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President: Mr. Lauber (Switzerland)

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The meeting was called to order at 10 a.m.

Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development (*continued*)
([A/HRC/58/L.21](#), [A/HRC/58/L.27/Rev.1](#) as orally revised, [A/HRC/58/L.35](#), [A/HRC/58/L.36](#) and [A/HRC/58/L.37](#))

Draft resolution [A/HRC/58/L.21](#): The impact of anti-personnel mines on the full enjoyment of all human rights

1. **Mr. Bladehane** (Algeria), introducing the draft resolution on behalf of the main sponsors, namely Croatia, Mozambique, Peru, South Africa, the United Kingdom of Great Britain and Northern Ireland, Vanuatu and his own delegation, said that civilians, including children, were the hardest hit by the use of anti-personnel mines. The use of anti-personnel mines violated the right to life, compromised the right to security by creating a climate of constant fear in the regions affected and jeopardized the right to freedom of movement by transforming land, roads and villages into deadly traps. Such mines caused significant environmental degradation and hampered sustainable development efforts in affected areas. They had a major impact on health systems, which, particularly in developing countries, struggled to deal with the thousands of wounded persons and amputees. Victims and their families experienced major trauma, social stigmatization and a loss of hope for a better future. His delegation wished to thank all actors involved in anti-mine efforts, including civil society organizations, for their work to alleviate the suffering.
2. The main sponsors of the draft resolution had adopted a constructive, inclusive and transparent approach and held open consultations with all delegations in order to ensure that the text would enjoy broad support. The fight against anti-personnel mines was a fight for human rights, which would be effective only through international cooperation, with strong political support and concrete action. As the international community marked the International Day for Mine Awareness and Assistance in Mine Action, his delegation wished to invite all Council members to join the consensus on the draft resolution, which it hoped would be a fitting tribute to the victims of anti-personnel mines.
3. **The President** announced that 55 States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$136,700.

General statements made before the decision

4. **Mr. Espinosa Olivera** (Mexico) said that his delegation was pleased to join the consensus on the draft resolution and appreciated the incorporation of a number of its proposals into the text. Mexico welcomed the fact that the draft resolution invited States to strengthen their efforts to put an end to the suffering and casualties caused by anti-personnel mines, including by seriously considering acceding to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Anti-Personnel Mine Ban Convention). It was regrettable, however, that the text failed to explicitly call on States that had not yet done so to accede to the Convention, in particular in a geopolitical context in which certain States were considering withdrawing from the instrument, thus disregarding the humanitarian consequences associated with the use of anti-personnel mines. International humanitarian law must be respected in times of peace and conflict.
5. **Mr. Dan** (Benin) said that the draft resolution was of crucial importance given the illicit proliferation of anti-personnel mines and their continued use in armed conflicts across the world, including by terrorists and non-State groups, in violation of the Anti-Personnel Mine Ban Convention. Anti-personnel mines posed a grave threat to the full enjoyment of all human rights, caused significant suffering and the loss of human life and had a long-term adverse impact on the sustainable development of the communities and territories affected.
6. As a Party to the Anti-Personnel Mine Ban Convention, Benin was fully committed to anti-mine efforts. The Government had worked with the French authorities to establish a regional centre for the development of post-conflict demining and land clearance activities, through which around 4,000 stakeholders from Africa, Europe and the Middle East had been

provided with training in dealing with explosive devices, securing ammunition storage areas and demining. Against that backdrop, his delegation was pleased to join the sponsors of the draft resolution and invited Council members to adopt it by consensus.

7. **Mr. Payot** (Belgium) said that his delegation welcomed the timely presentation of the draft resolution on the International Day for Mine Awareness and Assistance in Mine Action. The impact that anti-personnel mines, which did not distinguish between combatants and civilians, war and peace and soldiers and children, had on the full enjoyment of human rights, including the rights to life, physical and mental health, food, drinking water, employment and education, could not be overstated. Long after conflicts had ended, anti-personnel mines continued to claim victims, render agricultural land inaccessible and impede sustainable development. The situation was compounded by the complex and costly nature of demining activities.

8. For those reasons, Belgium was opposed to the use of anti-personnel mines and, in 1995, had become the first country to ban them completely. It had played a key role in international efforts to prohibit such devices, which had culminated in the development of the Anti-Personnel Mine Ban Convention. His delegation welcomed the recent ratification of that instrument by the Marshall Islands and wished to reiterate that its universal ratification was more essential than ever. The prohibition of anti-personnel mines contributed to the enjoyment of human rights in times of peace and conflict, and the adoption of the draft resolution would represent an important step towards achieving that objective.

9. **Ms. Thuaudet** (France) said that mines and explosive remnants of war claimed one victim every two hours. They continued to kill or maim innocent and defenceless civilians, 37 per cent of whom were children. They prevented the repatriation of refugees and displaced persons and hampered efforts to promote development and economic reconstruction, often doing so for years after the end of the conflict. In that context, France supported the universal implementation of the Anti-Personnel Mine Ban Convention and was committed to strengthening its effectiveness. As a Party to the Convention, it had undertaken to refrain from producing, transferring and using anti-personnel mines.

10. A resolution on anti-personnel mines would contribute to collective efforts to promote human rights, protect civilians in times of peace and armed conflict and ensure full respect for the principles of international humanitarian law, in particular the prohibition of weapons of a nature to cause superfluous injury and the obligation to distinguish between combatants and civilians. Adopting such a resolution on the International Day for Mine Awareness and Assistance in Mine Action would enable the Council to send a strong message on the urgent need to end the suffering and loss of human life caused by anti-personnel mines. Her delegation thus wished to support the draft resolution and invite all Council members, regardless of whether they were a Party to the Anti-Personnel Mine Ban Convention, to join the consensus on the text.

11. **Mr. Kah** (Gambia) said that, in addition to being a grave humanitarian concern, landmines were a significant obstacle to the realization of civil, political, economic, social and cultural rights. They continued to cause untold suffering, especially in developing countries, with a disproportionate impact on women, children and persons with disabilities. The issue was of particular historical importance in the Gambia; the country's Truth, Reconciliation and Reparations Commission had found that the remains of a number of victims of enforced disappearance had been discarded in wells that were surrounded by mines. The placement of the mines had rendered the recovery of the remains and the investigation of the acts impossible, thus denying the victims' families closure and the opportunity to bury their relatives. That situation demonstrated how the use of landmines prolonged suffering, obstructed efforts to seek the truth and limited humanitarian access in conflict and post-conflict settings.

12. For those reasons, his delegation appreciated the emphasis that the draft resolution placed on victim-centred approaches, mine action strategies and international cooperation and capacity-building, in particular for countries with limited resources. It especially welcomed the request made to the United Nations High Commissioner for Human Rights to prepare a report on the human rights impact of anti-personnel mines, which would enable stakeholders to deepen their understanding of the matter, foster collaboration and ensure

accountability. His delegation strongly supported the draft resolution and called for its adoption by consensus.

13. **Mr. Parvege** (Bangladesh) said that Bangladesh remained deeply concerned about the continued production, stockpiling and use of anti-personnel mines, which had claimed many innocent lives. Such mines did not distinguish between combatants and civilians and remained dangerous for decades, posing a lasting threat to human life and the environment. They caused violations of a wide range of human rights, including the rights to life, health, employment, education and freedom of movement. The universal ratification of the Anti-Personnel Mine Ban Convention remained the sole viable solution to the issue. An interactive dialogue on the impact of anti-personnel mines on human rights would strengthen collective resolve to achieve a mine-free world and help develop informed mine action and victim support activities. Accordingly, his delegation supported the draft resolution and called on Council members to adopt it by consensus.

14. **Mr. Nkosi** (South Africa) said that South Africa was an active and committed State Party to the Anti-Personnel Mine Ban Convention and had played a central role in its negotiation. Former President Nelson Mandela had been key in ensuring that the participants in the negotiations stood firm against the attempts to undermine the process, doing so based on his belief that South Africa had a moral duty to end the suffering given its use of anti-personnel mines in its shameful apartheid past.

15. The draft resolution served to strengthen the legal obligations established under the Anti-Personnel Mine Ban Convention by recognizing that all States, regardless of whether they were a Party to that instrument, had a duty to work together to intensify efforts to mitigate the effects that the use of anti-personnel mines had on the full enjoyment of human rights. Such efforts, which were in keeping with the Council's mandate, would greatly assist mine-affected African countries at a time when international support was insufficient to address the desperate level of need and the scale of the burden they faced. The main sponsors had clearly stated the need to unite the Council on the issue and had thus sought to reflect the views of all States in the text, which was especially critical in a fractured world. His delegation called on the Council to adopt the draft resolution by consensus.

16. **Mr. Bilali** (North Macedonia) said that the fact that the Anti-Personnel Mine Ban Convention enjoyed the support of more than three quarters of the world's countries demonstrated States' recognition of the danger presented by anti-personnel mines and their impact on a wide range of fundamental human rights. Individuals injured by those mines and other explosive remnants of war generally required lifelong care, which had a negative effect on their rights and those of their family and wider community. As highlighted in the draft resolution, the responsibility of caring for survivors often fell on women and girls. Anti-personnel mines left a legacy of death, permanent disability and suffering for decades after the conflict. The brunt of their impact continued to be borne by civilians, including children. Mine contamination prevented the use of vast areas of land, compromised food production and caused environmental damage. His delegation appreciated the constructive and transparent approach taken by the main sponsors during the negotiations, which had resulted in a balanced text. It supported the draft resolution and hoped that the Council would adopt it to mark the International Day for Mine Awareness and Assistance in Mine Action.

