



# General Assembly

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## Seventy-second session

Agenda item 72 (c)

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

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

*Rapporteur:* Mr. Edgar Andrés **Molina Linares** (Guatemala)

#### **I. Introduction**

1. At its 2nd plenary meeting, on 15 September 2017, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-second session, under the item entitled “Promotion and protection of human rights”, the sub-item entitled “Human rights situations and reports of special rapporteurs and representatives” and to allocate it to the Third Committee.

2. The Third Committee considered the sub-item jointly with sub-item 72 (b), entitled “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, at its 20th to 34th meetings, from 16 to 18, on 20 and from 23 to 27 October 2017. The Committee held a general discussion on the sub-items at its 35th and 36th meetings, on 27 and 30 October, and considered proposals and took action under sub-item 72 (c) at its 45th to 47th meetings, on 14 and 16 November. An account of the Committee’s consideration of the sub-item is contained in the relevant summary records<sup>1</sup>.

3. For the documents before the Committee under this sub-item, see document [A/72/439](#).

4. At the 20th meeting, on 16 October, the United Nations High Commissioner for Human Rights made an introductory statement and responded to the questions posed and comments made by the representatives of Brazil, China, Morocco, Qatar,

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\* The report of the Committee on this item is being issued in five parts, under the symbols [A/72/439](#), [A/72/439/Add.1](#), [A/72/439/Add.2](#), [A/72/439/Add.3](#) and [A/72/439/Add.4](#).

<sup>1</sup> [A/C.3/72/SR.20](#), [A/C.3/72/SR.21](#), [A/C.3/72/SR.22](#), [A/C.3/72/SR.23](#), [A/C.3/72/SR.24](#), [A/C.3/72/SR.25](#), [A/C.3/72/SR.26](#), [A/C.3/72/SR.27](#), [A/C.3/72/SR.28](#), [A/C.3/72/SR.29](#), [A/C.3/72/SR.30](#), [A/C.3/72/SR.31](#), [A/C.3/72/SR.32](#), [A/C.3/72/SR.33](#), [A/C.3/72/SR.34](#), [A/C.3/72/SR.35](#), [A/C.3/72/SR.36](#), [A/C.3/72/SR.45](#), [A/C.3/72/SR.46](#) and [A/C.3/72/SR.47](#).



Australia, Argentina, Latvia, the United States of America, Switzerland, Belarus, the Bolivarian Republic of Venezuela, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Japan, Cameroon, Norway, the Islamic Republic of Iran, the European Union, the Russian Federation, Cuba, Libya, Azerbaijan, Liberia, Ethiopia, Egypt, Eritrea, Singapore, Indonesia, the Syrian Arab Republic, the Democratic People's Republic of Korea and Nepal, as well as by the observer of the State of Palestine.

5. At its 21st meeting, on 17 October, the Committee heard an introductory statement by the Chief of the Intergovernmental Affairs, Outreach and Programme Support Section of the Office of the United Nations High Commissioner for Human Rights, who responded to the questions posed and comments made by the representatives of Egypt (also on behalf of Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Brunei Darussalam, Burkina Faso, Cameroon, Chad, the Comoros, Côte d'Ivoire, Djibouti, Gabon, the Gambia, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, the Niger, Nigeria, Oman, Pakistan, Qatar, the Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Somalia, the Sudan, Suriname, Tajikistan, Togo, Tunisia, Turkey, Turkmenistan, Uganda, the United Arab Emirates, Uzbekistan and Yemen, as well as the observer of the State of Palestine), Azerbaijan and Egypt (on behalf of the Group of African States).

6. At its 21st to 34th meetings, on 17, 18 and 20 and from 23 to 27 October, the Committee heard introductory statements by special procedure mandate holders and Chairs of treaty bodies and other experts, who subsequently responded to questions posed and comments made by representatives and observers.<sup>2</sup>

## II. Consideration of proposals

### A. Draft resolution [A/C.3/72/L.40](#)

7. At its 45th meeting, on 14 November, the Committee had before it a draft resolution entitled "Situation of human rights in the Democratic People's Republic of Korea" ([A/C.3/72/L.40](#)), submitted by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Albania, Andorra, Benin, Bosnia and Herzegovina, Chile, Georgia, Honduras, Israel, Maldives, Mexico, New Zealand, Palau, the Republic of Moldova, San Marino, Serbia, Solomon Islands and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

8. At the same meeting, the representative of Estonia made a statement on behalf of the European Union.

9. Also at the same meeting, the representatives of the Democratic People's Republic of Korea, Japan and the Syrian Arab Republic made statements.

