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Chair: Mr. Marschik (Austria)
later: Mr. Grünwald (Vice-Chair) (Slovakia)

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

Agenda item 71: Promotion and protection of human rights (continued) (A/78/198)

(a) **Implementation of human rights instruments** (continued) (A/78/40, A/78/44, A/78/48, A/78/55, A/78/56, A/78/240, A/78/263, A/78/271, A/78/281, A/78/324 and A/78/354)

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(c) **Human rights situations and reports of special rapporteurs and representatives** (continued) (A/78/204, A/78/212, A/78/223, A/78/244, A/78/278, A/78/297, A/78/299, A/78/316, A/78/326, A/78/327, A/78/338, A/78/340, A/78/358, A/78/375, A/78/511, A/78/526 and A/78/527)

(d) **Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action** (continued) (A/78/36)

1. **Mr. Rehman** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran), introducing his report (A/78/326), said that the Iranian Government had failed to conduct an independent, impartial and transparent investigation into the death in police custody of 22-year-old Jina Mahsa Amini or into the deaths, serious injuries and violence resulting from the crackdown on protesters by security forces since September 2022. The exponential increase in executions in the Islamic Republic of Iran was also concerning. As at October 2023, there had been at least 572 reported executions, over 305 of them for drug-related charges. In addition, he was concerned about the redeployment of the morality police. That day, he had received news that 16-year-old Armita Geravand, who had reportedly been assaulted by the morality police on the Tehran metro, was now brain dead.

2. **Mr. Ghanei** (Islamic Republic of Iran) said that his delegation categorically rejected all mandates related to the situation of human rights in his country, including that of the Special Rapporteur and the independent international fact-finding mission on the Islamic Republic of Iran. The Special Rapporteur had failed to discharge his duty to adhere to the principles of cooperation, dialogue, non-politicization, impartiality and objectivity in addressing human rights issues.

3. Throughout the report, the Special Rapporteur had departed from the principles of fairness and balance. He had described the Iranian Constitution as a limited legal framework and had characterized the Iranian presidential and parliamentary elections as exclusionary processes. Regarding the case of Mahsa Amini, his delegation wished to highlight that the Special Rapporteur had disregarded the national report prepared by his country and the specialized mechanism it had created to investigate the matter. While the Special Rapporteur had spread systematic disinformation about the situation of religious ethnic groups, Iran was a multi-ethnic, multilingual and multicultural country. Its legal system adhered to the principle of equality of the individual before the law and prohibited discrimination.

4. With respect to the death penalty and the law on the hijab, his delegation stressed that Iran had the sovereign right to develop its own legal system. It had done so while taking into consideration Islamic values and citizen demands. The Iranian Government proactively took measures to minimize recourse to the death penalty, which was reserved for only the most serious crimes, pursuant to transparent trials.

5. During the unrest in the Islamic Republic of Iran in 2022, law enforcement officers had in fact suffered the most injuries. Despite that, pursuant to the recent amnesty granted by the Supreme Leader of the Islamic Republic of Iran, nearly all accused persons and convicts, whether in custody or released on bail, had been granted pardons, except for those involved in terrorism or murder. In addition, a special committee had been formed to conduct a detailed and impartial investigation and to award compensation for any possible violation of citizens' rights by law enforcement authorities.

6. The Islamic Republic of Iran had been determined to cooperate with the Special Rapporteur to improve the content of the report. Unfortunately, instead of responding in kind, he had strengthened his ties with the United Kingdom and other Western countries that aimed to destabilize Iranian society. Multilateralism should not fall victim to the narrow political interests of those

countries that had stood on the wrong side of history and defended the operations of occupying regimes.

7. The Islamic Republic of Iran had made positive achievements in the field of the promotion and protection of human rights over the past four decades. Its commitment to human rights was enshrined in its Constitution and domestic laws and it stood ready to engage constructively with the relevant non-discriminatory mechanisms, such as the universal period review, to address any valid concerns. His delegation called on mandate holders to adhere to the principles of transparency and impartiality and to move beyond approaches that were rooted in mistrust.

8. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his delegation rejected country-specific mechanisms and mandates on human rights, which caused confrontation, hindered constructive dialogue and were contrary to the spirit in which the United Nations had been founded. Politically motivated, country-specific reports, mechanisms and resolutions violated such purposes and principles enshrined in the Charter of the United Nations as impartiality, objectivity, transparency, non-selectivity, non-politicization, non-confrontation, equality and mutual respect, political independence, respect for national sovereignty, non-interference in the internal affairs of States and the right of peoples to self-determination. Venezuela called for the continued promotion of multilateralism by strengthening the institutional framework of the Human Rights Council and for the lifting of all unilateral coercive measures imposed on the Islamic Republic of Iran, as they undermined the human rights of its people and the achievement of the Sustainable Development Goals. The universal periodic review was the most appropriate instrument for addressing human rights issues.

9. **Ms. Carty** (United States of America) said that the Iranian regime had responded with repression to those brave Iranians who had taken to the streets after the death in custody of Jina Mahsa Amini. The regime's cruelty was shown by the reports of extrajudicial killings, disproportionate force, arbitrary arrests, gender-based violence, unfair trials, Internet shut-downs and targeted harassment. More than 500 Iranians had been killed in the crackdown, and many of the 20,000 arrested had been pardoned and then rearrested. Many had reported being subjected to torture and sexual and gender-based violence. The United States urged all Member States to stand with the Iranian people by supporting the General Assembly resolution on human rights in Iran and the mandates of the Special Rapporteur and the independent international fact-finding mission on the Islamic Republic of Iran.

10. **Ms. Saleem** (Pakistan) said that, although the Human Rights Council had been established with the aim of promoting impartiality, transparency, non-selectivity and non-politicization in dealing with human rights situations, it had become a highly politicized body that selectively targeted countries for political, economic and strategic reasons. The Iranian Government was making efforts to promote and protect the rights of its citizens, despite suffering from unilateral coercive measures.

11. The best way to address human rights concerns was through the effective and impartial universal periodic review. The human rights agenda was best served through communication and mutual consent, and not through country-specific mandates imposed exclusively on developing countries. The international community had yet to witness the establishment of a country-specific mandate on a developed country or on a country in which the economic and political interests of powerful States were concentrated. The worst example of such double standards was in Indian-occupied Kashmir, where gross and systematic human rights violations were being committed with impunity by India.

12. **Mr. González Behmaras** (Cuba) said that country-specific mandates were used to pressure the global South and serve hegemonic interests. Selectivity and double standards did not improve the human rights situation on the ground but rather engendered confrontation and mistrust and undermined United Nations human rights instruments. Initiatives that did not enjoy the consent of the State in question would fail. Punitive measures taken against Iran were not compatible with a spirit of cooperation and dialogue. Human rights should be promoted on the basis of universal, non-discriminatory and objective criteria.

13. Commitment to human rights was incompatible with the imposition of unilateral coercive measures. The United Nations should know from experience that such measures had a direct and adverse impact on human rights and well-being.

14. **Ms. Pichardo Urbina** (Nicaragua) said that her country rejected the report as biased, unfair, politically motivated and unhelpful to the promotion and protection of human rights. Such reports against sovereign peoples contravened the Charter of the United Nations, which stipulated the fostering of friendly relations among nations based on respect for equal rights and free determination of peoples.

15. The report of the Special Rapporteur contained incorrect information and was aimed at continuing the unjust imposition of unilateral coercive measures,

which violated the human rights of Iranian citizens. Nicaragua commended the efforts of Iran to ensure fair treatment for all people, regardless of their political beliefs, and to promote peace, stability and human rights.

16. **Mr. Kim** Nam Hyok (Democratic People's Republic of Korea) said that his delegation rejected all country-specific mechanisms, as they were the product of politicization, selectivity and double standards on human rights. Country-specific reports and mandates had nothing to do with the promotion and protection of human rights but rather used human rights as a political tool for pressuring legitimate Governments.