17. **Mr. Eisa** (Sudan) said that, as a country with demining experience, Sudan strongly supported the draft resolution. The text reiterated the link between international human rights law, international humanitarian law and the socioeconomic consequences of the use of anti-personnel mines. It stressed the importance of showing solidarity with the States concerned, which tended to be low-income countries dealing with mines that had been planted by non-State actors. The text also emphasized the urgent need for international cooperation in areas such as demining, technology transfer, capacity-building and victim support. For those reasons, his delegation called on Council members to adopt the draft resolution by consensus.

18. **Mr. Lanwi** (Marshall Islands) said that, as the newest State Party to the Anti-Personnel Mine Ban Convention, the Marshall Islands welcomed the draft resolution addressing the human rights implications of anti-personnel mines, which represented a clear danger for civilians in times of peace and war. In particular, his delegation appreciated the

mention in the draft resolution of the negative impact of those mines on the enjoyment of the right to a clean, healthy and sustainable environment and their contribution to biodiversity loss, soil degradation and water contamination. As the scene of some of the fiercest battles of the Second World War, countries in the Pacific region had first-hand experience of the violence involved in mine-based warfare and the long-term impact of the unexploded ordnances left behind. His delegation would therefore join the consensus on the draft resolution and urged its fellow Council members to do the same.

19. **Mr. Antwi** (Ghana) said that anti-personnel mines had a devastating impact on the right to life and socioeconomic development. His delegation thus supported the draft resolution and wished to reiterate the unyielding commitment of Ghana to the Anti-Personnel Mine Ban Convention and global efforts to eliminate the threat of landmines. Recent events could not be used as justification to repudiate the Convention; abandoning international agreements served only to weaken multilateralism and fuel the breakdown of the international system. He hoped that the Council would adopt the draft resolution by consensus and wished to urge the international community to strengthen cooperation and assistance mechanisms to support mine-affected countries, thereby ensuring that all individuals could live in safety and dignity, free from the threat of landmines.

20. **Ms. Pizzoferrato** (Switzerland) said that her delegation welcomed the references in the draft resolution to the Anti-Personnel Mine Ban Convention. It was regrettable, however, that the seventh, eighth and sixteenth preambular paragraphs and paragraphs 1 and 6 were worded in a way that could weaken the obligation to comply with the Convention and international law, including international humanitarian law and human rights law. International law must be strictly respected in all circumstances.

21. The use of anti-personnel mines had serious humanitarian consequences, causing significant human loss and suffering and hampering economic recovery, development and the return of displaced persons following conflicts. Such weapons killed and maimed people without distinction. They impeded the implementation of the 2030 Agenda for Sustainable Development and threatened the human rights of all persons affected. Against that backdrop, Switzerland had decided to join the sponsors of the draft resolution.

22. **Ms. Bwanali Mussa** (Malawi) said that, although Malawi had never made use of anti-personnel mines, as a country that contributed peacekeeping troops it recognized the threat that such weapons posed. Malawi had decided to sponsor the draft resolution as it reaffirmed the vision of the United Nations of a world free from mines and explosive ordnances, in which mine survivors were fully integrated into their communities and all persons could live in a safe environment that was conducive to development. While the draft resolution noted the efforts of other stakeholders to address the humanitarian consequences of anti-personnel mines, including through international instruments such as the Anti-Personnel Mine Ban Convention and the Convention on Certain Conventional Weapons, it also called for a more holistic human rights-based approach to be taken.

23. The planting of landmines had a negative impact on communities' socioeconomic development by depriving them of valuable farmland. States had a duty to work together to ensure that the needs of mine survivors, especially children, women and girls, were effectively met and that their human rights were protected through national frameworks on disability, health, psychosocial support, education, employment, development and poverty reduction, with particular consideration given to the relevant provisions of the Convention on the Rights of Persons with Disabilities. In view of the foregoing, her delegation urged the Council to adopt the draft resolution by consensus.

24. **Mr. Alhayen** (Kuwait) said that his delegation fully supported the draft resolution, which brought to light one of the most serious humanitarian challenges. Almost one million anti-personnel mines had been planted in Kuwaiti territory; the effects of the significant human, economic and environmental damage caused had persisted for decades. The mines had claimed the lives of innocent civilians, with children being one of the groups most vulnerable to them. They had constituted a major obstacle to reconstruction efforts, jeopardized environmental safety and prevented the use of land. Land clearance operations had taken decades.

25. His country's painful experience clearly illustrated the indiscriminate nature of anti-personnel mines, which did not distinguish between war and peace, combatants and civilians or adults and children. It also confirmed that such mines continued to have an impact long after conflict had ended. Kuwait had acceded to the Anti-Personnel Mine Ban Convention and remained firmly committed to supporting regional and international mine clearance efforts, technical cooperation and the exchange of expertise. His delegation wished to underscore the close link between mine clearance and achievement of the Sustainable Development Goals and called on States that were not Parties to the Anti-Personnel Mine Ban Convention to seriously consider acceding to it.

26. **Ms. Berananda** (Thailand) said that, as concerns regarding the use of landmines in conflicts and their significant impact on civilians grew, the time was ripe to enhance the role played by international human rights law and international humanitarian law in efforts to address the effects of anti-personnel mines. Thailand was a staunch advocate of a human rights-based approach and gender equality in mine action. Addressing the matter in the Human Rights Council would help promote such an approach, which would ensure that survivors of anti-personnel mines received comprehensive support and were integrated into society on an equal footing with others. A rights-based approach required victim assistance to be integrated into national frameworks on development and disability inclusion, including in areas such as access to education, employment, healthcare and participation in decision-making processes, in line with the Convention on the Rights of Persons with Disabilities and other human rights treaties. She hoped that Council members would adopt the draft resolution by consensus and that the report mandated under it would be forward-looking and action-oriented, with a view to ensuring that the Council could take meaningful and substantive action to address the impact of anti-personnel mines.

27. **Mr. Gallón** (Colombia) said that his delegation appreciated the fact that the draft resolution explicitly recognized the impact of mines on fundamental rights such as the rights to life, health, freedom of movement, education and development. It also supported the request made to the High Commissioner for Human Rights to prepare a report, in consultation with victims, that contained a comprehensive analysis of the impact of anti-personnel mines. The draft resolution reaffirmed the importance of a human rights-based approach, which should guide all action taken in the fight against mines.

28. Anti-personnel mines represented a direct threat to the full enjoyment of human rights. Their use had a disproportionate impact on civilians, maiming victims, hampering development and perpetuating poverty and violence. Colombia was categorically opposed to the transfer, stockpiling and use of such mines, which had caused terrible suffering in the country, violated the fundamental principles of international humanitarian law and hindered global efforts to promote peace and security. Attempts to justify their existence based on national security concerns or war-related exceptions were unacceptable and undermined decades of legal and humanitarian efforts.

29. At a time when humankind had seemingly failed to learn its lesson regarding the great suffering caused by mines, it was essential to strongly reaffirm the humanitarian standards that prohibited such weapons. International humanitarian law should not be suspended in difficult times; on the contrary, it was precisely during the darkest hours that the international community must call for compliance with that law in order to protect the rights of all. The Colombian delegation thus invited Council members to adopt the draft resolution by consensus.

30. **Mr. Jiang Han** (China) said that his delegation was ready to join the consensus on the draft resolution and tackle the issues posed by landmines and explosive remnants of war, which caused humanitarian challenges and hampered post-conflict reconstruction. While international mine action had led to progress in recent years, the situation in some mine-affected countries continued to worsen and required urgent attention. The issues associated with landmines should be addressed in a way that struck a balance between defence needs and humanitarian concerns. China supported the purpose and principles of the Anti-Personnel Mine Ban Convention and remained committed to international cooperation and humanitarian demining as part of the Global Security Initiative and efforts to build a better future for humankind. In recent years, the Chinese Government had provided training, guidance, victim support and risk education in over 40 countries as part of its work to assist

humanitarian demining. Chinese peacekeepers had removed a large number of mines and explosive remnants of war.

31. **Ms. Too** (Kenya) said that, as the country that had hosted the first meeting of States Parties to the Anti-Personnel Mine Ban Convention and the Nairobi summit on a mine-free world, Kenya had a long history of championing the eradication of anti-personnel mines. Its unwavering commitment to doing so had been demonstrated by its ratification of the relevant instruments and fulfilment of key obligations in the area. Her delegation particularly appreciated the emphasis that the draft resolution placed on the severe humanitarian consequences of anti-personnel mines and their impact on economic, social and cultural rights, including the right to development. It also welcomed the focus on the disproportionate effects such mines had on women and girls and wished to thank the main sponsors for incorporating its proposals.

