clearly failed the minimum requirements of impartiality and independence.

38. In the absence of any domestic channels of accountability, he wished to stress the role and responsibility of the international community in addressing impunity for human rights violations in the Islamic Republic of Iran and to call for the prompt establishment of an independent investigative mechanism for all human rights violations leading up to and since the death of Ms. Amini.

39. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that her people and country had that day been targeted by a terrorist attack at the religious site in Shiraz, resulting in the deaths of at least 15 people and injuring 21.

40. It was regrettable that the Committee's platform was repeatedly used for political leverage to antagonize sovereign Member States. Reducing human rights to a petty political tool was appalling and disgraceful. Certain countries with a long history of interventionist policies were undeniably abusing the Committee to impose their political will upon countries that did not serve their interests.

41. While the Islamic Republic of Iran had consistently rejected on principle the mandate of the Special Rapporteur, her delegation had nevertheless interacted with the Special Rapporteur in a spirit of

constructive dialogue, presenting its views on the promotion and protection of human rights and providing accurate information and factual data to enable drafters of reports to avoid falsities and misrepresentations regarding her Government's human rights measures. However, the Special Rapporteur's persistent failure to acknowledge her country's commitment and hard efforts had rendered them ineffective and futile.

42. As an appointee of the deceitful foreign policy of the United Kingdom, the Special Rapporteur had constantly denigrated the culture, religion, customs and traditions of the Iranian nation and disparaged its laws, regulations and governing structure. His overreliance on false information obtained from foreign-based, anti-Iranian media outlets and even some terrorist groups had stripped his reports of any credence or credibility. He had exceeded his mandate and adopted an invasive and abusive approach in breach of the Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council.

43. In his reports, the Special Rapporteur had purposely ignored the negative impacts of the unlawful unilateral coercive measures of the United States on the enjoyment of human rights by the Iranian people. In his most recent report, he had failed to genuinely address the negative impacts of unilateral sanctions on the lives of Iranian children and those with rare diseases and medical conditions. He had only noted with concern the general impacts of sanctions and recalled the duty of the Islamic Republic of Iran to mitigate those impacts, thus undermining the lives of a great number of children and patients in need of pharmaceutical and medical equipment. The unilateral sanctions of the United States could not be justified in any way. Given that the Special Rapporteur had never been associated with any statement condemning the unilateral coercive measures, it must be concluded that his approach to human rights was utterly biased.

44. While addressing the assassination of high-level officials in the heart of the Iranian capital, the Special Rapporteur had highlighted the duty of Iran to investigate the assassinations and extrajudicial killings, without naming or underscoring the responsibilities of the State of the perpetrators. The Special Rapporteur had also deliberately overlooked the brutal terrorist acts against innocent Iranian people that had claimed the lives of more than 17,000 people over a decade. It was unforgivable that the European Union had sheltered and provided a safe haven for the related terrorist groups. The Special Rapporteur had intentionally ignored encouraging government measures and practices that contributed to promoting and protecting human rights, instead focusing on misleading and unverified

information. The Special Rapporteur had repeatedly misused his reports to spread disinformation, promote hatred and incite violence, with the aim of destabilizing Iranian society.

45. Regarding the recent events in Iran, several official Iranian reports had been released and distributed by the Permanent Missions of the Islamic Republic of Iran to the United Nations in New York and Geneva, but the Special Rapporteur had failed to devote any attention to them. Rather, he had relentlessly used social media to disseminate misinformation for the purpose of inciting more unrest.

46. The Islamic Republic of Iran was genuinely committed to the promotion and protection of human rights and dignity and continued to place the highest value on its cooperative and interactive approach to the non-discriminatory United Nations human rights mechanisms, such as the universal periodic review. Her Government firmly rejected all the baseless allegations and ill-advised claims in the report and considered the report to be part of a purely political agenda.

47. **Mr. Rae** (Canada) said that he wished to refute the personal attacks on the Special Rapporteur, who was a thoughtful and caring scholar with no political agenda. The only agenda of Canada was to get to the bottom of the truth and deal with the tragedy that was currently afflicting Iran.

48. **Mr. Valido Martínez** (Cuba) said that his delegation reiterated its opposition to initiatives such as the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, which were used as tools for exerting pressure on the South and served the hegemonic and political interests of Western powers. Selectivity, double standards and punitive approaches did not help to improve human rights situations and only generated confrontation and mistrust, undermining the credibility of the United Nations human rights mechanisms. Such initiatives, which did not enjoy the consent of the countries concerned, were destined to fail and constituted an obstacle to international cooperation in the field of human rights. The punitive actions against the Islamic Republic of Iran were not compatible with cooperation and dialogue.

49. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country rejected on principle the establishment of country-specific instruments, reports and resolutions without the consent of the Government concerned. Such mechanisms addressed human rights in a politicized and selective manner and typically relied on outside sources. Politically motivated reports, mechanisms and resolutions violated the principles of impartiality, objectivity, transparency, non-selectivity,

non-politicization and non-confrontation enshrined in the Charter of the United Nations. The international community should continue to support multilateralism and the institutional framework of the Human Rights Council and refrain from such meddling.

50. **Ms. Ochoa Espinales** (Nicaragua) said that her delegation reaffirmed its rejection of reports that were based on selectivity and politicization, lacked objectivity and did not enjoy the consent of the countries concerned. Nicaragua firmly rejected the use of the human rights agenda as a pretext for interference in the internal affairs of sovereign, independent States. Such an opportunistic and illegitimate approach was aimed at tarnishing the image of sovereign States and replacing the universally accepted principles of international law and multilateralism.

51. **Ms. Mimran Rosenberg** (Israel) said that, despite belonging to the principal global body dedicated to the promotion of gender equality and the empowerment of women, the Iranian regime had met the women of Iran with gunfire, beatings, kidnappings, executions and institutionalized oppression. She wondered how Iran could serve as a member of the Commission on the Status of Women when it undermined the very foundations on which that body stood.

52. **Ms. Oehri** (Liechtenstein) said that her country was deeply concerned about the human rights situation in Iran and the recent violent oppression of peaceful protests, and condemned in the strongest terms the killing of Mahsa Amini. The Special Rapporteur had noted the correlation in time between the increase in executions and large-scale protests, and her delegation would be interested to know whether similar patterns could be seen with regard to the most recent protests.