10. Also at its 45th meeting, the Committee adopted draft resolution [A/C.3/72/L.40](#) (see para. 33, draft resolution I)

<sup>2</sup> For details, see [A/72/439/Add.2](#), sect. I.

11. After the adoption of the draft resolution, statements were made by the representatives of Singapore, the Islamic Republic of Iran, China, the Russian Federation, Australia (also on behalf of Canada, Iceland, Liechtenstein, New Zealand, Norway and Switzerland), Belarus, the Bolivarian Republic of Venezuela, Costa Rica and Cuba.

## **B. Draft resolution [A/C.3/72/L.41](#)**

12. At its 45th meeting, on 14 November, the Committee had before it a draft resolution entitled “Situation of human rights in the Islamic Republic of Iran” ([A/C.3/72/L.41](#)), submitted by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, the Netherlands, Norway, Poland, Slovenia, Spain, Sweden, Tuvalu, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Andorra, Honduras, Palau, Portugal, the Republic of Moldova, Romania, San Marino, Slovakia and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

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

14. Also at the same meeting, the Committee adopted draft resolution [A/C.3/72/L.41](#) by a recorded vote of 83 to 30, with 68 abstentions (see para. 33, draft resolution II). The voting was as follows:

### *In favour:*

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cabo Verde, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Djibouti, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Seychelles, Slovakia, Slovenia, Solomon Islands, South Sudan, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu, Yemen.

### *Against:*

Afghanistan, Armenia, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cambodia, China, Cuba, Democratic People’s Republic of Korea, Eritrea, India, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Kyrgyzstan, Lebanon, Nicaragua, Oman, Pakistan, Russian Federation, South Africa, Syrian Arab Republic, Turkmenistan, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

### *Abstaining:*

Algeria, Angola, Antigua and Barbuda, Bangladesh, Benin, Bhutan, Brazil, Cameroon, Chile, Colombia, Comoros, Congo, Côte d’Ivoire, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Jamaica, Jordan, Kenya, Kuwait, Lao People’s Democratic Republic, Lesotho, Libya, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Papua New Guinea,

Philippines, Qatar, Rwanda, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay, Zambia.

15. Before the vote, statements were made by the representatives of the Islamic Republic of Iran, Saudi Arabia, the Syrian Arab Republic, the Bolivarian Republic of Venezuela, the Russian Federation, Belarus, Cuba, Pakistan, the Democratic People's Republic of Korea and China; after the vote, statements were made by the representatives of Mexico, Japan, Brazil, Chile, Ecuador, the Islamic Republic of Iran and Saudi Arabia.

### C. Draft resolution [A/C.3/72/L.42](#)

16. At its 45th meeting, on 14 November, the Committee had before it a draft resolution entitled "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine" ([A/C.3/72/L.42](#)), submitted by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Ireland, Latvia, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Montenegro, the Netherlands, Norway, Poland, Portugal, Republic of Moldova, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Haiti, Iceland, Italy, Japan, Kiribati, the Marshall Islands, Palau and Romania joined in sponsoring the draft resolution.

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

18. Also at the same meeting, the Committee adopted draft resolution [A/C.3/72/L.42](#) by a recorded vote of 71 to 25, with 77 abstentions (see para. 33, draft resolution III). The voting was as follows:

#### *In favour:*

Albania, Andorra, Antigua and Barbuda, Australia, Austria, Barbados, Belgium, Belize, Bhutan, Botswana, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Poland, Portugal, Qatar, Republic of Moldova, Romania, Samoa, San Marino, Saudi Arabia, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu, Yemen.

#### *Against:*

Armenia, Belarus, Bolivia (Plurinational State of), Burundi, Cambodia, China, Cuba, Democratic People's Republic of Korea, Eritrea, India, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Myanmar, Nicaragua, Philippines, Russian Federation, Serbia, South Africa, Sudan, Syrian Arab Republic, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe.