17. The Democratic People's Republic of Korea was deeply concerned about the serious humanitarian situation in Iran caused by unilateral coercive measures. Such unjustified measures and economic sanctions were a clear violation of the human rights of the Iranian people and must be ended immediately. Human rights issues should be addressed in a constructive, non-politicized and non-selective manner that did not interfere in the internal affairs of States. His country supported the efforts of the Islamic Republic of Iran to defend its sovereignty and the human rights of its people.

18. **Mr. Rae** (Canada) said that his delegation appreciated the recommendations contained in the report and the efforts made by the Special Rapporteur, even though he had never been allowed by the Government of the Islamic Republic of Iran to engage directly with the Iranian people. It was no wonder that so many delegations were calling for non-interference; they did not want anyone to see what was happening in Iran. Canada, by contrast, had always welcomed the recommendations of Special Rapporteurs on how it could improve. Canada stood with the people of Iran, including women and girls, as they exercised their rights and demanded justice, accountability and respect.

19. **Ms. Broderick** (Ireland) said that her delegation was interested in hearing whether the bills on discretionary punishments and on promoting the culture of chastity and hijab had been enacted and enforced in Iran. Ireland remained deeply concerned about the continued oppression of women in Iran and the willingness of the authorities to use lethal force to suppress demonstrations calling for full and equal rights for women. Clear evidence existed of State agents firing weapons at protesters who had posed no threat.

20. Citizens demanding their human rights had been subject to severe criminal penalties, including executions. Instead of rolling back such measures, the State had introduced additional laws to repress those

resisting the arbitrary controls placed on women. It was unjust to threaten women with a 10-year prison sentence for wearing clothing not approved of by the Government. Ireland also deplored the harassment, intimidation and imprisonment of journalists reporting on those events.

21. **Ms. Kim** (Australia) said that the Iranian regime's shocking abuses continued unabated and unconstrained. Australia called on the Government of Iran to establish a moratorium on the death penalty. Trials conducted in Iranian courts routinely fell short of internationally accepted standards of fairness and due process, with confessions in many cases being extracted through force. Arbitrary arrests and detentions were deployed to silence dissent, with many protesters, human rights defenders, lawyers and journalists suffering in Iranian prisons. The arbitrary detention of foreign and dual nationals for use in prisoner swaps was also deeply troubling. Australia called on Iran to cease its systematic persecution of women and girls and its discrimination against religious and ethnic minorities. Her delegation asked how Member States could work collectively to hold Iran to account for its egregious human rights violations.

22. **Ms. Kolsøe** (Iceland) said that her delegation was alarmed by the recent adoption by the Iranian parliament of the bill on chastity and hijab, which would deny non-compliant women access to education, health, banking and other services. Iceland was also troubled by reports of the use of artificial intelligence and facial recognition technology to monitor, arrest and punish women and girls. Those recent developments had aggravated the dire situation of women and girls, which was marked by widespread and systematic discrimination in law and in practice in many aspects of their public and private lives. Iceland urged the Islamic Republic of Iran to abolish all discriminatory laws and procedures and to dismantle any State machinery tasked with monitoring and enforcing coercive measures against women and girls.

23. **Mr. Sylvester** (United Kingdom) said that his delegation was particularly concerned about the high frequency of the imposition of the death penalty. With at least 300 executions carried out since the beginning of the year, Iran was on track to surpass the previous year's total. Many of those executions had not met the threshold of the most serious crimes and breached the country's international obligations. Iran had also continued to execute young persons alleged to have committed crimes when under 18 years of age and ethnic minorities for alleged involvement in political or religious groups. The United Kingdom called on Iran to establish a moratorium on executions and to commute

the sentences of child offenders. He asked what specific actions Iran should take to cease its use of the death penalty against minors and perpetrators of crimes that did not reach the threshold of the most serious crimes.

24. **Mr. Drescher** (Germany) said that the use by the Iranian authorities of excessive and lethal force in reaction to protests was a flagrant violation of the international obligations of Iran. Violent acts of repression must be investigated and the perpetrators held to account. The imposition of the death penalty following unfair trials contravened the prohibition on arbitrary executions. Germany was deeply concerned about the disproportionately high number of executions of persons from ethnic and religious minority groups. His delegation called on Iran to end the arbitrary detention of protesters, journalists and human rights defenders. He asked the Special Rapporteur what could be done to protect the rights of persons belonging to ethnic, religious and sexual minorities in Iran.

25. **Mr. Kuzmenkov** (Russian Federation) said that the adoption of selective, one-sided resolutions on human rights situations in specific countries undermined friendly relations among States and the principle of cooperation and led to politicization and confrontation. His delegation regretted that the information presented in the report of the Special Rapporteur was not supported by the facts. As could be expected, Western States were using a politicized mechanism to attack Iran and to spread disinformation. If the Special Rapporteur wished to adhere to the principle of objectivity, he should highlight the positive practices and accomplishments of the Government and people of Iran in the area of human rights. The aggressive policy of the United States, which was designed to undermine the economy of Iran and the well-being of the Iranian people, was unacceptable.

26. **Ms. Fontana** (Switzerland) said that her delegation was concerned by the recent adoption by the Iranian parliament of the law on chastity and hijab, which stipulated penalties of up to 10 years in prison for women who did not comply with compulsory veiling in public places. Switzerland urged the Iranian authorities to reverse that decision and to eliminate all forms of discrimination and violence against women and girls.

27. The continued rise in executions in Iran was alarming. Since the beginning of 2023, more than 500 people had been executed, more than half of them for drug-related crimes. Switzerland called on Iran to restrict the application of the death penalty to the most serious crimes, in accordance with international law. It also called for an immediate moratorium on executions of minors. She asked the Special Rapporteur how the

law on chastity and hijab would be enforced by the Iranian authorities, and what consequences that would have for the human rights of women and girls in Iran.

28. **Mr. Gunaratna** (Sri Lanka) said that his country had close bilateral relations with Iran and hoped that it would rise to new heights of peace and progress. The promotion and protection of human rights in any country was an organic process and required the consent, support and engagement of the Government concerned. Resolutions rooted in geopolitical rivalries made tangible progress unlikely. While Sri Lanka endorsed all measures for the promotion and protection of human rights, it did not support country-specific resolutions. His delegation called on all parties to adhere to the principles of impartiality, non-selectivity and objectivity in the promotion and protection of human rights.

29. **Mr. Tozik** (Belarus) said that his delegation reaffirmed its principled rejection of country-specific approaches to human rights. Country-specific mandates, including that of the Special Rapporteur, had long been an example of selective and one-sided approaches, which did not inspire trust, especially from countries affected by unilateral coercive measures and economic sanctions. His delegation drew attention to a parallel report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran (A/78/511), which contained more detailed information on the impact of unilateral sanctions on human rights in Iran, including the right to health care. His delegation recommended that steps be taken to harmonize conclusions contained in reports on the same topic. An analysis of the impact of the sanctions on Iran was important for understanding the context and drawing the correct conclusions.

30. **Ms. Aviel** (Israel) said that the systematic and persistent violation of the human rights and fundamental freedoms of women and girls, lesbian, gay, bisexual, transgender and intersex persons and ethnic and religious minorities was unacceptable. The death of Mahsa Amini and the regime's violent crackdown on protesters, especially women, were proof that, in Iran, women's rights to free expression, peaceful assembly and life were not upheld. Israel also condemned the use of the death penalty, including its imposition on minorities.

31. Iran, while voicing support for the Charter of the United Nations in the Committee, was in fact violating the rights of its people and financing terrorist organizations such as Hamas and Hizbullah. Her delegation asked the Special Rapporteur how the

international community could ensure that human rights instruments were not cynically used by Iran.