53. **Ms. Kim** (Australia) said that her country supported the calls by the Acting United Nations High Commissioner for Human Rights for a prompt and impartial investigation into the tragic death of Jina Mahsa Amini. Australia was alarmed by reports that hundreds of people had been killed and many more injured, including children, as a result of the heavy-handed measures implemented by Iran in its crackdown on protests. That such things could happen in a country that was a member of the Commission on the Status of Women was unacceptable and cause for grave concern. Australia remained concerned by the discrimination and intimidation perpetrated by Iran against lesbian, gay, bisexual, transgender and intersex persons and supported the calls for a stay of execution for the activists Zahra Sedighi-Hamadani and Elham Choubdar. Iran should impose a moratorium on all uses of the death penalty. She wished to know what more could be done

by the international community to support Iranian women and children who were experiencing ongoing systemic oppression.

54. **Mr. Kim** Nam Hyok (Democratic People's Republic of Korea) said that his country rejected all selective country-specific mandates and reports, which exemplified politicization and double standards in addressing human rights, had nothing to do with the genuine promotion and protection of human rights, and served only to create confrontation and mistrust between countries and to target and undermine individual legitimate Governments for political purposes. His country was deeply concerned about the serious humanitarian situation in Iran caused by the illegal unilateral coercive measures and economic blockade, which were clear violations of the human rights of the Iranian people and must be ended immediately. Human rights issues must be addressed in a constructive, non-politicized and non-selective manner on the basis of respect for national sovereignty and non-interference in the internal affairs of individual States. His Government continued to support the efforts of the Government of the Islamic Republic of Iran to defend its sovereignty.

55. **Mr. Magosaki** (Japan) said that universal values such as human rights, freedom, democracy and the rule of law should be respected in every country, including Iran. Japan was seriously concerned about the deterioration of the human rights situation in Iran, in particular the crackdown on the protests triggered by the death of Mahsa Amini. His delegation would like to know how the international community could help to ensure that the rights of women and children were respected in Iran.

56. **Ms. Carty** (United States of America) said that the abhorrent death of Mahsa Amini while in police custody was an affront to human rights. Iranian women should not be subjected to arrest, detention, violence or brutal beatings for how they chose to dress. The United States condemned the use of violence against peaceful protestors and supported all Iranians who were peacefully demonstrating to secure their human rights and fundamental freedoms in the face of horrific repression by their Government. Such outrageous violence was part of a long-standing history of abuse of members of religious and ethnic minority communities in Iran. She asked how the international community should promote accountability for the death of Mahsa Amini in the absence of any impartial authority in Iran.

57. **Mr. Peeters** (Netherlands) said that his Government strongly condemned the ongoing violent repression of peaceful protesters and called for an end to the repression of the fundamental rights of women

and girls in Iran. His delegation joined the call of the Special Rapporteur for transparent and impartial investigations into the undue use of violence by the Iranian authorities. The recent fire at the Evin prison should be included in those investigations. The Government of Iran should give the Special Rapporteur immediate access to the country. He wondered what possibilities there were for an independent international inquiry.

58. **Ms. Oppermann** (Luxembourg) said that her country firmly condemned the use of force against peaceful protesters. In Iran, as elsewhere, everyone had the right to protest peacefully, and that right should be guaranteed in all circumstances. She wished to know what measures should be taken to guarantee the establishment of mechanisms to ensure accountability for those responsible for violations of human rights.

59. **Mr. Weerasekara** (Sri Lanka) said that his delegation took note of the measures taken by the Islamic Republic of Iran to engage with the Special Rapporteur, incremental as they might be. Iran should pursue a policy of peace in harmony with the teachings of the holy prophet, which reflected the principles of human rights, equality and humanity. As a country with such a rich civilization and culture, Iran would hopefully rise to new levels of peace and progress. All parties should adhere to the principles of impartiality, non-selectivity and objectivity in the promotion and protection of human rights. Sri Lanka assured Iran of its unconditional support in the common endeavour to achieve peace and dignity.

60. **Mr. Bellmont Roldan** (Spain) said that the Iranian authorities should respect the principles enshrined in the International Covenant on Civil and Political Rights, to which Iran was a State party, and put an end to the violent repression of protests and any other measures or restrictions against peaceful protesters, journalists and human rights defenders. The attempts of the delegation of Iran to delegitimize the work of the Special Rapporteur were not justified.

61. **Ms. Schmiedova** (Czechia) said that the Iranian Government should respect the Special Rapporteur's mandate and cooperate with him. Czechia was opposed to the death penalty in all circumstances. The death of Mahsa Amini and others reinforced her Government's call to ensure respect for the fundamental rights of Iranian citizens. Iran must stop using force against non-violent protesters, and perpetrators must be held accountable. Restricting access to the Internet and blocking messaging platforms violated the freedom of expression. She would welcome the Special

Rapporteur's views on the implementation in practice of the new regulation on prison conditions.

62. **Mr. Gonzato** (Representative of the European Union, in its capacity as observer) said that the Iranian authorities should grant the Special Rapporteur full access to the country. Iran should conduct an impartial, transparent and thorough investigation into the use of violence by the Iranian security forces. In the light of the law on "youthful population", which had reversed hard-won gains for women and girls in Iran, he wished to know what could be done to avoid further pushbacks and to hear the Special Rapporteur's views on Iran being a member of the Commission on the Status of Women. He would also like to know what actions should be considered to convince the Government of Iran to put an end to the death penalty.

63. **Mr. Valtýsson** (Iceland) said that the Iranian authorities must respect the fundamental human rights of their citizens, including those under any form of detention. Iceland deplored the disproportionate and unlawful use of force against Iranian civilians exercising their fundamental right to the freedoms of expression, opinion and peaceful assembly. The persecution, harassment and intimidation of journalists covering the protests in Iran must stop. The apparent systemic impunity for perpetrators of human rights violations in Iran was cause for the establishment of an additional mechanism to ensure accountability for serious human rights violations in Iran. He asked what could be done by the international community to ensure accountability for the ongoing serious human rights violations in Iran.