#### *Abstaining:*

Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Benin, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Cabo Verde, Cameroon, Chad, Chile, Colombia, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Indonesia, Jamaica, Jordan,

Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, South Sudan,<sup>3</sup> Sri Lanka, Suriname, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Zambia.

19. Before the vote, statements were made by the representatives of Azerbaijan, the Russian Federation, the Syrian Arab Republic, Canada, the United Kingdom of Great Britain and Northern Ireland, the Bolivarian Republic of Venezuela, the Democratic People's Republic of Korea, the Islamic Republic of Iran, Belarus, China and Pakistan.

20. At the 46th meeting, on 14 November, after the vote on the draft resolution, statements were made by the representatives of Argentina, Switzerland, Mexico, Brazil, Hungary, Cyprus, Greece, Singapore and Georgia.

#### **D. Draft resolution [A/C.3/72/L.54](#)**

21. At its 46th meeting, on 14 November, the Committee had before it a draft resolution entitled "Situation of human rights in the Syrian Arab Republic" ([A/C.3/72/L.54](#)), submitted by Japan, Qatar, Saudi Arabia, Ukraine and the United States of America.

22. At the same meeting, the representative of Saudi Arabia made a statement, during which he orally corrected the draft resolution by deleting operative paragraph 47 and orally revised operative paragraph 43 of the draft resolution.<sup>4</sup> Subsequently, Albania, Andorra, Australia, Austria, Bahrain, Belgium, Canada, the Comoros, Croatia, Czechia, Denmark, Djibouti, Estonia, Finland, France, Georgia, Germany, Iceland, Ireland, Israel, Italy, Jordan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, the Netherlands, New Zealand, Norway, Palau, Poland, Portugal, the Republic of Korea, Romania, San Marino, Senegal, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland and Yemen joined in sponsoring the draft resolution, as orally corrected and revised.

23. Also at the same meeting, the Committee adopted draft resolution [A/C.3/72/L.54](#), as orally corrected and revised, by a recorded vote of 108 to 17, with 58 abstentions (see para. 33, draft resolution IV). The voting was as follows:

*In favour:*

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Botswana, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cameroon, Canada, Central African Republic, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway,

<sup>3</sup> The delegation of South Sudan subsequently indicated that it had intended to vote against.

<sup>4</sup> See [A/C.3/72/PV.46](#).

Palau, Panama, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

*Against:*

Algeria, Belarus, Bolivia (Plurinational State of), Burundi, China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Iraq, Myanmar, Nicaragua, Philippines, Russian Federation, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe.

*Abstaining:*

Angola, Armenia, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Chad, Congo, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Madagascar, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Rwanda, Saint Vincent and the Grenadines, Singapore, South Africa, South Sudan,<sup>3</sup> Sudan, Suriname, Tajikistan, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam, Zambia.

24. Before the vote, statements were made by the representatives of the Syrian Arab Republic, the United States of America, Liechtenstein (also on behalf of Australia, Canada, Iceland, New Zealand, Norway and Switzerland), the Islamic Republic of Iran, Turkey, the Bolivarian Republic of Venezuela, Qatar, the Democratic People's Republic of Korea, the Russian Federation, Brazil, Belarus and Cuba; after the vote, statements were made by the representatives of Egypt, the Syrian Arab Republic, China, Lebanon, Argentina, Ecuador, Libya, the Islamic Republic of Iran, Saudi Arabia, Qatar, Japan, Estonia and Turkey.

**E. Draft resolution [A/C.3/72/L.48](#)**

25. At its 47th meeting, on 16 November, the Committee had before it a draft resolution entitled "Situation of human rights in Myanmar" ([A/C.3/72/L.48](#)), submitted by Afghanistan, Albania, Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Cameroon, Chad, the Comoros, Côte d'Ivoire, Djibouti, Egypt, Gabon, the Gambia, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, the Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Somalia, the Sudan, Suriname, Tajikistan, Togo, Tunisia, Turkey, Turkmenistan, Uganda, the United Arab Emirates, Uzbekistan and Yemen. Subsequently, Andorra, Angola, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined in sponsoring the draft resolution.