32. **Ms. Chen Jiawen** (China) said that her delegation had consistently advocated constructive international cooperation on human rights and opposed the politicization of human rights issues. The enjoyment of human rights could not be separated from the social and political conditions of different countries. The international community should approach the human rights situation in Iran in a fair and objective manner and respect the paths to human rights development chosen by the Iranian people. China opposed the establishment of country-specific mechanisms without the consent of the countries concerned, as that undermined cooperation and triggered confrontation. Her delegation was also greatly concerned by the unilateral coercive measures imposed on Iran by the United States and other countries, as they jeopardized the livelihoods and human rights of the Iranian people. Those measures must be lifted immediately and the Iranian people compensated.

33. **Ms. Holter** (Norway) said that the human rights situation in Iran appeared to have declined further, especially when it came to women and girls. Proposed laws would greatly exacerbate an already grave situation. Norway was also concerned by the increase in executions in Iran and opposed capital punishment at all times and under any circumstances. The recent broad crackdown on human rights defenders, lawyers and journalists in Iran was of great concern. Norway called on Iran to safeguard the rights of free expression and assembly and to comply with international instruments and its own Constitution.

34. **Mr. Altarsha** (Syrian Arab Republic) said that his delegation was opposed in principle to mandates that contributed to the politicization of human rights. The report was an example of selectivity and double standards, in violation of the Charter of the United Nations. In his statement, the Special Rapporteur had alleged that the Iranian Government had failed to conduct any independent investigation into the death of Mahsa Amini. However, the High Council for Human Rights of the Islamic Republic of Iran had in fact issued two lengthy reports on her death, as well as other reports on freedom of expression, peaceful assembly and human rights development. If he wished to adhere to the principle of objectivity, the Special Rapporteur should consult those reports.

35. **Ms. Tahzib-Lie** (Kingdom of the Netherlands) said that her delegation called for an investigation into the case of Armita Geravand. The Kingdom of the Netherlands was also concerned about the increased

oppression of women and girls and ethnic minorities and called upon Iran to end violence and discrimination against them and to safeguard their human rights, including the freedoms of expression, assembly and religion. Her delegation also called on Iran to cooperate with the Special Rapporteur and the fact-finding mission. The surge in executions in Iran, especially among ethnic and religious minorities, was also a matter of concern. She asked the Special Rapporteur to explain what measures the international community could take to support an open, free and secure Internet in Iran.

36. **Ms. Schuller** (Representative of the European Union, in its capacity as observer) said that her delegation was concerned about the large numbers of detainees in Iran. In addition, it deplored the lack of an investigation into and accountability for the disproportionate use of force by security forces, which had led to the deaths of over 500 persons, including women and children. She asked the Special Rapporteur to elaborate on the situation of human rights lawyers and journalists currently detained in Iran.

37. The European Union strongly opposed the death penalty at all times and in all circumstances. She asked what could be done to encourage the Government of Iran to halt the execution of child offenders and of persons sentenced to death for drug-related offences or involvement in protests. Finally, she asked the Special Rapporteur to elaborate on new Iranian laws and policies that could reinforce discrimination against women and girls.

38. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that the representative of the Israeli regime was advising her country to act in accordance with the Charter of the United Nations. She wished to point out that Iran was safe and secure and did not occupy the land of Palestinians or other peoples. In addition, she wished to remind the representative of the United States, who had referred to Iran as a regime, that Iran was a Member State and did not kill the peoples of other States by imposing economic wars. Nor did it show its concern about the situation of women and girls in other countries by economically undermining their daily lives.

39. **Mr. Rehman** (Special Rapporteur on the situation of human rights in the Islamic Republic of Iran) said that it was regrettable that the Iranian Government had denied him access to the country and had accused his report of being politicized and biased. The report was the result of thorough and independent investigations aimed at establishing the facts surrounding human rights violations in Iran. The Iranian authorities should engage with its substance and address its recommendations.

40. In his report, he had recognized the impact of sanctions, in particular on the health sector and the economy. He had previously raised concerns regarding the impact of sanctions on human rights and had consistently recommended that the States imposing sanctions should ensure that humanitarian exemptions were applied broadly. Nevertheless, sanctions could not be used as a justification for violations of international human rights law or for introducing laws and practices that brutalized and humiliated women and forced them to wear the hijab. Nor could sanctions be used as an excuse for killing hundreds of men, women and children.

41. He called on the Iranian authorities to immediately end all forms of violence against peaceful protesters. The individuals responsible for the death in custody of Jina Mahsa Amini must be held accountable. Moreover, there must be an immediate end to all forms of violence against women and girls and accountability for all those involved. The bill on chastity and hijab, which had been adopted by the parliament and still required the approval of the Guardian Council, ought to be repealed.

42. He was deeply concerned about the number of executions carried out in Iran. Thus far in 2023, there had been 572 executions, 305 of them for drug-related charges and 7 for involvement in the protests that had begun in September 2022. He called upon all delegations to condemn the application of the death penalty in Iran as constituting the arbitrary deprivation of life. The Iranian Government was urged to immediately abolish the death penalty and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. In addition, the Iranian authorities must end the harassment, intimidation and persecution of civil society actors and release all those who were arbitrarily detained. A few days previously, two journalists had received harsh and unjust sentences for reporting on the Amini case. Journalists inside and outside Iran were being harassed and persecuted.

43. Iranian policies violated the right to freedom of peaceful assembly and association, including violation of the right to form and join political parties and trade unions. Iran must ensure that every Iranian enjoyed freedom of association and peaceful assembly, within the framework of International Labour Organization mechanisms and in accordance with the country's international obligations.

44. **Mr. Pinheiro** (Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic), introducing the report of the Independent International Commission of Inquiry on the Syrian Arab

Republic ([A/HRC/54/58](#); see [A/78/297](#)), said that the greatest escalation of hostilities in four years in the Syrian Arab Republic was currently taking place. Earlier that month, Syrian forces had retaliated after an attack on a graduation ceremony at the Homs Military Academy that had killed and injured scores. In four days of ground shelling in Idlib, some 200 civilians had been killed and injured, and tens of thousands had fled. Türkiye, in retaliation for an attack that had injured two members of Turkish security forces in Ankara on 1 October, had heavily bombarded Hasakah, which had affected hundreds of thousands of civilians. The previous Sunday, air strikes by Israel had reportedly disabled the international airports in Damascus and Aleppo and might have hindered the delivery of humanitarian aid.

45. The long-standing lack of respect for fundamental international humanitarian law norms in Syria had undermined and eroded the very essence of the international protection system. Since the issue of his report, the situation had worsened. The living conditions of the Syrian people continued to deteriorate. The Syrian pound had lost over 80 per cent of its value in only three months and over 90 per cent of the population lived below the poverty line. The most vulnerable, including women heads of households, were the most affected. There was no evidence during the past decade that sectoral unilateral coercive measures had resulted in positive behavioural change on the part of the Government or other parties; rather, ordinary people bore the brunt of such measures. Member States must assess the impact of sanctions and mitigate their consequences for civilians. The Commission called for the extension of humanitarian exemptions, which facilitated the flow of aid.

46. It was uncertain as to whether cross-border humanitarian aid for the most vulnerable would continue, as governmental consent to the use of two crossings was at risk of expiring the upcoming November. The international community must ensure that humanitarian assistance was provided at the necessary scale and in a sustainable and predictable manner.

47. Despite the grim picture, there were reasons for hope. The demonstrations in Suwaydah had shown that the Syrian people had not given up on their freedom to peacefully assemble and claim their rights. The establishment of an Independent Institution on Missing Persons in the Syrian Arab Republic would assist in locating tens of thousands of people. It was possible that the International Court of Justice could legally compel the Syrian State to cease its systematic practice of torture.

48. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his delegation rejected country-specific mechanisms and mandates on human rights. As a position of principle, his delegation opposed the establishment of any country-specific instrument, report or resolution without the consent of the Government concerned as an example of politicization and selectivity in the treatment of human rights. As they did not engage in dialogue with all parties, those mechanisms tended to refer to third-hand and fourth-hand sources, and their reports were often used for political purposes by other actors, which did not contribute to confidence-building. Venezuela called for the continued promotion of multilateralism and for strengthening the advances made by the Human Rights Council. Venezuela also called for the lifting of all unilateral coercive measures imposed on the Syrian Arab Republic, which undermined the human rights of the Syrian people and hindered the achievement of the Sustainable Development Goals.