64. **Mr. Rashid** (Pakistan) said that the processes of the Human Rights Council were being mobilized to selectively target certain countries for political and strategic objectives under the guise of protecting human rights. Despite unilateral sanctions, Iran was striving to promote and protect the rights of its citizens and had been open to dialogue but not coercion. Human rights goals were better served by two-way communication and mutual consent, and were unlikely to be advanced by coercion or country-specific mandates, which were often adopted against developing countries. A country-specific mandate on a developed country or a country that served the economic interests of certain powerful States had yet to be adopted. To preserve the universality of human rights, discrimination and politicization of human rights must end.

65. **Ms. Dale** (Norway), speaking on behalf of the States members of the Freedom Online Coalition, said that the measures taken by the Iranian Government following the nationwide protests over the tragic killing

of Mahsa Amini to restrict access to the Internet for most of its 84 million citizens nationwide were deeply alarming. The Government of Iran should immediately lift restrictions intended to disrupt or prevent citizens from obtaining access to and disseminating information online and from communicating safely and securely.

66. **Ms. Bury** (United Kingdom) said that the death of Mahsa Amini had been a shocking reminder of the repression faced by women and girls in Iran. The Government of Iran must listen to the ordinary Iranians who were bravely risking their lives to demand accountability and respect for their rights. Its suppression and barbarism could not continue. The United Kingdom stood with those people of Iran and condemned the violence, including the use of live ammunition, against them. Iran must respect the right to peacefully protest, lift Internet restrictions and release those unfairly detained.

67. **Mr. Altarsha** (Syrian Arab Republic) said that his delegation continued to strongly oppose country-specific reports. The report under consideration ran counter to the principles of non-discrimination, universality and objectivity and targeted a Member State in a politicized manner. The Syrian Arab Republic thus found it to be unacceptable and called for cooperation and constant dialogue with the country concerned.

68. **Mr. Lamce** (Albania) said that his country was particularly concerned about the shrinking of civic space and the situation of women and girls in Iran. The case of Mahsa Amini clearly showed the brutality of the Iranian authorities against peaceful protesters and the lack of will to properly investigate and bring to account all those responsible. He wondered what could be done to improve reporting and monitoring mechanisms regarding the human rights situation of women human rights defenders, especially those arbitrarily detained and subjected to different forms of State violence.

69. **Mr. Kuzmenkov** (Russian Federation) said that his delegation reiterated its position of rejecting on principle the harmful adoption of selective, one-sided draft resolutions and reports on the human rights situations in specific countries. Such approaches were contrary to the principle of friendly relations among States, led to politicization and exacerbated confrontation. His country condemned the practice by Western States of using human rights issues against independent States. It was a pity that the information in the Special Rapporteur's report was not supported by reliable facts and that the Special Rapporteur had failed to take into account the achievements of the Government of Iran in the field of human rights. The imposition by the United States of America of illegal

unilateral coercive measures against Iran should be condemned. The Russian Federation stood in solidarity with the Government and people of Iran.

70. **Mr. Tozik** (Belarus) said that his delegation reaffirmed its position of opposing on principle country-specific approaches and mandates, including the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. Exploiting human rights issues undermined the principles of universality, impartiality, objectivity and non-selectivity and exacerbated conflicts and confrontation. Any concerns should be addressed through constructive dialogue. Unfortunately, such an approach could not be seen in the work of the Special Rapporteur. The universal periodic review of the Human Rights Council should be the main intergovernmental mechanism for examining human rights issues in all countries without exception.

71. **Mr. Zahneisen** (Germany) said that the Islamic Republic of Iran should grant the Special Rapporteur full access to the country for the implementation of his important mandate. The protests following the death of Jina Mahsa Amini were a direct consequence of the persistent grave violations of fundamental human rights by the Iranian authorities against women, children and minorities. The human rights violations committed should be well documented, and those responsible held to account. His delegation would like to know what steps could be taken to ensure meaningful and effective accountability and justice for the victims of such human rights violations, and how to prevent their recurrence in the future.

72. **Ms. Wagner** (Switzerland) said that her country condemned the disproportionate use of force by the security forces against protesters in Iran. The Iranian authorities should exercise restraint in relation to peaceful demonstrations and guarantee the right to freedom of expression. She would be interested to hear the Special Rapporteur's expectations and recommendations for the international community regarding the protests in Iran. Prompt, impartial and independent investigations must be conducted into the death of Mahsa Amini and the fire at the Evin prison. The Iranian authorities should abide by the absolute prohibition of torture and inhuman or degrading punishment or treatment and uphold the fundamental rights of persons belonging to minorities.

73. **Ms. Xu Daizhu** (China) said that her country consistently supported constructive dialogue and cooperation among countries in the field of human rights and opposed the politicization of human rights issues. The international community should take an impartial and objective view of the human rights

situation in Iran and respect the path of human rights development chosen independently by the Iranian people. China opposed the establishment of country-specific mechanisms without the consent of the countries concerned. The United States and other Western countries should immediately and unconditionally lift the unilateral coercive measures on Iran and stop using human rights issues to attack developing countries.

74. **Mr. Giorgio** (Eritrea) said that his delegation opposed the country-specific mandate on the human rights situation in Islamic Republic of Iran because it constituted a selective approach. Often targeted at developing countries, country-specific resolutions failed to have a meaningful impact or to contribute to the promotion of human rights in a constructive 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 because it was firmly anchored in constructive dialogue and cooperation. International cooperation in the promotion and protection of human rights could be advanced only by ensuring universality, objectivity, non-selectivity, non-politicization and the elimination of double standards.

75. **Ms. Freudenreich** (France) said that her country firmly condemned the brutal repression of protests in Iran. Those grave violations of human rights should not go unpunished. Iran should put an end to violence and discrimination against women and girls, to arbitrary detention and violations of the right to a fair trial, to the wrongful prosecution, torture and inhuman and degrading treatment of human rights defenders, journalists, foreigners and dual nationals, and to executions, in particular of minors. Iran should uphold its international commitments to the freedoms of peaceful assembly and association, of opinion and expression, including online, and of religion or belief.

76. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that racial discrimination was systematic and systemic in the European Union, the United Kingdom, the United States, Canada and certain other countries. A great number of people in those countries, including women, children, members of Muslim minorities and Indigenous Peoples, suffered discrimination and violence, including in their workplaces, courts and the media and on digital platforms. Those countries interfered in the internal affairs of sovereign States in violation of the Charter of the United Nations. The representative of an apartheid regime in her region was among those seeking to advise her country on human rights, notwithstanding the fact that the female journalist Shireen Abu Akleh had

recently been shot and killed by the Israeli occupying forces.

77. **Mr. Rehman** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran) said that the claims that his report was politically biased, prejudiced, lacking objectivity and based on information from terrorist groups were wholly inaccurate. Such claims confirmed the way in which the Government of the Islamic Republic of Iran viewed any criticism or analysis with which it disagreed. The Government should engage in dialogue on the substance of his report, address his key concerns and accept his recommendations. He hoped that a meaningful exchange could be had about how to strengthen human rights in the country. Meaningful engagement would include granting him access to the country. While he had welcomed the visit of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights to the Islamic Republic of Iran in May 2022, he encouraged further visits of special procedure mandate holders to the country.

78. In his report, he had recognized the impact of sanctions, particularly on the health sector and the economic situation, and had provided recommendations to States imposing sanctions to ensure the broad application of humanitarian exemptions. Nevertheless, sanctions did not exempt the State from its obligations under international human rights law, nor could they be used as an excuse to brutalize, torture or use excessive lethal force against its own people. Unfortunately, the Islamic Republic of Iran had continued its practice of arbitrary deprivation of life. Recent unfolding events had shown that the Iranian authorities continued to violate women's rights, including their fundamental right to human dignity.

79. He remained concerned about the alarming levels of executions in the Islamic Republic of Iran, with at least 400 carried out that year alone. The significant increase in executions for drug offences was deeply alarming. He was concerned about the disproportionate targeting of ethnic minorities, in particular the Baluch and Kurdish minorities. The entrenched flaws in the law, the systematic use of torture and the fair trial and due process violations meant that the Islamic Republic of Iran was consistently in violation of the International Covenant on Civil and Political Rights, to which it was a party, and other international obligations, including under the Convention on the Rights of the Child. Almost all the executions that were carried out in the Islamic Republic of Iran constituted arbitrary deprivation of life. Reform of the criminal justice system was urgently needed. The application of the qisas and hudud laws must be reviewed and reformed. The Iranian authorities

should abolish the death penalty for all offences and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

80. As confirmed by the events since the killing of Jina Mahsa Amini, serious concerns remained about the continued arbitrary arrest and detention and the ill-treatment, including torture, of protesters, political activists, human rights defenders, women's rights defenders, teachers and trade union activists. The Iranian authorities should immediately stop the harassment, arbitrary arrest and detention and torture of all protesters, political activists, human rights defenders and lawyers. All those arbitrarily detained, including those recently detained, should be released immediately and provided with urgent medical treatment.

81. A determined State effort was being made to impose a media blackout, block the Internet and stop the dissemination of information. Persistent and determined efforts were being made to harass and intimidate journalists. The Iranian authorities should permit freedom of expression, allow Internet and social media outlets to operate and immediately end their policy of harassment and intimidation of journalists, in line with their obligations under international human rights law, in particular the International Covenant on Civil and Political Rights.

82. The events since 16 September 2022 had reinforced the deep concerns about the situation of ethnic minorities in the Islamic Republic of Iran. At least 66 people, including children, had been killed in Sistan va Baluchestan on 30 September. Religious minorities, in particular Baha'is and Christian converts, faced arbitrary arrests and detentions and ill-treatment.

83. Mahsa Amini had not been the first woman to face the brutality of the so-called morality police. For decades, the women and girls of the Islamic Republic of Iran had been subjected to violent application of the hijab law, facing not only fines and imprisonment but also serious and draconian punishments and convictions on morality and national security charges. The law was an insult to the millions of Muslim women in the Islamic Republic of Iran and around the world who believed that their faith allowed them the moral choice to make decisions regarding their personal autonomy. The oppressive and authoritarian nature of the Administration of the President of the Islamic Republic of Iran, Seyyed Ebrahim Raisi, had also injected a spirit of aggressiveness and brutality into the workings of the morality police and law enforcement agencies. His determination to further repress women and to violently enforce what he viewed as a morally appropriate dress

code for girls and women was evident in the various governmental pronouncements and the presidential decree of 2022 on restricting women's clothing.

84. Violence against women in the Islamic Republic of Iran must end, the hijab law must be immediately abolished, and the violent role of the morality police must be eliminated. The Islamic Republic of Iran must ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Given the decades-long failure to establish accountable domestic mechanisms to investigate serious violations of human rights, the international community should establish an international investigative mechanism to ensure accountability.

85. **Mr. Pinheiro** (Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic) said that an unprecedented 90 per cent of the population in the Syrian Arab Republic was living in poverty. Unbearable living conditions in displacement camps had forced many internally displaced persons to move back to front-line villages in Idlib Governorate, where aerial and ground attacks by pro-government forces had recently intensified. An estimated 14.6 million Syrians were dependent on aid to survive, but access to humanitarian aid remained woefully inadequate and politicized. In September 2022, the Syrian Ministry of Health had acknowledged a serious cholera outbreak in all 14 governorates.

86. In its most recent report to the Human Rights Council ([A/HRC/51/45](#)), the Commission had described increasing hostilities in the Syrian Arab Republic amid humanitarian, health and economic crises. Attacks by pro-government forces in Idlib and western Aleppo were claiming civilian lives and damaging key civilian infrastructure. In northern and eastern Aleppo, at least 144 civilians had been killed or injured in the attacks investigated by the Commission up to August 2022. Recent clashes between the United Nations-designated terrorist group Hay'at Tahrir al-Sham and members of the so-called Syrian National Army had led to reports of further civilian casualties and more than 6,000 people fleeing Afrin. Targeted killings had continued in Dar'a. In the north-east, clashes between Turkish forces and the Syrian Democratic Forces had continued.