32. While costs associated with the production of anti-personnel mines were low, mine clearance operations involved significant expenses, thus diverting resources from other development priorities and hindering even the most dedicated efforts by States to promote and protect their citizens' fundamental rights. The rise of non-State actors using improvised anti-personnel mines, particularly in Africa, highlighted the need for continued monitoring and the adaptation of mine action strategies to address the evolving security challenges. Increased support for the front-line States was critical in that regard.

33. The draft resolution made a critical call for States to renew their commitment to international cooperation and assistance in the area, in line with the Anti-Personnel Mine Ban Convention, the principles of international humanitarian law, the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Sustainable Development Goals. States should also take steps to address the legacy of armed conflicts, including landmines, and provide the financial resources required for mine action. In view of the foregoing, Kenya wished to join the consensus on the draft resolution.

34. **Mr. Guillermet Fernández** (Costa Rica) said that the International Day for Mine Awareness and Assistance in Mine Action represented an opportunity to reflect on the devastating impact that mines had on human rights. Mines restricted movement, caused disability, had an adverse effect on enjoyment of the rights to education, health, food and employment and perpetuated poverty in already vulnerable communities. As a firm defender of international humanitarian law and the prohibition of such weapons, Costa Rica welcomed the draft resolution, which would reaffirm the Council's commitment to a world free of anti-personnel mines and lead to the stigmatization of those countries that used them and were withdrawing from the Anti-Personnel Mine Ban Convention. The draft resolution contained a strong call for the eradication of anti-personnel mines and for a human rights-based approach to addressing their impact.

35. One crucial aspect that had received little attention was the impact that anti-personnel mines had on the human right to a clean, healthy and sustainable environment. Demined land was less fertile and was contaminated with carcinogenic chemicals that affected human health, flora and fauna and water sources. It was important, too, to address the fact that anti-personnel mines had a differentiated impact on women and girls, who, in addition to being among the direct victims, were often required to care for survivors and earn money to support their households, which worsened existing gender inequalities. For those reasons, Costa Rica had decided to sponsor the draft resolution and wished to reiterate its firm support for global efforts to eliminate anti-personnel mines and end the human rights violations caused by their presence.

36. **Mr. Benítez Verson** (Cuba), speaking in explanation of position before the decision, said that nuclear weapons were incompatible with human rights due to their potential to destroy all civilization and the planet. However, there was no Council resolution that addressed the incompatibility of nuclear weapons, other weapons of mass destruction, lethal autonomous weapon systems or sophisticated, highly destructive conventional weapons with human rights. In modern conflicts, most innocent casualties were caused by those weapons, not mines.

37. The responsible use of mines was not incompatible with human rights. As long as the hostility and aggression of the United States of America against Cuba continued, Cuba would

not be able to renounce anti-personnel mines, which were used to defend its sovereignty and territorial integrity in exercise of the right to self-defence. The mines surrounding the perimeter of the Guantanamo naval base, which was Cuban territory illegally occupied by the United States Government, were for strictly defensive purposes, and Cuba would retain them there for as long as necessary. Cuba shared the legitimate concerns expressed by others about the humanitarian consequences of the indiscriminate and irresponsible use of anti-personnel mines. However, the scope of the draft resolution went beyond humanitarian concerns and ventured into defence and security issues, which went beyond the scope of the Council's mandate. For the aforementioned reasons, his delegation could not support the draft resolution and dissociated itself from the consensus.

38. *Draft resolution [A/HRC/58/L.21](#) was adopted.*

Draft resolution [A/HRC/58/L.27/Rev.1](#), as orally revised: Human rights defenders and new and emerging technologies: protecting human rights defenders, including women human rights defenders, in the digital age

39. **Mr. Endresen** (Observer for Norway), introducing the draft resolution, as orally revised, said that human rights defenders played an essential role in promoting and protecting human rights. The draft resolution focused on the positive and negative aspects of new technologies for their work. While new technologies provided new tools for human rights defenders to express their views, they also came with challenges, such as online violence and harassment, censorship, content moderation and surveillance. Human rights applied equally online and offline.

40. The draft resolution addressed access and connectivity so as to bridge existing digital divides; violence, harassment and attacks online, which were effective ways of silencing individuals; the use of "lawfare" (legal warfare) against human rights defenders; the need to protect privacy and sensitive data; and the role of business enterprises, particularly those in the tech industry. The Council had managed to reach a broad consensus at a time of significant instability and fracturing of the international system. He invited members of the Council to adopt the draft resolution by consensus.

41. **The President** announced that the proposed amendment contained in document [A/HRC/58/L.34](#) had been withdrawn.

42. **Ms. Khusanova** (Observer for the Russian Federation), introducing the proposed amendments contained in documents [A/HRC/58/L.35](#), [A/HRC/58/L.36](#) and [A/HRC/58/L.37](#), said that, while her Government attached great importance to supporting legitimate activities promoting and protecting human rights and to engaging with civil society, it disagreed with classifying human rights defenders as a special category enjoying special protection or immunity from justice. The draft resolution, as it stood, implied that any person calling himself or herself a human rights defender was, by definition, not subject to the provisions of criminal law. The amendment contained in document [A/HRC/58/L.35](#) was aimed at correcting such legal inaccuracy.

43. Every special procedure mandate holder was bound by the Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council. The Special Rapporteur on the situation of human rights defenders was no exception. Taking into account the repeated violations of the Code by the current mandate holder, her delegation believed it necessary to include a reference to it in the draft resolution and had therefore proposed the amendment contained in document [A/HRC/58/L.36](#).

44. The denial by the sponsors of the draft resolution of the negative impact of unilateral coercive measures on the enjoyment of human rights was a deliberate politicized attempt to justify the actions of countries that imposed such restrictions on an arbitrary basis. Given that the draft resolution did not in any way reflect that phenomenon, her delegation had introduced the amendment contained in document [A/HRC/58/L.37](#).

45. Her delegation called on those members of the Council who were still committed to international law to vote in favour of the proposed amendments.

46. **Mr. Gunnarsson** (Iceland), speaking on behalf of the main sponsors of the draft resolution, as orally revised, said that the sponsors could not support any of the amendments

put forward and therefore called for them to be put to a vote. They urged all members of the Council to vote against them.

47. **The President** announced that 13 States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$565,400. He invited members of the Council to make general statements on the draft resolution, as orally revised, and the proposed amendments.

48. **Ms. Hysi** (Albania) said that, despite the many opportunities that new and emerging technologies offered, they had exposed human rights defenders to new threats, including cyberattacks, digital surveillance and online harassment. Those threats had a particular impact on women human rights defenders, who faced gender-specific forms of abuse, such as online gender-based violence, harassment and sexual violence. Albania recognized the important role played by human rights defenders in the promotion and protection of human rights both online and offline. Her delegation fully supported the draft resolution, as orally revised, and called upon all the members of the Council to adopt it by consensus. It would vote against the proposed amendments.

49. **Ms. Méndez Escobar** (Mexico) said that Mexico recognized the vital role of human rights defenders in achieving justice, truth and compensation for victims and was committed to creating a safe and supportive environment for their work, both online and offline. Her delegation regretted the attempts to weaken the language of the draft resolution, including the assertion that there was no consensus on the concept of human rights defenders, when in fact the Council had adopted numerous resolutions by consensus on that very issue. While her delegation welcomed the inclusion of references to women human rights defenders, it would have liked to see stronger gender-specific language. Her delegation called upon members of the Council to reject the proposed amendments and to adopt the draft resolution, as orally revised, by consensus.

50. **Mr. Gallón** (Colombia) said that his delegation considered the draft resolution to be of fundamental importance for the Council and for the Latin American and Caribbean region. New technologies had blurred boundaries and concealed the identity of those who attacked and attempted to silence human rights defenders both nationally and across borders. His delegation regretted the deletion, in the revised version of the draft resolution, of the references to “transnational repression”, a phenomenon experienced in the Latin American and Caribbean region that was increasingly used against various individuals, including human rights defenders.

51. Colombia had first-hand experience with the stigmatization of human rights defenders, who had been labelled as terrorist groups. The country’s Truth Commission had recommended in its final report that public servants should refrain from conduct that delegitimized or stigmatized the work of human rights defenders. The stigmatization and criminalization of those who defended human rights through laws and language similar to that included in the proposed amendments had cost hundreds of lives in Colombia. For that reason, his delegation would vote against them and hoped that the draft resolution, as orally revised, would be adopted by consensus.

52. **Mr. Oike** (Japan) said that his delegation particularly appreciated the fact that the draft resolution addressed the positive contributions made by women human rights defenders and called for the creation of an environment that enabled women’s civil society organizations to participate equally and meaningfully both online and offline. Furthermore, bridging the digital divide and ensuring access to the digital space were crucial to the promotion and protection of human rights, the mainstreaming of gender equality and the advancement of women’s empowerment. In the light of the United Nations Guiding Principles on Business and Human Rights, his delegation recognized that businesses also played a significant role in promoting and protecting human rights, including those of human rights defenders. With a view to maintaining the spirit and purpose of the draft resolution, his delegation strongly hoped that it would be adopted by consensus without any amendments.