49. **Mr. Moretti** (Brazil) said that his delegation called on all parties to the conflict to immediately cease all indiscriminate and direct attacks on civilians and civilian objects, to take measures to minimize harm to the civilian population and to conduct impartial and credible investigations into all attacks resulting in civilian casualties. Brazil supported the establishment of inquiry mechanisms to locate missing persons in Syria. Renewed multilateral efforts were essential to a political solution to the crisis. Brazil firmly supported a Syrian-led solution to the conflict that was rooted in human rights and respect for Syrian sovereignty, independence and territorial integrity.

50. **Ms. Micallef** (Malta) said that her delegation noted with concern the multiple reports of extortion, corruption and aid diversion and obstruction in the aftermath of the earthquake in Syria and called on all parties to allow for predictable access to humanitarian assistance on the basis of a transparent and impartial humanitarian assessment. The Syrian Government was urged to ensure the unhindered facilitation of humanitarian aid in the north of the country.

51. Malta condemned the arrests of activists, community leaders and journalists, as well as the continuing widespread and systematic patterns of torture and cruel, inhumane or degrading treatment, including enforced disappearances. She asked what the international community could do to support women's rights, gender equality and the work of human rights defenders in Syria.

52. **Ms. White** (United Kingdom) said that her delegation called for accountability for all violations

and abuses committed by the Syrian regime, including the 180 documented attacks on north-west Syria in October, which had displaced over 30,000 people and had caused 53 deaths. Targeting civilians was a clear violation of international humanitarian law and must cease. Syria continued to present one of the most appalling human rights and humanitarian situations in the world, with instances of arbitrary detention, torture and ill-treatment, enforced disappearance and deaths in detention. The United Kingdom called for urgent de-escalation of all violence by all parties and for sustained humanitarian access in north-west Syria. Her delegation wished to know how the uncertainty regarding humanitarian access in north-west Syria had affected programming.

53. **Ms. Koncul** (Croatia) said that conflict had plunged the Syrian Arab Republic into deep crisis and had resulted in millions of refugees and internally displaced persons. Croatia continued to support the most vulnerable members of the Syrian population. Following the devastating earthquake and owing to rising security concerns because of the escalating conflict in Israel and Gaza, it was more important than ever to deliver life-saving assistance without any constraints. Croatia was deeply concerned about numerous unlawful and arbitrary detentions, the torture of civilians and enforced disappearances. Most troubling was that grave violations against children and sexual violence against vulnerable groups had been reported. A ceasefire was the only way forward. She asked the Chair of the Commission to share his views on what measures the international community could take to ensure assistance for the more than 15 million Syrians in need of humanitarian aid and protection.

54. **Ms. Arab Bafrani** (Islamic Republic of Iran) said that it was regrettable that the cause of human rights was once again being exploited in the Committee. The situation in Syria was being exacerbated by the imposition of illegal and inhumane unilateral coercive measures that violated the human rights of Syrians, in particular the right to development. There was a need to facilitate the safe, dignified and voluntary return of Syrian refugees and internally displaced persons to their homes.

55. Her delegation believed that dialogue, grounded in objectivity, respect for national sovereignty and territorial integrity, non-interference in the internal affairs of States, and adhering to the principles of impartiality, non-politicization and transparency, should provide the basis for the treatment of all human rights issues. Iran commended the decision of Syria to open three border crossings and supported the Government's cooperation with United Nations organizations involved

in the delivery of humanitarian aid. Iran called on the international community to take measures to lift all unilateral coercive measures immediately.

56. **Mr. González Behmaras** (Cuba) said that such exercises as the Commission's report were motivated by politics and hegemonic interests and gave rise to confrontation and mistrust. It was imperative to respect the sovereignty and territorial integrity of Syria, to consider the genuine aspirations of its people, cease interventionist and destabilizing actions and foster cooperation with the country's authorities. There must be an end to double standards, selectivity, punitive reports and politicization of human rights issues.

57. It was difficult to believe that interest in human rights in Syria was genuine while, at the same time, unilateral coercive measures were being imposed on the country. Cuba reaffirmed its support for a peaceful, negotiated solution to the conflict in Syria and trusted the ability and wisdom of the Syrian people and authorities to achieve that goal. The international community should play a supportive role in that regard.

58. **Ms. de Vogel** (Kingdom of the Netherlands) said that a lasting political solution in Syria would be possible only if the perpetrators of human rights violations were held to account. Earlier that month, Canada and the Kingdom of the Netherlands had requested that the International Court of Justice indicate provisional measures in order to ensure that Syria immediately ceased its systematic practice of torture and other forms of ill-treatment. Unfortunately, Syria had chosen not to appear at the associated meetings.

59. The Kingdom of the Netherlands applauded the resilience of Syrian citizens in seeking accountability for continuing human rights violations. She asked how the international community could support them in that regard.

60. **Ms. Pichardo Urbina** (Nicaragua) said that her Government did not recognize the Commission of Inquiry or its report, which justified illegal and inhumane policies against Syria, the plunder of its natural resources, the imposition of unilateral coercive measures and the undermining of the human rights of the Syrian people, who were suffering as a result of a grave humanitarian situation. Nicaragua wished to highlight the measures adopted by the Syrian Government to improve the humanitarian situation and restore stability, as well as its actions to facilitate humanitarian access, national reconciliation and the repatriation of refugees. Nicaragua rejected any report on Syria that contained distorted, ill-intentioned information taken from biased and interventionist sources.

61. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that politicized and selective country-specific mandates did not contribute to the promotion and protection of human rights but rather led to mistrust and confrontation and hindered constructive dialogue and cooperation among Member States. His delegation formally opposed all attempts to infringe on national sovereignty and interfere in the internal affairs of other sovereign States on the pretext of human rights.

62. The Democratic People's Republic of Korea was deeply concerned about the serious humanitarian situation in the Syrian Arab Republic caused by illegal unilateral coercive measures. Such economic sanctions were a serious violation of the economic and social rights of the Syrian people and must be ended immediately. His country supported the efforts of the Syrian Government to fight foreign occupation, to defend its sovereignty and territorial integrity and to improve the human rights of its people. The Syrian issue should be addressed through peaceful political means, without any foreign intervention.

63. **Ms. Broderick** (Ireland) said that her delegation was concerned by reports that fighting had resumed among the parties to the conflict and that the delivery of aid had been obstructed in the immediate aftermath of the earthquake. All aid delivery must be based on transparent and impartial humanitarian assessments and authorizations of humanitarian access must not be politicized. Ireland was also concerned about the dangers faced by returning refugees, including arbitrary detention, torture, enforced disappearance and death. The abuses must be investigated and the perpetrators held to account.

64. The conditions for the safe, dignified and voluntary return of refugees were not yet in place. Furthermore, tens of thousands of Syrian women, who had played an instrumental role in establishing the Independent Institution on Missing Persons in the Syrian Arab Republic, continued to search for missing relatives. She asked how the international community could protect refugees returning to Syria from violations by the Syrian Government.

65. **Mr. Kuzmenkov** (Russian Federation) said that his delegation rejected country-specific resolutions and the establishment of politicized structures such as the Commission. The Government of Syria was taking measures to ensure security and create conducive conditions for socioeconomic development, which was impeded by illegal unilateral sanctions imposed by Western countries. The United States was occupying large swathes of Syrian territory, in violation of the Charter of the United Nations, and was supporting

separatist groups that committed human rights violations. Furthermore, the United States was directly plundering the natural and agricultural resources of Syria. In mere years of occupation, the United States had done billions of dollars' worth of damage. It must immediately withdraw its troops and compensate Syria.