26. At the same meeting, the Committee also had before it a statement of the programme budget implications of the draft resolution, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly ([A/C.3/72/L.69](#) and [A/C.3/72/L.69/Corr.1](#)).
27. Also at the same meeting, the representative of Saudi Arabia made a statement on behalf of the Organization of Islamic Cooperation.
28. Also at the 47th meeting, the representatives of the Syrian Arab Republic, Saudi Arabia and Egypt made statements on points of order in connection with the list of sponsors of the draft resolution, to which the Secretary of the Committee responded.
29. At the same meeting, the representative of Myanmar made a statement, in which he requested a recorded vote on the draft resolution.
30. Also at the same meeting, the Committee adopted draft resolution [A/C.3/72/L.48](#) by a recorded vote of 135 to 10, with 26 abstentions (see para. 33, draft resolution V). The voting was as follows:

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Canada, Central African Republic, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, Egypt, El Salvador, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Mozambique, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Sudan, Spain, Sudan, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen, Zambia.

*Against:*

Belarus, Cambodia, China, Lao People's Democratic Republic, Myanmar, Philippines, Russian Federation, Syrian Arab Republic, Viet Nam, Zimbabwe.

*Abstaining:*

Antigua and Barbuda, Bhutan, Congo, Dominican Republic, Ecuador, Ethiopia, Fiji, India, Japan, Kenya, Lesotho, Mongolia, Namibia, Nauru, Nepal, Saint Vincent and the Grenadines, Singapore, South Africa, Sri Lanka, Suriname, Thailand, Timor-Leste, Togo, Tonga, United Republic of Tanzania, Venezuela (Bolivarian Republic of).

31. Before the vote, statements were made by the representatives of the Islamic Republic of Iran, the United States of America, Bangladesh, Turkey, Somalia, China, Belarus and the Russian Federation; after the vote, statements were made by the representatives of Thailand, Singapore, Nepal, Japan, the Democratic People's Republic of Korea, Argentina, the Philippines, the Lao People's Democratic Republic, Cambodia, the Bolivarian Republic of Venezuela, Ecuador, Viet Nam, Estonia (on

behalf of the European Union and Albania, Bosnia and Herzegovina, Georgia, Montenegro and the former Yugoslav Republic of Macedonia), Nigeria, Indonesia, Canada and Myanmar.

32. At the same meeting, the representatives of the Islamic Republic of Iran, Saudi Arabia and the Syrian Arab Republic made statements in exercise of the right of reply. On a point of order, the representatives of Saudi Arabia and the Syrian Arab Republic made statements, to which the Secretary of the Committee responded, and the Chair made a statement.

### III. Recommendations of the Third Committee

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

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

*The General Assembly,*

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

*Recalling* all previous resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea, including Assembly resolution [71/202](#) of 19 December 2016 and Council resolution 34/24 of 24 March 2017,<sup>1</sup> and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

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

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

*Welcoming* the decision of the Security Council to add the situation in the Democratic People's Republic of Korea to the list of issues of which the Council is seized and the holding of an open meeting of the Council on 9 December 2016, subsequent to the ones held in 2014 and 2015, during which the situation of human rights in the Democratic People's Republic of Korea was discussed,

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

*Taking note* of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea,<sup>3</sup> regretting that he still has not been allowed to visit the country and that he has received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution [71/202](#),<sup>4</sup>

<sup>1</sup> See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. IV, sect. A.

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

<sup>3</sup> [A/72/394](#).

<sup>4</sup> [A/72/279](#).

*Mindful* that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,<sup>5</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>5</sup> the Convention on the Rights of the Child,<sup>6</sup> the Convention on the Elimination of All Forms of Discrimination against Women,<sup>7</sup> and the Convention on the Rights of Persons with Disabilities,<sup>8</sup> and recalling the concluding observations of the treaty bodies under the five treaties and the importance of giving them consideration,

*Recalling* the submission, in April 2016, by the Democratic People's Republic of Korea of its combined second, third and fourth periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and of its combined fifth and sixth periodic reports on the implementation of the Convention on the Rights of the Child, and urging full implementation of these Conventions,