53. **Mr. Lanwi** (Marshall Islands) said that there was a vital need for the Council to convey a unified message of support to human rights defenders. Human rights defenders utilized digital connectivity and technology to draw global attention to human rights

violations. However, with the advancement of technology came new risks, including violations of the right to privacy and online harassment. It was crucial to acknowledge the invaluable contributions of human rights defenders and to ensure their protection, whether their actions took place online or offline. His delegation welcomed the mention of environmental human rights defenders, condemning the violence and criminalization that they faced. For those reasons, his delegation supported the adoption of the draft resolution, as orally revised, and joined the main sponsors in urging fellow Council members to vote against all the proposed amendments.

54. **Mr. Gómez Martínez** (Spain), speaking on behalf of the States members of the European Union that were members of the Council, said that the draft resolution sent a message in support of the positive contribution that human rights defenders made to society, including through advocating for equal access to new technologies and bridging digital divides. The Council should speak with one voice on the issue of human rights defenders and adopt the draft resolution, as orally revised, by consensus. The States members of the European Union that were members of the Council would vote against any amendments to the draft resolution and called on others to do the same.

55. **Mr. Nkosi** (South Africa) said that 2025 marked 70 years since the adoption of the Freedom Charter of South Africa, a seminal document that outlined the vision of a new democratic South Africa. South Africa owed its freedom to the efforts of human rights defenders both inside the country and from across its borders.

56. All human rights and fundamental freedoms were universal, indivisible, interdependent and interrelated. In the context of the draft resolution, the same rights that applied offline should also apply online. South Africa encouraged States to contribute to efforts aimed at assessing risks created by digital technologies to human rights defenders and following best practices by participating in the regional workshops proposed in the initiative. His delegation encouraged the Council to adopt the draft resolution, as orally revised, by consensus.

57. **Mr. Guillermet Fernández** (Costa Rica) said that the severity and sophistication of the attacks and threats against human rights defenders, including transnational repression, had been increasing. Human rights defenders were invaluable allies in the exercise of democracy. His delegation welcomed the draft resolution's focus on new technologies. Closed-circuit television, drones, biometric technologies, spyware, and facial and emotional recognition had all been used to violate the rights of human rights defenders, including the right to privacy. Many countries, including his own, hosted foreign human rights defenders and had suffered transnational repression first-hand. His delegation would have liked that concern to be adequately reflected in the final version of the draft resolution and hoped that the Council would make more and better references to transnational repression in the future. It called for the adoption of the draft resolution, as orally revised, without a vote and would vote against the proposed amendments.

58. **Ms. Too** (Kenya) said that human rights defenders played a vital role in promoting accountability, transparency and justice, especially as digital tools increasingly shaped civic engagement and governance. As a leading hub for technology and innovation in Africa, Kenya had embraced digital transformation for its sustainable development and boasted a vibrant digital presence characterized by over 24 million Internet users and approximately 15 million active social media accounts.

59. The international community must address the critical gaps in infrastructure, capacity and digital governance, especially in Africa. In addition, there was a need to balance States' obligations with rights holders' responsibilities. Human rights defenders must exercise rights within limitations determined by law and international obligations. To that end, her delegation would join the consensus on the draft resolution, as orally revised, and urged all stakeholders to consider the unique challenges faced by Africa in its implementation.

60. **Ms. Bwanali Mussa** (Malawi) said that her country's progress towards a mature democratic society had been bolstered by the crucial contributions of human rights defenders. Malawi had taken steps to ensure that human rights defenders operated within a favourable legal, institutional and policy environment. The draft resolution highlighted how new technologies and digital spaces affected human rights defenders positively and at the same

time brought new and unique challenges and threats. While addressing issues of access, inclusion and meaningful connectivity, the draft resolution also sent a strong message for the protection of human rights defenders. Her delegation therefore encouraged the Council to adopt the draft resolution, as orally revised, by consensus and without amendments.

61. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/58/L.35](#).

Statements made in explanation of vote before the voting

62. **Ms. Florenzano** (Chile) said that, if the proposed amendment contained in document [A/HRC/58/L.35](#) were introduced to the draft resolution, legitimate activities of human rights defenders, such as monitoring and documenting the human rights situation in a country, providing legal assistance to victims and survivors, defending vulnerable or historically excluded groups or organizing peaceful protests, could be criminalized. That had been the case during the military dictatorship in Chile, which had criminalized all those activities in the country for almost 17 years. Incorporating a reference to “criminalization for legitimate activities” in the draft resolution would be to relativize the condemnation expressed in the text of the draft resolution of criminalizing the work of human rights defenders, thus leaving them exposed to violations of their rights, especially in the context of authoritarian or dictatorial regimes.

63. The inclusion of the proposed amendment in the text would be all the more serious given that the reality on the ground showed that human rights defenders were in fact being investigated, accused, persecuted, arrested, convicted and even murdered for doing their job. Its wording was intrinsically contrary to the spirit of the draft resolution. That was why her delegation would vote against it and called upon other Council members to do the same.

64. **Ms. Thuaudet** (France) said that human rights defenders were individuals who devoted their entire existence to the fight for freedom, risking their lives in doing so. Throughout the world, human rights defenders were the victims of torture, reprisals against those close to them, enforced disappearances and even murder, and were subjected to threats, acts of intimidation, defamation and legal harassment. To include a reference to “legitimate activities” of human rights defenders would be to deny the enormous obstacles that stood in their way when they promoted human rights, documented violations and fought against impunity. That was why her delegation strongly supported the draft resolution, as orally revised. It rejected the proposed amendment contained in document [A/HRC/58/L.35](#) and called on all States members of the Council to vote against it.

65. *At the request of the representative of Iceland, a recorded vote was taken.*

In favour:

China, Indonesia, Kyrgyzstan, Sudan.

Against:

Albania, Belgium, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cyprus, Czechia, Dominican Republic, France, Georgia, Germany, Iceland, Japan, Malawi, Marshall Islands, Mexico, Netherlands (Kingdom of the), North Macedonia, Republic of Korea, Romania, South Africa, Spain, Switzerland, Thailand.

Abstaining:

Algeria, Bangladesh, Benin, Burundi, Côte d’Ivoire, Democratic Republic of the Congo, Ethiopia, Gambia, Ghana, Kenya, Kuwait, Maldives, Morocco, Qatar, Viet Nam.

66. *The proposed amendment contained in document [A/HRC/58/L.35](#) was rejected by 26 votes to 4, with 15 abstentions.*

67. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/58/L.36](#). Cuba had withdrawn its sponsorship of the proposed amendment.

Statements made in explanation of vote before the voting

68. **Ms. Cordero Suárez** (Cuba) said that the reference to the Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council in the proposed amendment contained in document [A/HRC/58/L.36](#) was relevant and necessary. Paragraph 6 of the draft resolution introduced procedural considerations regarding the work and reports of the Special Rapporteur on the situation of human rights defenders. In order to balance such considerations, it was necessary for the draft resolution to refer in equal measure to the legal framework within which special procedure mandate holders must fulfil their responsibilities. The Code of Conduct established basic principles and values that all the members of the Council defended, including impartiality, transparency, independence, equity, integrity, honesty and good faith. Those minimum standards of judgment and decency applied to all experts, without exception. The proposed amendment reflected language that had been used on multiple occasions, not only in technical resolutions for the renewal of mandates but in other, substantive resolutions, for example Council resolution 55/7. For those reasons, her delegation would vote in favour of the proposed amendment contained in document [A/HRC/58/L.36](#) and invited other members of the Council to do the same.

69. **Mr. Payot** (Belgium) said that Belgium regretted the introduction of the proposed amendment by the Russian Federation. It was standard practice not to include references to the Code of Conduct for Special Procedures Mandate Holders of the Council in resolutions, like the draft resolution at hand, that neither created nor extended the mandate of a special procedure. That practice had been confirmed at the current session, where draft resolutions that addressed subjects related to the mandates of special procedures, such as cultural rights, the repatriation of illicit funds and the situation in the Occupied Palestinian Territory, and that made mention of those mandates had included no reference to the Code of Conduct.

70. The Code of Conduct was an essential tool that guided the work of special procedure mandate holders, all of whom were expected to adhere to it. There were clear steps that States could take if they considered that a mandate holder had breached the Code of Conduct. The use of thematic or country-specific resolutions to explicitly or implicitly delegitimize or put pressure on mandate holders was unacceptable. The independence of mandate holders should be protected, and their equitable treatment should be ensured. Referring to the Code of Conduct in one thematic resolution but not in others would set a dangerous precedent. Belgium would vote against the proposed amendment and called upon other members of the Council to do the same.

71. **Mr. Guillermet Fernández** (Costa Rica) said that Costa Rica would vote against the proposed amendment, and it encouraged other members of the Council to do the same. A reference to the Code of Conduct, which was outside the scope of the draft resolution, would distract from the draft resolution's content. The inclusion of the language of the proposed amendment would suggest that the Special Rapporteur on the situation of human rights defenders had violated the Code or required additional supervision. All special procedure mandate holders were subject to the Code; that did not need to be repeated in the draft resolution. The Council should not delegitimize mandate holders in its resolutions.

72. *At the request of the representative of Iceland, a recorded vote was taken.*

In favour:

Bangladesh, Benin, Bolivia (Plurinational State of), China, Cuba, Ethiopia, Gambia, Ghana, Morocco, Sudan.