66. **Mr. Drescher** (Germany) said that, for more than 12 years, the Syrian people had faced indiscriminate attacks, enforced disappearances, arbitrary detention, torture and gender-based violence. While Germany understood the position of countries neighbouring Syria, it remained concerned about the ongoing process of normalization with the Syrian regime in the absence of political progress. Germany unwaveringly supported an inclusive, United Nations-facilitated political solution to the Syrian crisis, in line with Security Council resolution [2254 \(2015\)](#). Recent protests in Syria showed that the Syrian people were demanding their basic rights. Germany would work with international partners to explore ways of operationalizing the newly established Independent Institution on Missing Persons in the Syrian Arab Republic.

67. **Mr. Hubatka** (Switzerland) said that his delegation was alarmed by the intensification of hostilities, particularly in the north of Syria, and by reports of direct attacks against civilians and civilian infrastructure. Switzerland strongly condemned all indiscriminate or disproportionate attacks and called for all parties to the conflict to respect their obligations under international humanitarian and human rights law. The establishment of a nation-wide ceasefire was essential for avoiding further escalation and addressing the unprecedented humanitarian crisis.

68. Switzerland called for respect for the rights to freedom of expression, peaceful assembly and association. It also supported the Special Envoy of the Secretary-General for Syria, the Commission of Inquiry and 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. His delegation wished to know what steps could be taken to prevent a further escalation of hostilities in Syria.

69. **Ms. Chen Jiawen** (China) said that facts had shown that external interference, confrontation, pressure and sanctions would only bring more suffering in Syria. The Syrian people should independently decide their country's future. The United States and other Western countries had yet to end their illegal unilateral coercive measures against Syria, which had led to systemic damage and a serious humanitarian crisis.

United States forces controlled Syrian oil, gas and other resources, occupied the main oil-producing areas and smuggled or burned food stocks in Syria. Those were serious violations of the rights of the Syrian people to food, health and development.

70. China had always advocated constructive dialogue and cooperation on human rights and opposed politicization, selectivity, double standards and confrontation. It also opposed the establishment of country-specific mechanisms without the consent of the countries concerned. China called upon the United Nations and the international community to play a constructive role in the political settlement of the Syrian issue.

71. **Mr. Larsen** (Australia) said that humanitarian need in Syria was at its highest since the start of the conflict. Meanwhile, grave violations and abuses of international human rights law and international humanitarian law persisted across the country with impunity. Australia condemned the regime's rocket attacks on residential areas and shelling of markets. Australia also condemned atrocities committed by the regime's Russian enablers, including the sickening attack on the Idlib market that had left nine civilians dead.

72. The fact that countless Syrians remained missing and unaccounted for underscored the importance of the recently established Independent Institution on Missing Persons in the Syrian Arab Republic. Detainees were routinely subject to torture and cruel and inhumane punishment. Australia was also appalled by reports of sexual and gender-based violence in detention facilities. Her delegation asked how the international community could work collectively to hold Syria accountable for its repeated attacks on civilians and civilian infrastructure.

73. **Ms. Schuller** (Representative of the European Union, in its capacity as observer) said that violence and instability in Syria continued to cause enormous suffering and millions of Syrians were displaced or living as refugees in other countries. The European Union condemned violations of international humanitarian law and international human rights law, which continued to be perpetrated by all parties to the conflict. It was also concerned about reports of social and demographic engineering throughout Syria and called upon the Syrian regime to create the conditions necessary for the voluntary, safe and sustainable return of refugees and internally displaced persons. An immediate end to impunity was urgently needed for a stable, peaceful Syria.

74. **Mr. Henzel** (United States of America) said that Syrians continued to be subject to arbitrary arrest,

enforced disappearances, torture, gender-based violence, confiscation of property and intimidation. The Syrian Network for Human Rights had reported the unjust detention or disappearance of more than 155,000 Syrians, the vast majority held by the Assad regime. The regime's practice of torture in its detention system was widespread and systematic, and refugees were subject to arbitrary arrest and torture upon their return. Syrians detainees were routinely denied access to fair trials and were often unjustly charged in counter-terrorism courts. The United States urged all States to respect the principle of non-refoulement and strongly encouraged all parties to make good-faith efforts to engage with the Independent Institution on Missing Persons in the Syrian Arab Republic. The United States stood with Syrian civil society, especially victim-led groups, which continued to press for answers regarding the fate of the missing.

75. **Ms. Folmer** (Luxembourg) said that her delegation looked forward to the full operability of the Independent Institution on Missing Persons in the Syrian Arab Republic, whose aim was to provide families with the needed support and answers regarding the fate of the missing, to which they were entitled under international humanitarian law. The prolonged conflict had had negative consequences for women and girls. Luxembourg welcomed the Commission's June report on that topic, which had contained a discussion of displacement and the increasing number of women-headed households in Syria. She asked what could be done to better incorporate a gender perspective in addressing the Syrian crisis.

76. **Ms. Aviel** (Israel) said that, the previous week, the representative of the Syrian Arab Republic had attacked Israel by claiming that it had bombed a hospital in Gaza, despite clear evidence that the bombing had been the result of a misfired rocket launched from within Gaza by the Palestinian Islamic Jihad organization. The ostensible concern of the Assad regime for human rights was merely a cynical façade; its support of genocidal terror organizations, such as Hamas, was proof of that.

77. For 12 years, the people of Syria had been demanding change and an end to the brutality, torture and murder perpetrated by the Assad regime. The international community must not turn its back on them: it must call for accountability. Previously in the session, Israel had highlighted the illicit export of captagon, an addictive amphetamine that was produced largely in Syria. She asked the Chair of the Commission whether any work was being done to investigate the impact of that drug on human rights in Syria and elsewhere.

78. **Mr. Tozik** (Belarus) said that his country traditionally rejected country-specific approaches in the work of the United Nations. The Commission of Inquiry had existed for more than 10 years, and, in spite of the large amount of work it had done, there had been no appreciable impact on the situation. Moreover, the Commission, one of three mechanisms devoted to Syria, had 27 staff members and, in 2023 alone, maintaining the Commission had cost more than \$5 million. In the light of tight financial resources and the existence of acute global crises, that expenditure was too high.

79. In 2023, the Commission had finally admitted the adverse impact of unilateral coercive measures on humanitarian aid. Belarus hoped that it would consider the issue in greater detail in its upcoming report.

80. **Ms. Gebrekidan** (Eritrea) said that her delegation strongly opposed country-specific mandates, as they were politicized, counter-productive and confrontational. Eritrea believed that international cooperation on human rights could be advanced only by ensuring universality, objectivity, non-selectivity and the elimination of double standards. The universal periodic review remained the best platform for enhancing cooperation and partnership in the field of human rights. Eritrea called upon the international community to support the efforts of the Syrian Government to meet its people's needs, including by lifting unilateral coercive measures, which ran counter to international law and negatively affected the human rights situation of the Syrian population.

81. **Mr. Altarsha** (Syrian Arab Republic) said that his delegation's participation in the interactive dialogue should not be construed as a willingness to engage with the Commission of Inquiry or any of its reports, which were part of a systematic misinformation campaign for the purpose of interfering in internal Syrian affairs. It was stated in paragraph 5 of the report that, on 13 July 2023, the Syrian Government had authorized the United Nations to use the Bab al-Hawa crossing to deliver humanitarian aid for six months, while setting unworkable conditions that appeared to contradict international humanitarian law rules. The report was therefore accusing his Government of something that had been accepted by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator on behalf of the United Nations, and the humanitarian aid had accordingly begun entering the north-west of Syria.

82. In paragraph 15 of the report, it was stated that the response to the earthquakes had been characterized by failures that had hindered the delivery of urgent aid to the north-west, implicating the Government and other

parties to the conflict, as well as the international community and the United Nations. The Commission was therefore levelling an accusation at all parties. However, it was unclear what that accusation was based on, as the footnote cited an article published by the Commission itself.