*Noting* the ratification of the Convention on the Rights of Persons with Disabilities by the Democratic People's Republic of Korea, encouraging the Government of the Democratic People's Republic of Korea to expedite the passage and enforcement of implementing legislation, and urging it to fully respect the rights of persons with disabilities,

*Noting also* the visit of the Special Rapporteur on the rights of persons with disabilities to the Democratic People's Republic of Korea, and looking forward to the cooperation of the Government with the Special Rapporteur in the implementation of its commitments under the Convention on the Rights of Persons with Disabilities, while stressing the importance of extending its cooperation to other United Nations special procedures and human rights mechanisms, including the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, in accordance with their terms of reference,

*Acknowledging* the participation of the Democratic People's Republic of Korea in the second universal periodic review process, noting the acceptance by the Government of the Democratic People's Republic of Korea of 113 out of the 268 recommendations contained in the outcome of the review<sup>9</sup> and its stated commitment to implement them and look into the possibility of implementing a further 58 recommendations, while expressing its concern that the recommendations have not been implemented so far,

*Noting* the collaboration established between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund and the World Health Organization in order to improve the health situation in the country,

*Noting also* the collaboration established between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund to improve the nutritional status of children and the quality of children's education,

*Noting further* the activities undertaken by the United Nations Development Programme, on a modest scale, in the Democratic People's Republic of Korea, and encouraging the engagement of the Government of the Democratic People's Republic of Korea with the international community to ensure that the programmes benefit the persons in need of assistance,

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<sup>5</sup> See resolution 2200 A (XXI), annex.

<sup>6</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>7</sup> *Ibid.*, vol. 1249, No. 20378.

<sup>8</sup> *Ibid.*, vol. 2525, No. 44910.

<sup>9</sup> [A/HRC/27/10](#).

*Noting* the cooperation between the Government of the Democratic People's Republic of Korea and the World Food Programme, the United Nations Children's Fund and the Food and Agriculture Organization of the United Nations on food security assessments, underscoring the importance of those assessments in analysing changes in the national, household and individual food security and nutritional situation and thereby in supporting donor confidence in the targeting of aid programmes, noting also the letter of understanding signed by the Government and the World Food Programme and the importance of further improvements in operating conditions, bringing access and monitoring arrangements closer to international standards for all United Nations entities, and noting with appreciation the work of international aid operators,

*Taking note* of the United Nations humanitarian report entitled "Democratic People's Republic of Korea 2017: needs and priorities" and its call to address the critical humanitarian needs in the Democratic People's Republic of Korea,

*Taking note also* of the strategic framework for cooperation between the United Nations and the Government of the Democratic People's Republic of Korea for the period 2017–2021 and the Government's commitment in accordance with the principles, goals and targets of the Sustainable Development Goals and in line with its commitments to international agreements and conventions,

*Noting with concern* the findings of the United Nations that well over half of the people in the Democratic People's Republic of Korea suffer from major insecurities in food and medical care, including a very large number of pregnant and lactating women and children under 5 who are at risk of malnutrition, and nearly a quarter of its total population is suffering from chronic malnutrition, condemning the Democratic People's Republic of Korea for diverting its resources into pursuing nuclear weapons and ballistic missiles over the welfare of its people, and emphasizing the necessity for the Democratic People's Republic of Korea to respect and ensure the welfare and inherent dignity of the people in the country, as referred to by the Security Council in its resolutions [2321 \(2016\)](#) of 30 November 2016, [2371 \(2017\)](#) of 5 August 2017 and [2375 \(2017\)](#) of 11 September 2017,

*Noting* the importance of the issue of international abductions and of the immediate return of all abductees, expressing grave concern at the lack of positive action by the Democratic People's Republic of Korea since the investigations on all the Japanese nationals commenced on the basis of the government-level consultations held between the Democratic People's Republic of Korea and Japan in May 2014, and expecting the resolution of all issues related to the Japanese nationals, in particular the return of all abductees, to be achieved at the earliest possible date,

*Welcoming and further encouraging* the efforts of Member States to raise international awareness about the human rights situation in the Democratic People's Republic of Korea,

*Noting* the importance of dialogue for the improvement of the human rights and humanitarian situation in the country,