Against:

Albania, Belgium, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cyprus, Czechia, France, Georgia, Germany, Iceland, Japan, Malawi, Marshall Islands, Mexico, Netherlands (Kingdom of the), North Macedonia, Republic of Korea, Romania, Spain, Switzerland.

Abstaining:

Algeria, Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Dominican Republic, Indonesia, Kenya, Kuwait, Kyrgyzstan, Maldives, Qatar, South Africa, Thailand, Viet Nam.

73. *The proposed amendment contained in document [A/HRC/58/L.36](#) was rejected by 23 votes to 10, with 14 abstentions.*

74. **The President** invited the Council to take action on the proposed amendment contained in document [A/HRC/58/L.37](#).

Statements made in explanation of vote before the voting.

75. **Mr. Oike** (Japan) said that his delegation did not support the proposed amendment, which sought to introduce references to “unilateral economic, financial or trade measures”. The Council had already discussed the relationship between so-called unilateral coercive measures and human rights at the current session in connection with another resolution, against which Japan had voted. Although there had been a long discussion, the differences of opinion among Council members were not easily overcome. The introduction of such a controversial and unsettled issue into the draft resolution would hinder States’ efforts to fulfil the resolution’s main purpose. His delegation was concerned that the approach taken in the proposed amendment ran counter to efforts to streamline the Council’s work and would impair the Council’s ability to function as a human rights body. Consequently, Japan would vote against the proposed amendment.

76. **Mr. Tummers** (Kingdom of the Netherlands) said that his delegation deeply regretted the introduction of the proposed amendment and supported the draft resolution, as orally revised. The proposed amendment undermined human rights defenders’ critical role in promoting and protecting human rights and their ability to carry out their work effectively and safely, online and offline. The extensive negotiations on the draft resolution had been transparent, open and inclusive, and there had been ample opportunity to discuss concerns. It was therefore with great disappointment that his delegation took note of the proposed amendment, which aimed to insert non-consensual language on unilateral coercive measures in no fewer than five paragraphs of the draft resolution. The topic of unilateral coercive measures was irrelevant to the draft resolution, and a separate resolution on that topic had already been adopted by the Council that week. Furthermore, the proposed amendment was intended to divert attention from the real purpose of sanctions: the prevention of grave human rights violations and abuses. The Council owed it to human rights defenders worldwide, who worked tirelessly and often at great personal risk, to focus on the essence of the draft resolution: their critical work in promoting and protecting human rights. For those reasons, his delegation would vote against the proposed amendment and called on all members of the Council to do the same.

77. **Ms. Mihăilescu** (Romania) said that her delegation fully supported the draft resolution, as orally revised. Her delegation deeply regretted the submission of the proposed amendment, which was particularly unjustified given that a resolution specifically addressing unilateral coercive measures had already been considered at that session. That concept had no place in the draft resolution, which was centred on the rights of human rights defenders. The proposed amendment did not contribute to the aim of the resolution, nor did it rest on solid grounds. It was important to recognize the difference between unilateral coercive measures and European Union sanctions; it was untrue to assert that all unilateral measures violated international law or undermined human rights. Sanctions were imposed to discourage serious human rights violations and abuses. Romania would therefore vote against the proposed amendment and called on other members of the Council to do the same.

78. **Ms. Cordero Suárez** (Cuba) said that a resolution focused on new and emerging technologies must necessarily reflect the impact of unilateral coercive measures on the digital transformation and access to information and communication technologies. Such measures were contrary to the Charter of the United Nations and international law and undermined the right of all targeted States to create a safe online environment. For many countries, they constituted the main obstacle to closing the digital divide. Access to new information and communication technologies should be neither limited nor used as a political tool. The barriers imposed and the unequal access to new technologies exacerbated the North-South digital divide and the existing lack of equity and social justice. Her delegation would vote in favour of the proposed amendment and invited the other members of the Council to do the same.

79. *At the request of the representative of Iceland, a recorded vote was taken.*

In favour:

Algeria, Bolivia (Plurinational State of), China, Cuba, Ethiopia, Indonesia, Sudan.

Against:

Albania, Belgium, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cyprus, Czechia, Dominican Republic, France, Georgia, Germany, Iceland, Japan, Malawi, Marshall Islands, Mexico, Netherlands (Kingdom of the), North Macedonia, Republic of Korea, Romania, Spain, Switzerland.

Abstaining:

Bangladesh, Benin, Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Gambia, Ghana, Kenya, Kuwait, Kyrgyzstan, Maldives, Morocco, Qatar, South Africa, Thailand.

80. *The proposed amendment contained in document [A/HRC/58/L.37](#) was rejected by 24 votes to 7, with 15 abstentions.*

81. **The President** invited the Council to take action on draft resolution [A/HRC/58/L.27/Rev.1](#), as orally revised.

Statements made in explanation of position before the decision

82. **Ms. Arrous** (Algeria) said that Algeria considered human rights defenders to be partners in a collective endeavour to promote and protect human rights, and it recognized the importance of the engagement of civil society with United Nations human rights mechanisms, which had helped bring global attention to human rights violations that were often overlooked, including in situations of foreign occupation. Her Government had taken numerous measures to give full effect to the commitments made in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and the recent visit to Algeria by the Special Rapporteur on the situation of human rights defenders underscored the Government's commitment to providing a safe and enabling environment for those who worked to promote and protect human rights in line with the national legal framework and international obligations.

83. Her delegation was disappointed with the draft resolution, as orally revised, for a number of reasons. First, the negotiating process should have been more inclusive. The submissions of many delegations, including her own, had been overlooked or accommodated only partially. Second, her delegation could not support the attempt to give a self-identified category of citizens carte blanche, creating a de facto hierarchy in society. Third, her delegation regretted the inclusion of several non-consensual terms and concepts, including those relating to environmental and Indigenous human rights defenders. Her delegation therefore dissociated itself from the twenty-sixth preambular paragraph and paragraph 3. Nonetheless, given the importance of the subject and her country's traditional commitment to the cause, Algeria would join the consensus on the draft resolution.

84. **Ms. Cordero Suárez** (Cuba) said that Cuba attached great importance to the work of human rights defenders and to the protection of their rights. Human rights defenders also had responsibilities under national law. Persons who broke the law and acted to further foreign powers' agendas for regime change and undermine a constitutional system freely chosen by the people did not deserve the noble title of human rights defender. The cause of human rights could not be subverted for political interests. Efforts to do so delegitimized the work of true human rights defenders. Her delegation regretted that the references to the Code of Conduct and the impact of unilateral coercive measures on access to new and emerging technologies had not been reflected in the final text of the draft resolution. Despite the constructive and transparent engagement of a number of delegations from the global South, including her own, the draft was unbalanced and gave weight to only certain positions. Agreement could not be reached if the legitimate concerns of all parties were not duly taken into account. However, given that legitimate human rights defenders deserved the Council's full support, Cuba would join the consensus on the draft resolution.

85. **Ms. Li Xiaomei** (China) said that China encouraged and supported the positive role played by individuals and non-governmental organizations in the promotion and protection of human rights and protected all citizens' legitimate rights in accordance with the law. It should be noted that there was no agreed definition of the term "human rights defenders" at the intergovernmental level. Her delegation welcomed the inclusion in the oral revision of some of the constructive suggestions that it and other delegations had put forward. However, it remained concerned about the imbalance between the rights and obligations of human rights defenders in the draft resolution, contrary to the Universal Declaration of Human Rights and the Declaration on Human Rights Defenders. Second, the implied privilege enjoyed by human rights defenders was contrary to the rule of law. The call in the draft resolution for States to refrain from the criminalization of human rights defenders violated States' judicial sovereignty and meant that criminals could self-identify as human rights defenders in order to evade justice. Third, with respect to the recommendations relating to emerging technologies, it was the sovereign right of all countries to regulate online spaces and combat online crimes. Her delegation regretted that the significant negative impact of unilateral coercive measures on countries' efforts to promote and protect human rights had not been addressed in the draft resolution and hoped that all parties' concerns would be treated in an inclusive, impartial and equal manner in the future. For those reasons, China dissociated itself from the consensus on the draft resolution.

86. *Draft resolution A/HRC/58/L.27/Rev.1, as orally revised, was adopted.*

87. **The President** invited delegations to make statements in explanation of vote or position or general statements on any of the draft resolutions considered under agenda item 3.

88. **Mr. Alhayen** (Kuwait) said that the States members of the Cooperation Council for the Arab States of the Gulf reserved the right to interpret and implement the resolutions adopted under agenda item 3 in accordance with their respective national laws and obligations under international human rights law. In that context, they dissociated themselves from concepts, terms and non-governmental documents referenced in draft resolutions in respect of which there was no international consensus or for which there was no clear definition under international human rights law. They reaffirmed their national understanding of all contested terms and gender-related concepts, which they interpreted as referring exclusively to the two biological sexes, male and female, in a manner consistent with their respective legal frameworks and their cultural, religious and social values.