83. According to paragraph 29, civilians, including older persons, women and children, had been kidnapped by a criminal gang for extortion purposes and the families had been told that nothing could be done because the gang leader had enjoyed support from government agencies. That allegation had no source.

84. It was stated in paragraph 47 that attacks perpetrated during the reporting period by Hay'at Tahrir al-Sham and other armed groups in government-controlled territory had not resulted in reports of civilian casualties. Later in the paragraph, it was stated that the exceptions had been three incidents of hitherto unattributed alleged drone attacks further from the front lines in Hama and Ladhīqiyah Governorates. The source for that paragraph was a statement delivered to the Security Council on 29 June 2023 by the United Nations Deputy Special Envoy for Syria, in which she mentioned that multiple drone strikes from areas controlled by Hay'at Tahrir al-Sham into government-controlled areas had reportedly killed and wounded civilians. The Commission had therefore clearly twisted the statement and included it in the report in order to accuse his Government and to whitewash a terrorist group.

85. It was clear that the Commission had been designed to target his Government. The Committee had just witnessed the embodiment of politicization, selectivity, misinformation, double standards and weaponizing of human rights.

86. **Mr. Megally** (Commissioner of the Independent International Commission of Inquiry on the Syrian Arab Republic) said that, despite the calls of the Commission for respect for civilians for the past 12 years, the international protection system and respect for international humanitarian law had eroded in Syria and elsewhere. The international community should reflect on what it could have done to protect the lives of Syrian civilians.

87. The situation in Syria had worsened over the past four years. Attacks by armed actors and by the State had increased and the economy was in tatters. People were reaching the end of their tethers and were demonstrating in the streets. The application of, and overcompliance with, unilateral coercive measures against Syria had had an impact on the civilian population, which was exacerbated by how the Syrian State distributed resources within the country. The Member States

responsible for those measures should examine their impact on the civilian population.

88. In the report, the Commission had discussed the possibility of developing benchmarks for measuring improvements on the ground, which could be used to incentivize the provision of additional assistance by the international community. In particular, there was an urgent need for humanitarian agencies to be granted access to people in places of detention.

89. The Commission called upon the Syrian State to cooperate with the Independent Institution on Missing Persons in the Syrian Arab Republic. The Independent Institution was not tasked with monitoring the human rights situation in Syria, reporting on violations or pushing for accountability. Rather, its role was to help the Syrian State and the population to find answers regarding the fate of the missing and disappeared and to provide psychosocial support to the families of the missing and disappeared.

90. The Commission had documented situations in which people returning to Syria had faced arrest, extortion, torture and disappearance. With cooperation from the international community, however, there might be ways of monitoring return that would make it safer. Furthermore, it was important to ensure that Syrians had something to return to. Many homes had been destroyed and 90 per cent of the population lived below the poverty line. Syria was encouraged to exhibit good will and to work with the international community to monitor and improve the situation so that people could return.

91. The Commission had been monitoring the direct negative impact of displacement and the increase in women heads of households on women and girls. Twice as many women as men reported an inability to meet basic needs. Displaced women also struggled to obtain documentation that would allow them to gain access to property and pensions or that would provide evidence of Syrian citizenship for children born in areas outside of Government control. The international community should look for ways to help with those matters.

92. **Mr. Bennett** (Special Rapporteur on the situation of human rights in Afghanistan), introducing his report (A/78/338 and A/78/338/Corr.1), said that he wished to pay respects to the victims of the Herat earthquakes, the vast majority of whom had been women and children as many men had left the area for work. The earthquakes, which had destroyed thousands of buildings and had severely impacted the enjoyment of the rights to housing, education and health, were the latest in a series of challenges faced by the resilient but embattled people of Afghanistan, who had experienced decades of war,

inadequate humanitarian assistance and the deterioration of the human rights situation since the Taliban takeover in August 2021. He urged donors to provide the desperately needed assistance.

93. Afghans who had crossed over to neighbouring countries expressed deep concern about their precarious situation and reported that they were subjected to harassment, arrests and exploitation. He was concerned about plans developed by the Government of Pakistan that could result in the repatriation of 1.4 million Afghans.

94. **Mr. Faiq** (Afghanistan) said that the Taliban had failed to comply with their commitments to ensure and protect the civil, political and cultural rights of all Afghans. The situation of human rights in Afghanistan was deeply concerning and multifaceted. The deliberate and systematic suppression of the fundamental rights and freedoms of women and girls, including the right to education and the right to employment, constituted gender persecution and gender apartheid. Women were excluded from the work force through bans on employment by non-governmental organizations (NGOs), the United Nations and women's beauty salons, which narrowed their economic opportunities and increasingly forced them to rely on humanitarian aid. The resulting humanitarian crisis, driven by an absence of accountable and representative governance and characterized by human rights violations, exacerbated the vulnerability, exploitation, abuse and radicalization of women and girls. The lack of access to legal remedies and justice perpetuated violence against women and fostered impunity.

95. The crackdown by the Taliban on journalists and media workers had severely eroded freedom of speech. Journalists faced arrests, threats, detention and censorship. Freedom of assembly had also been curtailed amid a broader crackdown on dissent, with peaceful protesters, in particular women, arbitrarily detained. Civil society organizations had been targeted or dissolved.

96. The Taliban had reintroduced their draconian policies from the 1990s, including public floggings. Concerns persisted about the fairness of trials and access to defence lawyers. Ill-treatment and sexual violence in detention facilities continued to be reported. Despite the announcement by the Taliban of a general amnesty, there were credible reports of extrajudicial executions, torture and ill-treatment.

97. Child labour and sexual violence against children were of great concern. Ethnic and religious minority communities were subject to targeted attacks, arbitrary killings, ill-treatment, forced displacement and

collective punishment. Persons with disabilities encountered barriers in accessing humanitarian support. Refugees and migrants, especially in neighbouring countries, faced challenges related to their legal status and were vulnerable to abuse. His delegation welcomed the joint statement earlier that month by United Nations special rapporteurs calling upon Pakistan to stop the planned mass deportation of Afghans.

98. **Ms. Alonso Giganto** (Spain) said that the edicts of the Taliban represented the most acute and systematic forms of discrimination, segregation, oppression and violence against women and girls and could amount to gender persecution. In 2022, Spain had launched the Hear Us initiative to give a voice to Afghan women in the diaspora and to promote their participation in humanitarian, security and development activities. Working with Afghan women and legal experts, her Government had developed a road map for Taliban accountability before the International Criminal Court and the International Court of Justice. Her delegation urged the de facto authorities of Afghanistan to comply with their human rights obligations towards all Afghans, including women and girls.

99. **Ms. Andújar** (Dominican Republic) said that her delegation was concerned about shrinking civic space in Afghanistan, education for girls and the replacement of experienced teachers by those trained in madrasas. Sexual violence and other abuses of human rights must be strongly condemned. The systematic suppression by the Taliban of the rights of women and girls was not only an offence to humanity but also a direct attack on efforts to achieve peace and security. Her delegation welcomed the initiative of the Special Rapporteur to conduct a joint visit to Afghanistan with the Working Group on discrimination against women and girls and wished to hear more about his cooperation with other special procedures.

100. **Ms. Maillé** (Canada) said that her delegation extended its condolences to the Afghan people for the recent earthquake. The Taliban must be held accountable for their deliberate acts of discrimination and marginalization against ethnic and religious minorities and of lesbian, gay, bisexual, transgender and queer persons. Women and their families increasingly depended on humanitarian aid, a state of affairs that Canada was trying to mitigate through its feminist international aid policy. Canada was concerned by the rise in suicides among women and wished to know whether the Special Rapporteur had any data on that topic.