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

*Noting with concern* the suspension of the reunions of separated families across the border since October 2015, and, given that this is an urgent humanitarian concern of the entire Korean people, owing, in particular, to the advanced age of many members of the separated families, hoping that necessary arrangements for resuming reunions, confirming the fate of family members, exchanging letters, visiting their hometowns and holding further reunions on a larger scale and a regular basis will be

made by the Democratic People's Republic of Korea, the Republic of Korea and members of the Korean diaspora,

1. *Condemns* the long-standing and ongoing systematic, widespread and gross violations of human rights in the Democratic People's Republic of Korea, including those which the commission of inquiry on human rights in the Democratic People's Republic of Korea, established by the Human Rights Council in its resolution 22/13 of 21 March 2013,<sup>10</sup> has said may amount to crimes against humanity, and the continuing impunity for such violations;

2. *Expresses its very serious concern at:*

(a) The persistence of continuing reports of violations of human rights, including the detailed findings made by the commission of inquiry in its report,<sup>2</sup> such as:

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

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

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

(iv) The situation of refugees and asylum seekers expelled or returned to the Democratic People's Republic of Korea and retaliations against citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, leading to punishments of internment, torture, other cruel, inhuman or degrading treatment, sexual violence or the death penalty, and in this regard strongly urges all States to respect the fundamental principle of non-refoulement, to treat those who seek refuge humanely and to ensure unhindered access to the United Nations High Commissioner for Refugees and his Office, with a view to protecting the human rights of those who seek refuge, and once again urges States parties to comply with their obligations under the 1951 Convention relating to the Status of Refugees<sup>11</sup> and the 1967 Protocol thereto<sup>12</sup> in relation to refugees from the Democratic People's Republic of Korea who are covered by those instruments;

(v) All-pervasive and severe restrictions, both online and offline, on the freedoms of thought, conscience, religion or belief, opinion and expression, peaceful assembly and association, the right to privacy and equal access to information, by such means as the unlawful and arbitrary surveillance, persecution, torture, imprisonment and, in some instances, summary executions of individuals exercising their freedom of opinion and expression, religion or

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<sup>10</sup> See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. IV, sect. A.

<sup>11</sup> United Nations, *Treaty Series*, vol. 189, No. 2545.

<sup>12</sup> *Ibid.*, vol. 606, No. 8791.

belief, and their families, and the right of everyone to take part in the conduct of public affairs, directly or through freely chosen representatives, of his or her country;

(vi) Violations of economic, social and cultural rights, which have led to food insecurity, severe hunger, malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for women, children, persons with disabilities, older persons and political prisoners;

(vii) Violations of the human rights and fundamental freedoms of women and girls, in particular the creation of internal conditions that force women and girls to leave the country and make them extremely vulnerable to trafficking in persons for the purpose of prostitution, domestic servitude or forced marriage and the subjection of women and girls to gender-based discrimination, including in the political and social spheres, forced abortions and other forms of sexual and gender-based violence;

(viii) Violations of the human rights and fundamental freedoms of children, in particular the continued lack of access to basic economic, social and cultural rights for many children, and in this regard notes the particularly vulnerable situation faced by, inter alia, returned or repatriated children, street children, children with disabilities, children whose parents are detained, children living in detention or in institutions and children in conflict with the law;

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

(x) Violations of workers' rights, including the right to freedom of association and effective recognition of the right to collective bargaining, the right to strike as defined by the obligations of the Democratic People's Republic of Korea under the International Covenant on Economic, Social and Cultural Rights,<sup>5</sup> and the prohibition of the economic exploitation of children and of any harmful or hazardous work of children as defined by the obligations of the Democratic People's Republic of Korea under the Convention on the Rights of the Child,<sup>6</sup> as well as the exploitation of workers sent abroad from the Democratic People's Republic of Korea to work under conditions that reportedly amount to forced labour, and recalling paragraph 11 of Security Council resolution [2371 \(2017\)](#) and paragraph 17 of resolution [2375 \(2017\)](#), in which the Council decided that Member States shall not provide work authorizations for nationals of the Democratic Republic of Korea in their jurisdictions in connection with admission to their territories unless otherwise determined by the relevant sanctions committee on a case-by-case basis;

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

(b) The continued refusal of the Government of the Democratic People's Republic of Korea to extend an invitation to the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to the Special Rapporteur and several other United