89. **Ms. Cabrera Brasero** (Spain) said that, although the issue of recovering illicit funds had a direct impact on the enjoyment of human rights, Spain had been unable to vote in favour of draft resolution [A/HRC/58/L.16](#) because of certain elements that it contained. Her delegation would work constructively to ensure that, in the future, the Human Rights Council addressed the issue as it related to the idea of the human rights economy put forward by the Office of the United Nations High Commissioner for Human Rights. The upcoming International Conference on Financing for Development, to be held in Seville, Spain, would provide an opportunity for in-depth discussions on how to continue strengthening international cooperation in the fight against illicit funds and serve as a good starting point for the Council to be able to approach the issue in a more united manner.

90. **Mr. Antwi** (Ghana), speaking on behalf of the Group of African States and referring to draft resolution [A/HRC/58/L.16](#), said that it was regrettable that, once again, the Council had been unable to speak with one voice on a matter so crucial to sustainable development. The continued insistence of some delegations on voting against the resolution was deeply concerning and discouraging. The Council must remain open to the ideas and concerns of all regional groups. At a time when the need for funds was dire, steps taken by African States to recover funds of illicit origin had had very limited success. The Group's constructive engagement and its efforts to strengthen the language on human rights in the draft had not been reciprocated by some delegations, possibly reflecting a lack of political will to address the issue and uphold the United Nations Convention against Corruption, article 51 of which stipulated that the return of assets was a fundamental principle of the Convention.

91. **Mr. Habib** (Indonesia) said that Indonesia welcomed the adoption of draft resolutions [A/HRC/58/L.15](#) and [A/HRC/58/L.21](#). With respect to the first, Indonesia wished to underscore the importance of removing structural barriers to women's full participation in

diplomacy and decision-making. The country's own fifth President had been a woman, and women now accounted for over 40 per cent of its diplomatic corps. With respect to the second draft resolution, Indonesia was proud to be a sponsor, was committed to addressing the impact of anti-personnel mines on human rights and stressed the urgent need for mine clearance, victim assistance and international cooperation. Indonesia hoped that the intergovernmental working group for the elaboration of a legally binding instrument on the promotion and protection of the human rights of older persons established under draft resolution [A/HRC/58/L.24/Rev.1](#) would carry out its mandate effectively and take the perspectives of diverse States into account. His delegation welcomed the inclusion of paragraph 6 in [A/HRC/58/L.4](#), which promoted cooperation on the return or restitution of cultural property to the countries of origin.

92. His delegation also welcomed the adoption by consensus of the draft resolution on human rights defenders and appreciated the effort made to produce a more balanced draft that accommodated its broad concerns. Indonesia recognized human rights defenders' important role in promoting democratic and inclusive societies. Their legitimate activities must be protected under national legal frameworks and be balanced with their responsibility to comply with the law. Indonesia reiterated that it interpreted the term "gender" to refer exclusively to the two biological sexes, male and female. Indonesia remained cautious about efforts to mainstream concepts that might undermine religious values and cultural norms in many countries, including Indonesia, and could therefore not support any reference to the outcome documents of the review of the Beijing Declaration and Platform for Action or to general recommendation No. 40 (2024) of the Committee on the Elimination of Discrimination against Women. It also dissociated itself from any references to multiple and intersecting forms of discrimination in the adopted resolutions. Finally, Indonesia reaffirmed its position on recognizing local communities and regretted that its proposals had not been included in draft resolutions [A/HRC/58/L.7](#), [A/HRC/58/L.14](#) and [A/HRC/58/L.17/Rev.1](#).

Agenda item 4: Human rights situations that require the Council's attention

(continued) ([A/HRC/58/L.22](#) and [A/HRC/58/L.25](#))

Draft resolution [A/HRC/58/L.22](#): Situation of human rights in Ukraine stemming from the Russian aggression

93. **Mr. Tsymbaliuk** (Observer for Ukraine), introducing the draft resolution, said that its key objective was to extend the mandate of the Independent International Commission of Inquiry on Ukraine so that it could continue its vital work in accordance with the mandate established under Council resolution 49/1. In the course of its work, the Commission had submitted six reports to the Council and the General Assembly. In them, the Commission had documented gross violations of human rights and international humanitarian law and provided irrefutable evidence of the horrific crimes that Russia was systematically committing during its armed aggression against Ukraine. Many of those violations, including deliberate killings, indiscriminate attacks on civilians and civilian objects, the illegal detention of civilians, forcible displacement and the deportation of children, amounted to war crimes. The Commission had noted the mass, systematic use of torture and enforced disappearance as part of a coordinated State policy by Russia, which operated with a sense of complete impunity. The Commission had qualified those actions as crimes against humanity, which entailed the highest level of international responsibility. Every day, innocent Ukrainian civilians suffered as a result of the Russian aggression. Lives were lost. Homes, schools and hospitals were demolished. Multiple Ukrainian cities and towns had been completely destroyed. There was a common duty to take further steps to ensure accountability for the atrocities. The continued work of the Commission was crucial in that regard. The draft resolution would make an important contribution towards ensuring that justice would prevail, and Ukraine looked forward to its adoption by consensus.

94. **The President** announced that six States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$4,578,100.

General statements made before the voting

95. **Mr. Oike** (Japan) said that the draft resolution addressed the increasingly dire human rights situation in Ukraine resulting from the Russian aggression and contained key elements that merited the continued support of the international community. The Independent International Commission of Inquiry on Ukraine had played a vital role in identifying serious human rights violations and in helping to establish responsibility. The renewal of its mandate was therefore of the utmost importance. His delegation sincerely hoped that the Commission's work would help bring about a comprehensive, just and lasting peace in Ukraine. In the event of a vote, Japan would vote in favour of the draft resolution and hoped that other members of the Council would do the same.

96. **Mr. Benítez Verson** (Cuba) said that the draft resolution would neither contribute to a peaceful and lasting negotiated conclusion to the conflict in Ukraine nor foster the climate of cooperation, dialogue and understanding needed to advance the cause of human rights. Tangible results would not be achieved by exacerbating the differences between the parties or promoting confrontation through selective, politicized mechanisms. His delegation advocated for objectivity and impartiality in the work of the Council, which should operate on the basis of accurate, verified information. The draft resolution was unbalanced, partial and mendacious and reflected a politically motivated manipulation of the facts. It failed to take account of the legitimate concerns of all parties involved and offered no solutions to promote the effective exercise of human rights in Ukraine, on a non-selective and non-discriminatory basis. Cuba rejected aggressive rhetoric and unilateral coercive measures that served to prolong the conflict instead of easing tensions. Dialogue and negotiation, not war, were the only path to resolving the conflict.

97. Cuba was firmly committed to the Charter of the United Nations and international law, which must be respected by all States under all circumstances, and it would always champion the independence, sovereignty and territorial integrity of all States, the self-determination of peoples and peace. It opposed the use or threat of use of force, supported the peaceful settlement of disputes and was committed to international humanitarian law and deeply saddened by the loss of innocent lives. There was a close relationship between the people of Cuba and of Ukraine. Cuba would always support initiatives that promoted a realistic, balanced and constructive diplomatic solution to the crisis, used peaceful means, involved all concerned parties and guaranteed security and sovereignty for all, the effective exercise of human rights, peace and regional and international security. For those reasons, Cuba wished to call for a vote on the draft resolution.

98. **Mr. Perriard** (Switzerland) said that, despite discussions on a possible ceasefire, the people of Ukraine and its occupied territories, particularly women, children, older persons and persons with disabilities, continued to bear the brunt of the campaign of military aggression being waged by Russia, which was now in its fourth year. By documenting allegations of violations of international humanitarian law and human rights committed by all parties to the conflict, the Independent International Commission of Inquiry on Ukraine played a crucial role in ensuring that the perpetrators of those violations would one day be brought to justice and that the victims and survivors would obtain truth, justice and reparation.

99. In accordance with General Assembly resolution 60/251, by which the Council had been established, and Council resolution 5/1, on institution-building of the Council, the Council had a duty to address all situations of human rights violations. Thus, lack of consent by one or more of the countries concerned could not be put forward as a basis for preventing the Council from addressing a situation that required its attention. Human rights were a matter of international concern, particularly in the face of mass violations such as those being observed in Ukraine. The Council must make its voice heard wherever fundamental rights were threatened or violated. His delegation called on all member and observer States to support the Council's special procedures and independent mechanisms.

100. **Mr. Gómez Martínez** (Spain), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union fully supported the extension of the mandate of the Independent International Commission of

Inquiry on Ukraine. The work done by the Commission of Inquiry, the human rights monitoring mission in Ukraine and the International Criminal Court would help to ensure accountability for the many atrocities committed against the people of Ukraine on the front lines and in its occupied territories. The text of the draft resolution faithfully reflected the conclusions set out in the most recent report of the Commission of Inquiry, including its observation that the Russian Federation was committing war crimes and crimes against humanity. Russia continued to deny access to the Commission of Inquiry and refused to engage with it in any way. It was regrettable that the text would again be put to a vote under the pretext that the draft resolution politicized human rights and did not contribute to resolving the conflict. Putting the draft resolution to a vote and voting against it was in no way impartial or objective. It was widely known that Russia was violating the principles of sovereignty, territorial integrity and political independence and the clear prohibition of the use of force in international relations set forth in the Charter of the United Nations. Ukraine had the right to be free and independent and to choose its own path. Russia must not be allowed to shield itself from international scrutiny. In adopting the draft resolution, the Council would be upholding the Charter, not politicizing it. States members of the European Union that were members of the Council would vote in favour of the draft resolution and called on other Council members to do the same.