87. Neighbouring countries that had been hosting millions of Syrians were saying that they would begin to send refugees back. Any return of refugees should take place voluntarily, safely and with dignity. The number of refugees voluntarily returning to Syria was minuscule, about 0.5 per cent, and was outweighed by

the number fleeing. The confiscation of the properties of internally displaced persons and refugees continued to prevent dignified returns across the country. Women, in particular those whose husbands had disappeared or were missing, faced added difficulties when attempting to secure tenure to homes owing to traditional gender norms, discriminatory inheritance practices and a lack of civil documentation. Their children were at risk of statelessness, rendering them even more vulnerable to child exploitation, trafficking and abuse. Child marriages were on the rise.

88. The Government, Hay'at Tahrir al-Sham, the Syrian National Army and the Syrian Democratic Forces continued to restrict the freedoms of expression, association and peaceful assembly. In government-controlled areas, torture and ill-treatment in detention and enforced disappearances remained systematic. Torture, including sexual violence, and ill-treatment were also perpetrated by non-State armed groups, sometimes leading to deaths. In northern Aleppo, members of the Syrian National Army had scaled up the arrests of individuals with alleged ties to the Kurdish People's Protection Units or to the self-administration authorities.

89. The attack on Sina'ah prison in Hasakah on 20 January 2022 had been a stark reminder of the threat that Da'esh still posed in the area, resulting in hundreds of deaths, and had highlighted the plight of hundreds of boys in their teens who had been held in insufferable conditions for almost four years. Meanwhile, their mothers and younger siblings were among the nearly 58,000 people, including 37,000 children, who remained unlawfully deprived of their liberty in the Hawl and Rawj camps, where the already extremely precarious humanitarian situation and security situation continued to be exacerbated by murders and deadly clashes. The need for repatriations was more urgent than ever. The Commission commended the countries that had repatriated their nationals, but it might take decades to empty the camps at the current speed.

90. The Commission welcomed the recent release of the landmark report of the Secretary-General on missing people in the Syrian Arab Republic ([A/76/890](#)) and the clear recommendation to establish an international body to clarify the fate and whereabouts of the missing and disappeared and to support them and their families. Discussions should no longer focus on whether there was a need to create such a mechanism; the gaps in current efforts that a new mechanism could fill had been clearly described in the report. The Commission stood ready to share the considerable wealth of information that it had been collecting for 11 years. The Syrian State and other parties to the conflict should allow immediate

access by independent monitors, including the International Committee of the Red Cross, to all places of detention.

91. **Mr. Altarsha** (Syrian Arab Republic) said that his delegation's participation in the interactive dialogue should not in any way be considered recognition of, or willingness to engage with, the so-called Commission of Inquiry. The resolution by which the Commission had been established had been adopted by a vote and without the consent of his Government.

92. At the beginning of its most recent report to the Human Rights Council, the Commission stated that "the standard of proof was considered to be met when the Commission had reasonable grounds to believe that incidents occurred as described", and his delegation wished to put that claim to the test.

93. In paragraph 14 of its report, the Commission stated that suspected Israeli airstrikes on Damascus Airport had impeded transportation of humanitarian supplies. It was outrageous and shameful that the Commission only "suspected" the identity of the criminal when it came to Israeli airstrikes.

94. The Syrian Government had been accused of committing war crimes in several paragraphs. Such accusations were baseless and unfounded. When referring to Da'esh in paragraph 89 of its report, however, the Commission had merely stated that the crimes committed by the group "may" amount to war crimes. The Government of the Syrian Arab Republic had also been accused, in paragraph 16, of torture and ill-treatment in detention. When referring to the opposition groups supported by Türkiye in paragraph 75, however, the Commission stated only that they "may have committed torture [and] cruel treatment".

95. In section IV.A of the Commission's report, entitled "Indiscriminate and direct attacks against civilians and civilian infrastructure by pro-government forces", six paragraphs had been allocated to violations by Hay'at Tahrir al-Sham and 15 paragraphs to violations by his Government. Those who had concerns about their loved ones who had been abducted by Hay'at Tahrir al-Sham, which was a terrorist group, need not be afraid because, according to paragraph 60, it had established a communication line for families to enquire about detained relatives.

96. While the Commission was certain of many things in its report, especially matters related to the Government of the Syrian Arab Republic, in paragraph 72 it mentioned that "one woman, a former detainee, described how she was subjected to rape and other forms of sexual violence ... by individuals wearing Turkish

uniforms and speaking in Turkish". His delegation wondered what the nationality of those individuals could be.

97. In paragraph 81, the Commission was trying to legitimize the Turkish occupation of parts of the Syrian Arab Republic by stating that "in areas under effective Turkish control, Türkiye has the responsibility ... to ensure public order and safety". His delegation would like to know whether the Chair could provide a single United Nations document authorizing military interference by Türkiye in the Syrian Arab Republic. It was totally unacceptable for a United Nations representative to promote violations of the Charter of the United Nations and international law.

98. In paragraph 50, the Commission accused the Government of the Syrian Arab Republic of targeting children, stating that the "government forces would have been aware that the road was frequently used by children". That accusation was absurd.

99. His delegation refuted the accusations raised in paragraph 15 regarding cases of arbitrary arrests, disappearances and harassment. The Commission kept repeating the same accusations but failed to prove any of its allegations.

100. The Commission described, in paragraph 26, how Syrians were paying tens of thousands of dollars to secure the release of their relatives and stated, in paragraph 9, that about 14.6 million Syrians were in need of humanitarian aid. His delegation was therefore confused as to whether Syrians were rich or not.

101. The Syrian Government was sparing no effort to guarantee the safe, sustainable and dignified return of all refugees. In its report, the Commission had deliberately failed to mention several conferences held by the Syrian Government in that regard and had ignored the challenges of terrorism, foreign occupation and the unilateral coercive measures imposed on the Syrian people by the United States, the European Union and other countries, which were among the primary reasons that Syrian refugees could not return to their country.

102. In paragraph 14, the Commission stated that "insecurity prevailed across government-controlled areas" and that the Syrian Government had control of 70 per cent of the territory. His delegation wondered which places were considered by the Chair to be safe.