101. **Ms. White** (United Kingdom) said that her delegation was particularly concerned about the

continued assault on the rights of Afghan women and girls, in particular the lack of opportunities and the increase in child and forced marriages. The United Kingdom called upon the Taliban to reverse restrictions that were damaging the lives of women and girls. Her delegation was also concerned about attacks on journalists and peaceful protesters and the disappearance and killing of former government officials and members of defence and security forces. She asked what the international community could do to address the plight of Afghan women and girls.

102. **Ms. Hardwick** (Austria) said that her delegation was appalled by the systematic discrimination by the Taliban against women and girls, in particular the curtailment of freedom of movement and attire and the restrictions on education, work, health care and justice, which might amount to gender persecution. Austria also condemned killings, torture and enforced disappearances, especially those inflicted on persons belonging to ethnic and religious minorities and groups, lesbian, gay, bisexual, transgender and intersex persons and human rights defenders. She asked the Special Rapporteur how the international community could continue to support women and girls in Afghanistan under the current circumstances.

103. **Ms. de Vogel** (Kingdom of the Netherlands) said that her delegation was concerned about the constantly expanding list of restrictions on the rights of women and girls, which might amount to gender persecution. The de facto authorities were urged to immediately reverse those decisions and to adhere to all international agreements to which Afghanistan was a party. Human rights should remain front and centre in any engagement with the Taliban; if the Taliban wanted to be seen as a full member of the international community, it should act in accordance with international law and the Charter of the United Nations. Her delegation asked the Special Rapporteur how human rights should be included in the report, to be presented to the Security Council in November, of the Special Coordinator, Independent Assessment Mandated by Security Council Resolution [2679 \(2023\)](#).

104. *Mr. Grünwald (Slovakia), Vice-Chair, took the Chair.*

105. **Mr. Ajmal** (Pakistan) said that his delegation shared the concern of the Special Rapporteur regarding decisions to curtail education for women and girls and to prevent their participation in other areas of life, which went against the teachings of Islam. The humanitarian situation in Afghanistan remained dire, with 85 per cent of the population living below the poverty line, and the humanitarian response was severely underfunded.

Multiple factors, including sanctions, asset freezes and disengagement of development partners had intensified the situation. Such financial restrictions not only affected the social, economic and cultural rights of ordinary Afghans, but had also led to an increase in informal financial channels. At a time when many countries were failing to meet their human rights obligations, the international community must focus its efforts on helping Afghans, regardless of geopolitical considerations.

106. **The representative of Liechtenstein** said that his delegation was particularly concerned about the situation of women and girls in Afghanistan. In that context, his delegation asked to what extent the Special Rapporteur was able, during his most recent visit to the country, to demand that the rights of women and girls be upheld. He also asked how women's access to humanitarian assistance could be improved in the context of the deteriorating humanitarian situation and the recent earthquake.

107. **Ms. Micallef** (Malta) said that the systematic persecution of women by the Taliban constituted a flagrant breach of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Political Rights of Women, to which Afghanistan was a party. Malta appreciated the recommendation of the Special Rapporteur that the Human Rights Council mandate a specific report on the application of gender to the definition of the crime against humanity of apartheid. Although the Taliban had banned women's employment, the Special Rapporteur recommended that the United Nations commit to employing Afghan women and ensure ethnic diversity among staff. Many United Nations entities in Afghanistan had nevertheless been unable to guarantee the safe employment of women. She asked how the United Nations could maintain a principled approach to delivering life-saving humanitarian activities.

108. **Ms. Broderick** (Ireland) said that her country had consistently condemned the abhorrent human rights violations taking place under the Taliban, in particular the systematic exclusion of women and girls from work, education and public life. Ireland supported the call for the de facto authorities to reverse the discriminatory decrees and to respect and uphold human rights. Ireland commended the Special Rapporteur for highlighting the situation of the members of the Hazara community and of lesbian, gay, bisexual, transgender, queer and intersex persons. She asked what Member States could do to ensure that the human rights of all persons in Afghanistan were fully restored.

109. **Ms. Dale** (Norway) said that her delegation was concerned about the deteriorating human rights situation in Afghanistan for women and girls, minorities, media workers and human rights defenders. Shrinking civic space was affecting the ability of civil society to hold the de facto authorities accountable. Her delegation could not overstate the importance of documenting and preserving information related to human rights abuses. Norway commended the direct engagement of the Special Rapporteur with the de facto authorities and encouraged the international community to do likewise; otherwise, it would lose an important avenue for influencing the country's trajectory. She asked the Special Rapporteur to share the most effective ways of supporting Afghan civil society, especially women-led and women-focused organizations.

110. **Mr. Froment** (France) said that his delegation had followed with concern the deterioration of the humanitarian situation in Afghanistan and the increase in human rights violations as a result of regressive Taliban policies. In particular, France strongly condemned the systematic violation of the rights of women and girls, which constituted gender segregation or even gender persecution, and called upon the Taliban to immediately reverse the prohibition on education and humanitarian sector employment. France stood in solidarity with the more than 13,000 Afghans, including judges, journalists, artists and activists, who had migrated to France. His Government also supported the efforts of humanitarian organizations and the United Nations on the ground. He asked the Special Rapporteur to detail the activities he had carried out in the sphere of education.

111. **Ms. Wagner** (Switzerland) said that the Taliban had issued decrees hindering the access of women and girls to education and employment and restricting their freedom of movement and political participation. Her delegation strongly condemned the ban on women's employment by NGOs and the United Nations, which hampered humanitarian operations. Switzerland also deplored the reinstatement of public executions and floggings. Afghanistan was obligated to implement the human rights instruments to which it was a party. She asked the Special Rapporteur how, given the importance of humanitarian assistance, the international community could ensure that human rights were addressed with the Taliban in a coherent manner.

112. **Mr. Tonai** (Japan) said that his Government continued to pursue patient, pragmatic and principled engagement with the Taliban in order to encourage them to bring their policies into line with the desires of the Afghan people. Japan was concerned about the impediments to girls' access to education, and about the

stark reality that many children had been forced into labour to support their families. Equal access to education must be guaranteed for every Afghan, as it was essential for the country's future. He asked the Special Rapporteur to elaborate on any discussions he had had with the Taliban regarding the role of education for children.

113. **Mr. Drescher** (Germany) said that the exclusion of women and girls from secondary and higher education was unprecedented. The despicable violations by the Taliban had not only caused a human rights crisis but had also resulted in a mental health emergency. Germany urged the Taliban to reverse their ban on women's employment by NGOs and the United Nations, which exacerbated the humanitarian and food security crises.

114. The actions of the Taliban were leading to a generation of neglected and traumatized children. The Taliban were urged to abide by their obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. He asked the Special Rapporteur what the international community could do to improve accountability and to stop the severe violation of women's rights in Afghanistan.

115. **Mr. Larsen** (Australia) said that his country was alarmed by credible reports of summary executions, enforced disappearances, widespread arbitrary detention, torture and ill-treatment of women and girls and of ethnic and religious minorities. The Taliban had rejected every call to reverse their actions, even in the face of one of the worst humanitarian crises in the world. The Taliban were urged to ensure the free movement of all humanitarian staff, including women workers. He asked what further actions the international community could take to persuade the Taliban of the essential role of women and girls, minority groups and civil society in achieving peace and prosperity.

116. **Mr. Lamce** (Albania) said that women and girls in Afghanistan were living under a system of gender apartheid. In addition, his delegation was alarmed by reports of extrajudicial killings, arbitrary arrests and detentions and the torture and ill-treatment of former government officials and former members of the Afghan defence and security forces. The detention of journalists and critics of Taliban rule had further reduced freedom of expression. He asked how the international community could better support civil society organizations and preserve what was left of civic space in the country.

117. **Ms. Koncul** (Croatia) said that the draconian policies of the de facto authorities had severely

restricted every aspect of the lives of women and girls. Prior to the Taliban takeover, Croatia had provided more than 70 projects in Afghanistan related to education, health and small enterprises, many of which had focused on the rights of women and girls. Croatia was disappointed to see that the women who had benefited from those projects were being denied the opportunity to use the acquired skills. In his report, the Special Rapporteur described many of those policies as tantamount to gender persecution and called for an examination of the phenomenon of gender apartheid. She asked whether he saw any prospect for improvement in the area of the right to education.