101. **Mr. Gallón** (Colombia) said that Colombia reiterated its firm condemnation of the use of force in international relations. Conflicts must be resolved exclusively by peaceful means in strict accordance with international law and the Charter of the United Nations. Any form of violence that contravened those fundamental principles must be unequivocally rejected by the international community. All States had a duty to respect, protect and fulfil the human rights of all persons under their jurisdiction, and all parties to an armed conflict were obliged to comply with international humanitarian law. Accountability was an essential pillar in the fight against impunity and a significant guarantee for the rights of victims of serious human rights violations. Serious violations of international human rights law and international humanitarian law, including attacks against civilians and the deportation of children, were unacceptable and must be independently investigated and those responsible brought to justice. Colombia strongly supported the mechanisms established by the Council to that end, including the Independent International Commission of Inquiry on Ukraine. While his delegation stood in solidarity with the victims of the war in Ukraine, it noted with concern that the text of the draft resolution was unbalanced, as it focused only on the responsibilities of one of the parties to the conflict and did not include a clear and immediate call for the cessation of hostilities and the establishment of direct dialogue between the parties with a view to bringing the conflict to an end. His delegation would therefore abstain from voting on the draft resolution.

102. **Mr. Sterk** (Bulgaria) said that Bulgaria reiterated its strongest condemnation of all violations of international human rights law and international humanitarian law committed during the Russian campaign of military aggression against Ukraine. The widespread and systematic disregard for fundamental human rights in Ukraine was unacceptable. The most recent report of the Independent International Commission of Inquiry on Ukraine provided further evidence of the grave violations of international humanitarian law and international human rights law taking place in the country. Crimes such as enforced disappearance, systematic torture, sexual violence and extrajudicial executions, when committed as part of a widespread and coordinated State policy targeting civilians, might well amount to crimes against humanity. The most recent update from the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine alluded to the forced transfer of children from temporarily occupied Ukrainian territories to the Russian Federation and their indoctrination. Such grave violations demanded full accountability, and those responsible must face justice. The Commission of Inquiry played a critical role in investigating all violations of international human rights law and international humanitarian law, preserving crucial evidence, identifying those responsible and ultimately ensuring accountability. Its work was indispensable in upholding the principles of justice and reinforcing the international community's commitment to human rights and the rule of law. His delegation supported the proposal to extend the mandate of the Commission of Inquiry, would vote in favour of the draft resolution and urged all members of the Council to do likewise.

103. **Mr. Tummers** (Kingdom of the Netherlands) said that, more than three years later, the Russian war of aggression against Ukraine continued unabated and, with it, the assault against the fundamental rights of every Ukrainian citizen. The draft resolution painted a clear and devastating picture of the reality in Ukraine. The work of the Independent International Commission of Inquiry on Ukraine reminded the international community of that reality. Its findings were clear: the Russian authorities had committed the crimes against humanity of enforced disappearance and torture in the context of the full-scale invasion of Ukraine. The Council must ensure that the Commission of Inquiry could continue its vital work, that victims were heard, that their testimonies were recorded, and that impunity did not prevail. Real accountability was the foundation of peace. The draft resolution at hand, and its proposal to extend the mandate of the Commission of Inquiry, was a critical step towards ensuring accountability. His delegation called on all States members of the Council to vote in favour of the draft resolution.

104. **The President** said it was his understanding that the State concerned by the draft resolution did not wish to make a statement. France had withdrawn its sponsorship of the draft resolution.

Statements made in explanation of vote before the voting

105. **Ms. Li Xiaomei** (China) said that China had always taken a balanced position on the situation in Ukraine. Sovereignty and territorial integrity should be respected, the principles set forth in the Charter of the United Nations should be observed, and the legitimate security concerns of all States should be taken into account. Her delegation hoped that all the parties to the conflict would be able to reach a sustainable and lasting solution. Any draft resolution adopted by the Council should be equitable and objective, promote dialogue and negotiations, and help to eliminate the causes of the conflict. Regrettably, the text was neither equitable nor objective and made no mention of dialogue, negotiations or solutions. Instead, it contained unilateral accusations, which would only serve to compound the situation, and was not conducive to finding a diplomatic and peaceful solution to the Ukrainian crisis. Her delegation supported the call by Cuba for a vote on the draft resolution and would vote against it.

106. **Ms. Thuaudet** (France) said that, in the three years since the start of its war of aggression against Ukraine, Russia had committed countless violations of human rights and international humanitarian law. The Independent International Commission of Inquiry on Ukraine had amply documented the crimes committed by the Russian authorities against the civilian population of Ukraine, including enforced disappearance, sexual violence, deportation and torture. The reports of the Commission of Inquiry bore witness to the Russian authorities' deliberate desire to terrorize Ukrainian citizens. The reports concluded that Russia was guilty of war crimes and crimes against humanity. The work of the Commission of Inquiry must continue and those responsible for those crimes must be held to account. Her delegation found it deeply regrettable that the Council was unable to speak with one voice in the face of the damning conclusions presented to it by an independent mechanism set up by the Council and with which Russia refused to cooperate. As in other forums, the aggressor State, Russia, was shirking its responsibilities and international commitments, including its commitment to abide by the Charter of the United Nations. Although Russia claimed to be in favour of a ceasefire, it continued to carry out massive strikes on Ukrainian territory, including against civilian infrastructure. Her delegation urged all members of the Council to vote in favour of the draft resolution.

107. **Mr. Simas Magalhães** (Brazil) said that Brazil was alarmed by the most recent report of the Independent International Commission of Inquiry on Ukraine, which detailed a litany of human rights violations, including the displacement and deportation of children, mass executions, sexual violence, human trafficking and discrimination against refugees. However, the draft resolution under consideration was unbalanced, as it ascribed responsibility for human rights violations exclusively to one party to the conflict. It also failed to allow space for dialogue, which was essential for preventing further violations and fostering lasting peace in the region. The paragraphs addressing peace and security issues and referring to the International Criminal Court and the International Court of Justice were a cause for concern; those matters should be addressed in other United Nations forums such

as the Security Council or the General Assembly. His delegation maintained its position that both parties must fulfil their obligations under international human rights law and international humanitarian law and recalled that they were obliged to afford protection to all persons under their jurisdiction. Recent developments suggested that the conflict might be approaching a turning point, with the focus shifting from the battlefield to the negotiating table. As a member of the Group of Friends for Peace, Brazil firmly believed that only a negotiated political solution could bring the conflict to an end. In the light of the foregoing, Brazil would abstain from voting on the draft resolution.

108. **Mr. Habib** (Indonesia) said that Indonesia had long supported the sovereignty and territorial integrity of Ukraine, as reflected in its support for the related draft resolutions submitted to the General Assembly and the Council since the beginning of the conflict. It remained deeply concerned about the ongoing hostilities and their devastating humanitarian impact and urged the parties to pursue diplomatic efforts towards peace. As the Council prepared to vote on what was the fourth iteration of the resolution on the topic, his delegation urged Council members to evaluate carefully and reflect honestly on the effectiveness of the actions taken to date. If the current approach was not yielding tangible results, it was perhaps time to consider alternative, more constructive methods. Doing so was important not only for the sake of peace but also for preventing further politicization within the Council. The continued neglect and unequal treatment by some countries of parties to certain prolonged conflicts and occupations undermined the credibility and impartiality of the Council. At the same time, his delegation firmly believed that there was no military solution to the conflict in Ukraine and called on all parties involved to return to the negotiating table with a view to bringing the conflict to an end. For those reasons, his delegation would abstain from voting on the draft resolution.

109. *At the request of the representative of Cuba, a recorded vote was taken.*

In favour:

Albania, Belgium, Bulgaria, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Czechia, Dominican Republic, France, Gambia, Georgia, Germany, Ghana, Iceland, Japan, Malawi, Marshall Islands, Mexico, Netherlands (Kingdom of the), North Macedonia, Republic of Korea, Romania, Spain, Switzerland.

Against:

Burundi, China, Ethiopia, Sudan.

Abstaining:

Algeria, Bangladesh, Benin, Bolivia (Plurinational State of), Brazil, Colombia, Cuba, Democratic Republic of the Congo, Indonesia, Kenya, Kuwait, Kyrgyzstan, Maldives, Morocco, Qatar, South Africa, Thailand, Viet Nam.