103. The Syrian Arab Republic rejected the attempt by the Commission in its report to promote certain armed groups, including one listed as a terrorist group by the Security Council. It was ironic for the Commission to

place such groups on an equal footing in terms of rights and obligations with a Member State.

104. His Government would continue its efforts to combat terrorism, restore safety and security in accordance with the Charter and international law, alleviate the suffering of the Syrian people and facilitate the safe, sustainable return of all internally displaced persons.

105. **Ms. Freudenreich** (France) said that the Syrian regime should immediately release all those who were arbitrarily detained and clarify the fate of the missing. France would continue to combat impunity for perpetrators of crimes committed in Syria by cooperating fully with the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. The renewal of the cross-border humanitarian mechanism for six months with only one crossing point failed to meet the needs of the people. The mechanism, which was vital for millions of people, should be renewed in January 2023 for at least 12 months. The regime and its Russian allies should stop holding the political process hostage. Without a credible and inclusive political solution in accordance with Security Council resolution [2254 \(2015\)](#), sustainable peace in Syria and the safe, dignified, voluntary and sustainable return of refugees and displaced persons to the country would not be possible. She asked whether the Commission had been able to gather consolidated information on the violence to which refugees who had chosen to return to Syria had been subjected.

106. **Mr. Erdman** (United States of America) said that his delegation welcomed the report of the Secretary-General on missing people in the Syrian Arab Republic and the calls therein to strengthen existing measures and to establish a new international mechanism focused on clarifying the fate of missing persons and adequately supporting their families. Addressing that tragedy required a coherent and holistic approach that went beyond current efforts. The United States strongly condemned violations and abuses of detainees in facilities of the Assad regime, including torture, gender-based violence and enforced disappearances. The regime must provide information on the fate and whereabouts of missing and disappeared persons, free those who were arbitrarily detained and release the remains of those killed in custody to their families.

107. **Ms. Kim** (Australia) said that recent incidents such as the shelling in August 2022 of a crowded market in Bab that had killed at least 16 civilians, including

5 children, had underscored the importance of the Commission's work. The continuing patterns of arbitrary detention, forced disappearances, sexual violence and torture across Syria were shocking. All egregious human rights violations and abuses must cease immediately. Her country condemned the ongoing deliberate targeting of civilians, especially the Assad regime's attacks on densely populated areas and civilian infrastructure. Her delegation would welcome further guidance on how the Commission would work with Member States and the United Nations to implement its proposed mechanism with an international mandate regarding missing and disappeared persons. She wished to know what could be done to ensure accountability for recently reported atrocities committed by warring parties in the north-western part of the country.

108. **Mr. Gonzalez Behmaras** (Cuba) said that his delegation reiterated its opposition to initiatives such as the Independent International Commission of Inquiry on the Syrian Arab Republic, which served hegemonic and political interests, did not contribute to the promotion and protection of human rights, and only generated confrontation and mistrust. Cuba reaffirmed its support for a peaceful and negotiated solution to the conflict in Syria and had full confidence in the ability of Syria, as a millennia-old civilization, to achieve that goal. The international community should contribute to that goal while respecting the sovereignty and territorial integrity of Syria, taking into account the genuine interests and aspirations of its people, refraining from interventionist and destabilizing actions, and promoting cooperation with the authorities of the country. Selectivity, double standards, punitive approaches and politicization must be eradicated in the consideration of human rights. Such approaches were used against developing countries, which were increasingly subjected to unilateral coercive measures. It was hard to believe that there was genuine concern for the human rights situation in Syria when unilateral coercive measures were being applied against the country, negatively affecting the quality of life and well-being of the people.

109. **Mr. Kuzmenkov** (Russian Federation) said that his Government stood in solidarity with the Government and people of Syria in tackling the threat of international terrorism that they continued to face. Unfortunately, the socioeconomic situation in that country was worsening because of the illegal unilateral sanctions imposed by Western countries against the Syrian people. People in the north of the country were living under threat of another military escalation. Significant areas of the country were occupied by the armed forces of the United States of America. Washington was blatantly plundering natural and agricultural resources that belonged to the

Syrian people. Washington must fully compensate the Government of Syria for the billions of dollars of damage caused by its illegal activities and immediately withdraw its forces from the country. The Commission should address that issue if it was to be called independent. The attempts of the United States to undermine the territorial integrity of Syria were equally damaging.

110. **Ms. Ochoa Espinales** (Nicaragua) said that it was regrettable that the Committee was being used as a political tool by certain Member States to assign rapporteurs to developing countries with the aim of advancing their personal, selfish agendas and exerting political pressure in contravention of the principles of universality and objectivity. Her delegation reaffirmed its rejection of reports that were based on selectivity and politicization, lacked objectivity and did not enjoy the consent of the countries concerned. The Committee and its mechanisms must adhere to the principles of universality, impartiality, non-selectivity, genuine dialogue and cooperation. Nicaragua firmly rejected the use of the human rights agenda as a pretext for interference in the internal affairs of sovereign, independent States. Such an opportunistic and illegitimate approach was aimed at tarnishing the image of sovereign States and replacing the universally accepted principles of international law and multilateralism.

111. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country rejected on principle selectivity and politicization in the consideration of human rights issues and the establishment of any country-specific instrument, mechanism, report or resolution without the consent of the country concerned. Country-specific mandates caused confrontation and did not contribute to constructive dialogue. Member States should build on the progress made since the creation of the Human Rights Council, whose credibility was undermined by such mechanisms. Human rights issues should be examined within the framework of the universal periodic review and the treaty bodies, through dialogue with the countries concerned. The adoption of politically motivated reports, mechanisms and resolutions was contrary to the principles of impartiality, objectivity, transparency, non-selectivity, non-politicization and non-confrontation enshrined in the Charter of the United Nations.

112. **Ms. Oehri** (Liechtenstein) said that the Security Council should adopt a resolution to expand cross-border humanitarian aid by the end of the year. Her country strongly condemned attacks against civilians and civilian infrastructure by the Syrian authorities and by Russia, which had used illegal methods of warfare in

violation of international humanitarian law, as it had done in its aggression against Ukraine. Liechtenstein remained concerned about the use of sexual and gender-based violence as a weapon of warfare and welcomed the new gender strategy of the International, Impartial and Independent Mechanism, which contributed to a more holistic understanding of patterns of persecution and strengthened accountability for the crimes committed in Syria by all parties. Her delegation would like to hear more about the Commission's cooperation with other United Nations mechanisms in that regard.