118. **Mr. Khairunsyah** (Indonesia) said that collective action was needed to ensure that the rights of women and girls, including the right to education, were respected. Indonesia had demonstrated its commitment to the humanitarian effort in Afghanistan by contributing 10 million vaccine doses and by sharing experiences with the ulama in Afghanistan to promote inclusive education for women. The previous year, Indonesia and Qatar had held an international conference in Bali on Afghan women's education. His delegation continued to believe that a sustainable and inclusive political solution would be a crucial step towards fulfilling the rights of Afghan people.

119. **Mr. Zumilla** (Malaysia) said that women and girls in Afghanistan were unable to enjoy their human rights and fundamental freedoms. His Government condemned the acts of violence and discrimination against women and girls, as well as against ethnic and religious minorities. Malaysia remained committed to an Afghan-led, Afghan-owned and Afghan-controlled peace and reconciliation process that was inclusive and upheld human rights and fundamental freedoms. He asked how, in the light of the tumultuous situation in the country, the international community could ensure that international assistance was received by those in need.

120. **Ms. Schuller** (Representative of the European Union, in its capacity as observer) said that Afghanistan was ruled by edicts, as judges, prosecutors and lawyers had been excluded from the legal system. The European Union condemned the Taliban's deliberate and systematic oppression of women and girls and would continue to call for their full and equal enjoyment of human rights and their protection from all forms of violence. According to the Rome Statute of the International Criminal Court, to which Afghanistan was a party, persecution on the grounds of gender was a crime against humanity. Extrajudicial killings, arbitrary detentions, torture, targeted attacks against persons belonging to ethnic and religious minorities and groups and discrimination against lesbian, gay, bisexual,

transgender and intersex persons must stop immediately. She asked what measures could be taken to ensure accountability for human rights violations in Afghanistan.

121. **Ms. Hye Ryoung Song** (Republic of Korea) said that her Government was deeply concerned about the deterioration of the human rights situation in Afghanistan and was particularly alarmed by the systemic deprivation of the rights of women and girls. The Republic of Korea condemned the recent bans on women's employment by the United Nations and NGOs, which had exacerbated the country's already dire human rights crisis. Her delegation called upon the Taliban to reverse its discriminatory policies and practices in compliance with its obligations under international law. The suppression of women's rights did not only affect women, but also the entire fabric of Afghan society.

122. **Mr. Johnson** (United States of America) said that the Taliban continued to issue edicts targeting Afghan women and girls, human rights defenders, women's rights activists, journalists and former officials. In addition, the Taliban continued to persecute religious minorities, enforce bans on women's employment as journalists and sanction corporal punishment, including public executions and floggings. His delegation was interested to hear how Member States could pursue accountability for the ongoing abuses faced by vulnerable populations in Afghanistan.

123. **Ms. Kolsøe** (Iceland) said that, in a little over two years, the Taliban had undone hard-won gains in women's rights through their draconian, oppressive and misogynistic directives. Iceland welcomed the conclusions of the Special Rapporteur and of the Working Group on discrimination against women and girls that large-scale, systematic violations of the fundamental rights of women and girls might constitute gender persecution and that a discussion should be had about the application of gender to the definition of apartheid. Addressing the oppression of women and girls was imperative not only from a human rights perspective, but also to counter extremism and promote security in Afghanistan and beyond. She asked what tools the international community had at its disposal to better support Afghan women and girls.

124. **Mr. Kuzmenkov** (Russian Federation) said that, two years previously, the whole world had seen video footage of United States servicemen shooting at Afghan civilians during the evacuation at the Kabul airport. It was regrettable that the crimes of the armed forces of the United States and the United Kingdom would most likely never be investigated as the International Criminal Court had turned a blind eye to them. Eighty-

five per cent of Afghans lived below the poverty line and 16 million Afghan children lacked sufficient food. Perhaps those problems could be alleviated if the United States Government returned the financial resources that had been illegally appropriated from the Afghan people.

125. **Ms. Chen** Jiawen (China) said that while the situation in Afghanistan was stabilizing, economic, humanitarian and security challenges remained. The international community should intensify engagement with the Afghan interim administration in order to encourage it to establish an inclusive political structure, adopt moderate domestic and foreign policies, combat terrorism in all its forms and foster harmonious relations with other countries. The international community should provide essential humanitarian aid to Afghanistan. The United States deserved blame when it came to Afghanistan, as the war had led to large numbers of civilian casualties and refugees. The United States had also openly plundered Afghan national assets. China urged the United States to lift its unilateral sanctions immediately and to return all Afghan assets without conditions.

126. **Ms. Gordet** (Luxembourg) said that her delegation stood in solidarity with Afghan women and girls, who, despite repression against their peaceful protests, continued to raise their voices in defence of their human rights. Luxembourg condemned the murders and arbitrary detentions of civil society representatives and human rights advocates and urged the de facto authorities to respect human rights and international law. Access to quality education for women and children, in particular girls, was highly restricted in Afghanistan. She asked the Special Rapporteur what could be done to prevent radical ideologies from taking root.

127. **Mr. Bennett** (Special Rapporteur on the situation of human rights in Afghanistan) said that he urged Member States to interact directly with Afghan women. Furthermore, States should ensure that, when meeting with the Taliban, women were included in their delegations and that human rights issues were always raised, even when the subject was narcotics, economic measures or other topics. Member States should also support Afghan human rights organizations.

128. The extreme repression of women in Afghanistan undermined international norms and standards related to human rights, gender equality and women's empowerment, which could have far-reaching implications beyond Afghanistan. According to representatives of majority-Muslim States, there was no religious justification for restricting education for women and girls. Afghanistan was the only State that

denied education to girls. The fact that the Taliban said that the suspension of education was a temporary measure meant that a door remained open. He therefore strongly urged States to continue to hold the Taliban to their promise to reopen educational institutions to girls and women. It was important not only for schools and universities to be reopened in Afghanistan, but for a broad range of education types to be available. Curricula must prepare Afghans for a prosperous and stable future. The vast majority of Afghans were young persons; they were the future of Afghanistan and must be heard. In order to ensure the future prosperity of Afghanistan, there must be a focus on accountability and fostering stability.

129. Accountability mechanisms should be proportionate to the gravity of the situation. Certain avenues of accountability were already available, such as the International Criminal Court, which was investigating issues related to women and girls and minorities. He commended those countries that had reviewed their own past actions in Afghanistan, which had led in some cases to the exploration of criminal proceedings. He also encouraged Member States to invoke the principle of universal jurisdiction, if available under their justice systems, and to explore the option of filing a case with the International Court of Justice under the Convention on the Elimination of Discrimination against Women or other instruments. Other avenues of accountability included engagement with the United Nations Assistance Mission in Afghanistan and with his own mandate. With respect to cooperation with other special procedures, he noted that he had taken steps to collaborate with mandate holders and treaty bodies on a future report on the situation of women and girls in Afghanistan.

130. The shrinking of civic space, including the restrictions on freedom of expression, freedom of assembly and the media, especially for women, was worrisome. During his visit to Afghanistan in May 2023, civil society representatives had requested his help with securing funding for local NGOs, especially women-led organizations. While those organizations were still in operation, they needed political and financial support in order to continue their work.

131. He agreed with those delegations that had stressed the importance of inclusivity when it came to the lesbian, gay, bisexual, transgender and intersex community and ethnic and religious minorities. Persons with disabilities and displaced persons also warranted special attention.

132. Afghans had expressed to him the concern that the international community was heading towards

normalization with the Taliban and that their human rights concerns would be sidelined in favour of geopolitical interests. Member States should take decisive action to ensure that the human rights of Afghans remained a sine qua non.

The meeting rose at 1.10 p.m.