Nations special procedures in accordance with their terms of reference, as well as to other United Nations human rights mechanisms;

(c) The continued lack of acknowledgement by the Government of the Democratic People's Republic of Korea of the grave human rights situation in the country and its consequential lack of action to report on the state of implementation of the recommendations contained in the outcome of its first universal periodic review<sup>13</sup> and to give consideration to the concluding observations of the treaty bodies;

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

4. *Underscores its very serious concern* regarding reports of torture, summary executions, arbitrary detention, abductions and other forms of human rights violations and abuses that the Democratic People's Republic of Korea commits against citizens of other countries within and outside of its territory;

5. *Expresses its very deep concern* at the precarious humanitarian situation in the country, which could rapidly deteriorate owing to limited resilience to natural disasters and to government policies causing limitations in the availability of and access to adequate food, compounded by structural weaknesses in agricultural production resulting in significant shortages of diversified food and the State restrictions on the cultivation of and trade in foodstuffs, as well as the prevalence of chronic and acute malnutrition, particularly among the most vulnerable groups, pregnant and lactating women, children, persons with disabilities, older persons and political prisoners, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action, cooperating with international donor agencies and in accordance with international standards for monitoring humanitarian assistance;

6. *Welcomes* the latest reports to the Human Rights Council of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea<sup>14</sup> and the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea<sup>15</sup> established pursuant to Council resolution [31/18](#) of 23 March 2016,<sup>16</sup> including options to seek accountability and secure truth and justice for all victims, and commends the activities undertaken by the Special Rapporteur and the group of independent experts;

7. *Also welcomes* the adoption of Human Rights Council resolution 34/24,<sup>1</sup> in which the Council provided for the strengthening of the capacity of the Office of the United Nations High Commissioner for Human Rights, including its field-based structure in Seoul, to allow the implementation of relevant recommendations made by the group of independent experts on accountability, in its report submitted to the Human Rights Council at its thirty-fourth session, aimed at strengthening current monitoring and documentation efforts, establishing a central repository for information and evidence and having experts in legal accountability assess all information and testimonies with a view to developing possible strategies to be used in any future accountability process;

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<sup>13</sup> [A/HRC/13/13](#).

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

<sup>15</sup> [A/HRC/34/66/Add.1](#).

<sup>16</sup> See *Official Records of the General Assembly, Seventy-first Session, Supplement No 53* ([A/71/53](#)), chap. IV, sect. A.

8. *Reiterates its appreciation* for the work of the commission of inquiry, recognizes the continuing importance of its report, and regrets that the commission received no cooperation from the authorities of the Democratic People's Republic of Korea, including with regard to access to the country;

9. *Acknowledges* the commission's finding that the body of testimony gathered and the information received provide reasonable grounds to believe that crimes against humanity have been committed in the Democratic People's Republic of Korea, pursuant to policies established at the highest level of the State for decades and by institutions under the effective control of its leadership;

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

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

12. *Also encourages* the Security Council to continue to discuss the situation in the Democratic People's Republic of Korea, including the country's human rights record, in the light of the serious concerns expressed in the present resolution, and looks forward to its continued and more active engagement on this matter;

13. *Encourages* the continuing endeavours of the Office of the United Nations High Commissioner for Human Rights field-based structure in Seoul, and welcomes its regular reporting to the Human Rights Council;

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

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

(a) To immediately put an end to the systematic, widespread and grave violations of human rights emphasized above, inter alia, by implementing fully the measures set out in the above-mentioned resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, and the recommendations addressed to the Democratic People's Republic of Korea by the Council in the context of the universal periodic review and by the commission of inquiry, the United Nations special procedures and treaty bodies;

(b) To immediately close the political prison camps and to release all political prisoners unconditionally and without any delay;

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

(d) To tackle the root causes leading to refugee outflows and prosecute those who exploit refugees through migrant smuggling, trafficking in human beings and extortion, while not criminalizing the victims of trafficking and refugees;

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

(f) To ensure that citizens of the Democratic People's Republic of Korea who are expelled or returned to the Democratic People's Republic of Korea are able to return in safety and dignity, are treated humanely and are not subjected to any kind of punishment, and to provide information on their status and treatment;