113. **Mr. Peeters** (Netherlands) said that his delegation welcomed the report of the Secretary-General on missing people in the Syrian Arab Republic and supported the recommendation to establish a new international entity dedicated to them. The Netherlands had always condemned human rights violations in Syria and had taken steps to hold perpetrators to account by consistently supporting United Nations entities such as the International, Impartial and Independent Mechanism and the Independent International Commission of Inquiry on the Syrian Arab Republic, and by, together with Canada, holding Syria responsible for violating the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. According to the European Union policy on Syria, there would be no normalization, no lifting of sanctions and no reconstruction until a political transition as set out in Security Council resolution [2254 \(2015\)](#) was firmly under way.

114. **Ms. Oppermann** (Luxembourg) said that the situation in Syria should be brought before the International Criminal Court. In the light of the restrictions on freedom of expression for organizations working on gender-based violence and defenders of women's rights in Syria, her delegation would welcome recommendations on measures to promote gender equality in that country and would be interested to know how the new gender strategy of the International, Impartial and Independent Mechanism would be implemented. Her delegation fully supported the recommendation to establish an independent mechanism on the fate of missing persons and wondered what steps should be taken by both Member States and the United Nations to facilitate its establishment.

115. **Ms. Wagner** (Switzerland) said that all parties to the conflict in Syria should respect international humanitarian law and human rights. Her country was working with the United Nations and all relevant actors, in particular Syrian civil society organizations, to implement the recommendations of the report of the Secretary-General on missing people in the Syrian Arab Republic and supported the Commission's

recommendation to establish a humanitarian and victim-centred mechanism to find and identify the missing people. She asked how the Commission planned to work together with such a mechanism.

116. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his delegation continued to strongly oppose politicized and selective country-specific mandates and reports. Far from contributing to the genuine promotion and protection of human rights, such mechanisms only caused mistrust and confrontation through political pressure and interference, and were aimed at overthrowing sovereign States under the pretext of human rights. His Government supported the efforts of the Government of the Syrian Arab Republic to fight against foreign occupation and intervention, to defend its sovereignty and territorial integrity, and to improve the human rights of its people. The humanitarian situation in the Syrian Arab Republic caused by the ongoing illegal unilateral coercive measures imposed by the United States and Western countries was a matter of deep concern. The economic sanctions and blockade were serious violations of the human, economic and social rights of the Syrian people and must be ended immediately. The Syrian issue should be addressed peacefully, through political means and without any foreign interference, in accordance with the demands and interests of the Syrian people.

117. **Mr. Zahneisen** (Germany) said that his country remained concerned about the ongoing grave breaches of human rights and international humanitarian law throughout Syria and called for accountability, peace and justice for Syrians. Germany supported the findings of the report of the Secretary-General on missing people in the Syrian Arab Republic and was working closely with international partners on ways to establish the mechanism recommended in the report. His delegation would like to know how to ensure that all relevant stakeholders were involved in the establishment of such a mechanism.

118. **Ms. Bury** (United Kingdom) said that tens of thousands of Syrians had been forcibly disappeared and detained during the conflict, and thousands of families were awaiting news of their loved ones. The Syrian regime must provide answers and release those arbitrarily detained. The regime had repeatedly shown that it would attempt to portray itself in a favourable light while continuing to commit violations unchecked. A purported presidential amnesty in May 2022 had predictably been a false start, underlining the regime's disingenuous intentions. She asked what more could be done to support the families of those looking for their missing loved ones.

119. **Ms. McCauley** (Representative of the European Union, in its capacity as observer) said that the Commission had documented multiple cases of displaced Syrians being arrested and detained by regime forces after returning home. She wondered how the regime could be held responsible and ensure the safety of those who wished to return. In the light of the cholera outbreaks and severe water shortages across Syria, the European Union would like to know what measures could be taken to prevent the further deterioration of the human rights situation of the Syrian people, including their right to health. The European Union strongly condemned the continuing violations and abuses of international humanitarian law and human rights in Syria and was concerned about reports of social and demographic engineering in all areas of the country. Widespread impunity in Syria must be ended, and all parties responsible for breaches of international law, some of which might constitute war crimes and crimes against humanity, must be held accountable. The situation in Syria should be referred to the International Criminal Court.

120. **Mr. Tozik** (Belarus) said that the Commission had existed for more than 10 years but had yet to produce any significant results. Given the serious financial problems and liquidity crisis in the United Nations system, spending millions of dollars on maintaining such mechanisms should be subject to serious scrutiny. His delegation noted that the Commission had begun to acknowledge its failings and welcomed its recommendation, in its most recent report to the Human Rights Council, to conduct independent assessments of the impact of sanctions, with a view to mitigating unintended consequences on the daily lives of the civilian population. That recommendation sent an important signal to a specific group of countries, the names of which the Commission no doubt knew but for some reason did not specify. The universal periodic review of the Human Rights Council should be the main intergovernmental mechanism for examining human rights issues in all countries without exception.

121. **Ms. Xu Daizhu** (China) said that, after more than a decade of conflict, the Syrian people were still struggling with poverty, for which the United States and other countries bore an inescapable responsibility. The Syrian crisis had shown that external interference, pressure and sanctions would not help to resolve problems. The sovereignty and territorial integrity of the country must be respected. Unilateral sanctions and the illegal plundering of resources must stop. China was in favour of a political solution that was led and owned by the Syrian people, allowing them to make their own decisions about their country's future without external

interference. The Commission, which had been established without the consent of the country concerned, spent a great deal of time and resources on the Syrian conflict but failed to play a positive role. The international community should recognize the root cause of the crisis and urge the United States and other countries to stop conducting military operations in Syria, imposing unilateral sanctions and stealing oil and food from the country, and to return to the Syrian people their human rights, wealth, freedom and dignity.

122. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that it was regrettable that the issue of human rights in Syria was once again being abused and exploited in the Committee. While it was difficult to determine the precise economic effects of the inhuman unilateral coercive measures on the country's worsening economic and humanitarian conditions, the ongoing aggression of the Israeli regime against Syria was a flagrant violation of international humanitarian law and a war crime. The safe, dignified and voluntary return of refugees and internally displaced persons to their places of origin in Syria must be facilitated. The sovereignty and territorial integrity of States, including Syria, must be fully respected. Iran supported the full cooperation of the Syrian Government with the United Nations and relevant humanitarian organizations involved in the delivery of humanitarian aid to people in need.

123. **Ms. Özgür** (Türkiye) said that a stable, peaceful and prosperous Syria based on the legitimate aspirations of the Syrian people could be achieved only through a political process in line with Security Council resolution [2254 \(2015\)](#). The territorial integrity of Syria was more at risk than ever owing to the separatist agenda and crimes committed by the terrorist organization comprising the so-called Syrian Democratic Forces, the Kurdistan Workers' Party (PKK) and the People's Protection Units. Failing to attribute responsibility to that terrorist organization for its attacks against civilians in opposition territories would only encourage it to continue to target civilians and commit grave violations. Regarding missing persons, the focus should be on the humanitarian aspect of the issue, and work on locating the missing should be carried out. Her delegation would not honour the delusional accusations of the Syrian representative with a response.

124. **Ms. Micael** (Eritrea) said that her delegation opposed all country-specific resolutions, which were inherently political and were not aimed at genuinely addressing human rights challenges; rather, they served to achieve a political objective by antagonizing and vilifying countries, and were therefore counterproductive to the protection of human rights. The approach of naming and shaming countries, usually

developing countries, over alleged violations while failing to acknowledge the violations committed in the countries taking such an approach was an extreme manifestation of selectiveness. Universality, objectivity and non-selectivity must be maintained, and double standards and politicization eliminated, in the consideration of human rights issues. Her delegation hoped that the human rights situation in Syria would be approached in a spirit of constructive dialogue and cooperation.

125. **Mr. Victoria** (Observer for the Sovereign Order of Malta) said that the Sovereign Order of Malta had been providing medical aid in Syria since the beginning of the war. Malteser International operated and supported five hospitals and eight primary health centres in the Aleppo and Idlib regions. More than 300 water points had been established, and 130,000 internally displaced persons had received hygiene kits and coronavirus disease (COVID-19) prevention materials. The presence of Syrian refugees in neighbouring countries was putting a strain on already fragile national situations, especially in Lebanon, where the population had been heavily affected by financial, social, economic and health crises. Lebanon continued to carry a disproportionate burden, hosting 1.5 million Syrian and Palestinian refugees. Given the economic crisis, food insecurity and the COVID-19 pandemic, Member States should remove all obstacles to humanitarian aid.

126. **Mr. Megally** (Commissioner of the Independent International Commission of Inquiry on the Syrian Arab Republic) said that the Commission welcomed the close examination of its report by the representative of the Syrian Arab Republic and would be happy to discuss the issues raised. The Commission did not often receive detailed responses to its reports and would like such dialogue to continue.

127. While debates could be had about the politicized nature of commissions of inquiry and country-specific mandates, the focus should be on the situation in the Syrian Arab Republic and what could be done to help the Syrian people. The conflict had directly caused at least 350,000 people to be killed, potentially more than 100,000 people to be missing or disappeared and 12 million people to be food insecure, and had destroyed much of the country. A cholera outbreak had been reported in the Syrian Arabic Republic and neighbouring countries. The Commission supported the calls for a ceasefire.

128. The Commission had endeavoured to examine the conduct of all parties to the conflict since the establishment of its mandate and was concerned that they all had blood on their hands. In its report to the

Human Rights Council at its 49th session (A/HRC/49/77), the Commission had called upon all parties to respect international human rights law and humanitarian law. From monitoring the situation year by year, the Commission had seen no improvement in the conduct of the State itself. Every year saw cases of violations of human rights and international humanitarian law, which were also committed by the other parties.

129. The conflict had resulted in at least 13 million people being displaced, with more than 6 million refugees outside Syria and more than 6 million people displaced internally. In survey after survey, those outside the country replied “yes” when asked if they would like to return to the Syrian Arab Republic. However, when asked if they would like to return immediately, they usually said “no” because it was risky and they feared being arrested, tortured, disappeared or conscripted upon their return.

130. Some people who had been displaced internally were suffering because they did not have the civil documents needed to live their lives and receive State benefits or international humanitarian aid. Without documents such as identification cards, marriage certificates and death certificates, people faced huge problems in obtaining access to aid, pensions and property. Children who did not have identification documents were stateless. The Commission had provided recommendations on steps forward that Member States should consider.

131. Prisoners and detainees, who were in the tens of thousands, were living in awful conditions under detention by the State and other actors. The implications of the cholera outbreak for them were very worrying. The Commission had made recommendations about releases of women and children, and suggested beginning with older persons and the sick. It had urged more than 50 Member States to repatriate their nationals from the awful situation at the Hawl camp.

132. On accountability, the Commission had dealt with 60 investigations outside the Syrian Arab Republic and had assisted at least 300 other national investigations.

133. The major issue facing the Commission was the missing and disappeared in the Syrian Arab Republic. In his report on that issue, the Secretary-General had called for the establishment of an international mechanism to complement the work being done by others, such as the International Committee of the Red Cross, the International Commission on Missing Persons, the Independent International Commission of Inquiry on the Syrian Arab Republic and the International, Impartial and Independent Mechanism, and for information to be

strengthened by pooling it together and seeking new information. It lay with the General Assembly to take those recommendations forward and adopt a resolution establishing a mechanism to follow up on the issue of the missing and disappeared.

134. The families of the missing and disappeared had been pushing for a humanitarian track to be followed. The focus must be on helping families to find their missing loved ones inside the country. The State could play a big role in that regard, and the mechanism would serve as a resource for the State to deal with that problem. If established soon, the mechanism would be of help to both the State and to the Syrian people.

135. **Mr. Altarsha** (Syrian Arab Republic) said that, in the light of the commissioner’s attempt to put words into his mouth, he wished to reiterate that his delegation was not engaging with the Commission.

The meeting rose at 5.45 p.m.