110. *Draft resolution [A/HRC/58/L.22](#) was adopted by 25 votes to 4, with 18 abstentions.*

Draft resolution [A/HRC/58/L.25](#), as orally revised: Situation of human rights in the Syrian Arab Republic

111. **Mr. Manley** (Observer for the United Kingdom), introducing the draft resolution, as orally revised, on behalf of the main sponsors, namely France, Germany, the Kingdom of the Netherlands, Qatar, Türkiye and his own delegation, said that, for 14 long years, the Human Rights Council had stood with the people of Syria as they endured the brutality of the Assad regime, which had brought despair, death, and destruction to their homeland. When the regime had launched a campaign of executions, arbitrary detention, enforced disappearance and torture, the Council had established the Independent International Commission of Inquiry on the Syrian Arab Republic to bear witness to those atrocities, which it had rigorously documented. The draft resolution was being presented four months after the end of the former Syrian regime and just days after the historic formation of a new Government. It was a time of hope in Syria: hope for peace, hope for healing, hope for reconciliation and hope for Syrian-led and Syrian-owned justice and accountability. As highlighted by the Minister of Foreign Affairs and Expatriates of the Syrian Arab Republic in his statement at the current session of the Council, justice in Syria was not a matter of political bargaining, rather it was a fundamental commitment that must be upheld to ensure accountability and combat impunity. The draft resolution supported that commitment while recognizing the many

challenges facing the new Government. The Council must support the new Government in setting out a road map for accountability that would offer justice to victims and survivors and that would help to usher in a peaceful future for all Syrians. Crucially, Syrian mechanisms must be independent, impartial, prompt and transparent. The international community stood ready to assist the Syrian authorities in achieving that goal. He urged the members of the Council to adopt the draft resolution by consensus and extend the mandate of the Commission of Inquiry so that it could continue its independent reporting.

112. **The President** said that 15 States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$7,917,300.

General statements made before the decision

113. **Ms. Méndez Escobar** (Mexico) said that Mexico welcomed the recent developments in Syria and appreciated the new multi-faith Government's commitment to ensuring justice, accountability and respect for human rights. The signing of the Constitutional Declaration affirming that the State would guarantee human rights and fundamental freedoms would lay the groundwork for an orderly and inclusive transition. Every effort should be made to ensure that transitional justice processes were genuinely victim-centred and that women, civil society organizations and families of disappeared persons were able to participate effectively in those processes. The growing cooperation between the Syrian authorities and international human rights mechanisms was an important step towards achieving sustainable peace and justice. Her delegation supported the extension of the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic, which played an essential role in uncovering the truth and in ensuring non-repetition and accountability. The adoption of the draft resolution by consensus would provide an opportunity to accompany the Syrian people on their path towards a just, inclusive and lasting peace.

114. **Mr. Gómez Martínez** (Spain), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union supported the draft resolution and, in particular, the proposal to extend the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic. It appreciated the emphasis placed in the text on accountability and transitional justice and welcomed its support for 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 and the Independent Institution on Missing Persons in the Syrian Arab Republic, alongside Syrian-led and Syrian-owned efforts. The European Union considered the draft resolution to be a good basis for cooperation and coordination between the Syrian authorities, the Commission of Inquiry and other United Nations mechanisms. It called on all actors to avoid further violence, to ensure the protection of all civilians, regardless of religious or ethnic background, and to respect international law. The European Union hoped that the draft resolution could be adopted by consensus.

115. **Mr. Da Silva Nunes** (Brazil) said that Brazil welcomed the support shown by the new Government of Syria for the draft resolution and its willingness to grant access to the Independent International Commission of Inquiry on the Syrian Arab Republic. Such access should also be granted to other human rights mechanisms, such as the Independent Institution on Missing Persons in the Syrian Arab Republic. The draft resolution would hopefully pave the way for enhanced cooperation between Syria and the Council, and lead to tangible improvements in the human rights situation in the country, which, despite recent developments, remained deeply troubling. Brazil urged the Syrian authorities to ensure the protection of all minorities and to guarantee the human rights of all citizens without discrimination. All those responsible for past and present atrocities must be held accountable. While his delegation appreciated the emphasis that the draft resolution placed on transitional justice, it hoped that language related to peace and security issues and the internal political affairs of the country would be excluded from future iterations of the text, as those matters fell outside the Council's mandate. Brazil also reiterated its deep concern about the impact of unilateral coercive measures on the human rights of Syrians and reaffirmed its commitment to ensuring the country's sovereignty, unity and territorial integrity. He hoped that the Council could adopt the draft resolution by consensus.

116. **Mr. Ishii** (Japan), commending the main sponsors of the draft resolution for having presented a balanced text, said that Japan was pleased to note the recent establishment of a transitional Government in Syria and appreciated the efforts of the Independent International Commission of Inquiry on the Syrian Arab Republic and its continued commitment to ensuring accountability for all parties involved in the Syrian conflict. The successful conclusion of the Commission's first visit to Syria, which had fostered dialogue and engagement with the Syrian authorities, was likewise a welcome development. Despite the positive steps taken towards reconciliation by various factions after 14 years of conflict, Japan was concerned about the recent violence in the coastal region of the country and the deterioration of the human rights situation there. Japan strongly urged all parties to cease hostilities with immediate effect and to comply with international law. All parties should play a constructive role in promoting a political settlement and national reconciliation through dialogue among Syrians. Civil society representatives, particularly women, could and should play a central role in achieving peace and stability and in protecting and promoting human rights. His delegation strongly supported the proposal to extend the mandate of the Commission of Inquiry.

117. **Ms. Pizzoferrato** (Switzerland) said that, after 14 years of conflict, the Syrian people were finally on the road towards achieving a long-awaited, lasting peace. The draft resolution represented an important step forward and her delegation welcomed the constructive engagement of the Syrian delegation in the drafting process. Switzerland supported the work done by the Independent International Commission of Inquiry on the Syrian Arab Republic and the proposal to extend its mandate. However, it was regrettable that the text failed to address all the rights violations committed by all the parties to the conflict. For example, her delegation considered that the serious escalation of the violence in the coastal region of the country warranted stronger condemnation. A balanced approach was essential for ensuring that justice was done for all victims, that the Syrian people was reconciled and, ultimately, that lasting peace was achieved. An inclusive political process, led and supported by all Syrians, including civil society, was also necessary. That principle of inclusion must also be applied to all aspects of the country's future. All Syrians, regardless of their origin, religious or political beliefs, gender or social status, must enjoy equal rights. Switzerland remained committed to supporting efforts that would contribute to a peaceful and inclusive transition and to respect for human rights.

118. **Ms. Thuaudet** (France) said that, after decades of repression and years of struggle against dictatorship and violence, the fall of the Assad regime in December 2024 had raised the hopes of the Syrian people. The international community must help them to recover and to avoid a new crisis that could once again threaten regional and international peace and security. Respect for human rights was a precondition for achieving a just and lasting peace in Syria. The Independent International Commission of Inquiry on the Syrian Arab Republic and other independent mechanisms played their part in the fight against impunity and could support the Syrian authorities in building the rule of law in the country. The draft resolution, which contained a proposal to extend the mandate of the Commission of Inquiry for a further year, was focused on accountability and transitional justice. However, the reprehensible massacres that had recently taken place in the coastal region of the country served as a reminder of the ever-present risk of fragmentation of Syrian society. The perpetrators of those acts of violence must be punished. The formation of a new Syrian Government was a welcome development. In accordance with the intergovernmental statement issued at the international conference on Syria held in Paris in February 2025, France stood ready to support the Syrian authorities in overseeing a peaceful and inclusive political transition, conducted in the spirit of Security Council resolution 2254 (2015). Her delegation called on all States members of the Council to adopt the draft resolution by consensus.

119. **Mr. Guillermet Fernández** (Costa Rica) said that the constructive participation of the Syrian delegation in the negotiations on the draft resolution was an essential step towards ensuring inclusive dialogue, accountability and meaningful transitional justice, which, as pointed out in the text, were the basis for building a sustainable peace in Syria. The process must be led and owned by the Syrian people and place victims and their families at the centre of justice efforts. His delegation appreciated the express reference in the text to the International Criminal Court, which, as Costa Rica saw it, played a key role in addressing the most serious crimes and preventing impunity. The efforts of the Independent International

Commission of Inquiry on the Syrian Arab Republic to document and preserve evidence and to ensure justice remained crucial, and Costa Rica strongly supported the extension of its mandate. His delegation called for greater cooperation between 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.

120. **The President** invited the State concerned by the draft resolution to make a statement.

121. **Mr. Ahmad** (Observer for the Syrian Arab Republic) said that the dark chapter in his country's history during which the Syrian people had endured the most severe forms of tyranny, violence, crimes and human rights violations at the hands of the Assad regime had finally come to an end. The Syrian people had started a new chapter filled with hope for a safe, stable and prosperous future that would fulfil their aspirations and guarantee the rights for which they had fought for 14 years. Despite the grim legacy left by the previous regime, the new Syrian leadership had made significant strides towards the future by, for example, convening the National Dialogue Conference, adopting the Constitutional Declaration and forming a new Government. Other positive steps taken by the Syrian authorities included granting access to and initiating dialogue and cooperation with human rights mechanisms and engaging with Syrian civil society organizations and victims' associations as part of their commitment to ensuring justice for victims and accountability for the perpetrators of human rights violations. For the first time, the Syrian delegation had actively participated in informal consultations on the draft resolution and consultations with the main sponsors. Overall, his delegation regarded the draft resolution as positive and balanced, as it reflected key aspects of the complex and evolving situation in the country. It supported the oral revision conveying the fact that a new Government of Syria had been formed. Syria valued the support and assistance received from the many friendly countries that had expressed their willingness to work with the newly formed Government. Such support was a strong incentive to continue along the path of reform and to meet the aspirations of the Syrian people for peace, stability and development.

122. **The President** said that the Council would take action on the draft resolution, as orally revised, at the next meeting.

The meeting rose at 1 p.m.