(g) To provide citizens of other countries detained in the Democratic People's Republic of Korea with protections, including freedom of communication with, and access to, consular officers in accordance with the Vienna Convention on Consular Relations,<sup>17</sup> to which the Democratic People's Republic of Korea is a party, and any other necessary arrangements to confirm their status and to communicate with their families;

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

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

(j) To implement the accepted recommendations stemming from the universal periodic review and to consider positively those recommendations which are still under consideration, as well as the submission of a midterm implementation report;

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

(l) To continue and reinforce its cooperation with United Nations humanitarian agencies;

(m) To ensure full, safe and unhindered access to humanitarian aid, as well as to critical data, and take measures to allow humanitarian agencies to secure the impartial delivery of such aid to all parts of the country, including detention facilities, on the basis of need in accordance with humanitarian principles, as it pledged to do, to ensure access to adequate food and implement more effective food security and nutrition policies, including through sustainable agriculture, sound food production and distribution measures and the allocation of more funds to the food sector, and to ensure adequate monitoring of humanitarian assistance;

(n) To further improve cooperation with the United Nations country team members and development agencies so that they can directly contribute to improving

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<sup>17</sup> United Nations, *Treaty Series*, vol. 596, No. 8638.

the living conditions of the civilian population, including progress towards the achievement of the Sustainable Development Goals;

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

16. *Urges* the Government of the Democratic People's Republic of Korea to implement the recommendations of the commission of inquiry without delay;

17. *Encourages* all Member States, the General Assembly, the Human Rights Council, the Office of the High Commissioner, the United Nations Secretariat, relevant specialized agencies, regional intergovernmental organizations and forums, civil society organizations, foundations and engaged business enterprises and other stakeholders towards which the commission of inquiry has directed recommendations to implement or take forward those recommendations;

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

19. *Encourages* the relevant United Nations programmes, funds, specialized agencies and other related organizations to assist the Government of the Democratic People's Republic of Korea in the implementation of recommendations stemming from the universal periodic review and from the report of the commission of inquiry;

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

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

## Draft resolution II

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

*The General Assembly,*

*Guided* by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,<sup>18</sup> the International Covenants on Human Rights<sup>19</sup> and other international human rights instruments,

*Recalling* its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution [71/204](#) of 19 December 2016,

1. *Takes note* of the report of the Secretary-General of 31 October 2017,<sup>20</sup> submitted pursuant to resolution [71/204](#), and the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Islamic Republic of Iran of 14 August 2017,<sup>21</sup> submitted pursuant to Council resolution 34/23 of 24 March 2017;<sup>22</sup>

2. *Continues to welcome* the pledges made by the President of the Islamic Republic of Iran with regard to some important human rights issues, particularly on eliminating discrimination against women and members of ethnic minorities;

3. *Acknowledges* proposed or adopted legislative and administrative changes in the Islamic Republic of Iran, including the new Code of Criminal Procedure, the Criminal Procedure Bill in respect of Juveniles and Children, the amendment to the Anti-Narcotics Law regarding penalties for drug-related offences and the Citizens' Rights Charter, which, if properly implemented, would address some human rights concerns;

4. *Welcomes* the engagement of the Islamic Republic of Iran with human rights treaty bodies, including through the submission of periodic reports, and notes in particular the engagement of the Government of the Islamic Republic of Iran with the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities and its participation in the universal periodic review;

5. *Also welcomes* the efforts of the Islamic Republic of Iran to host large numbers of Afghan refugees, granting them access to basic services, in particular access to health care and education for children;

6. *Further welcomes* the ongoing contact with and dialogue between the Islamic Republic of Iran and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the invitations extended to other special procedures mandate holders;

7. *Welcomes* the expressed readiness of the Iranian High Council for Human Rights and other Iranian officials to engage in bilateral dialogues on human rights;

8. *Takes note* of the outcome of the presidential and local council elections of May 2017 and of the peaceful electoral process, which saw high voter turnout and which resulted in an increase in the number of women representatives on local councils, while expressing concern about the large number of candidates, including

<sup>18</sup> Resolution 217 A (III).

<sup>19</sup> Resolution 2200 A (XXI), annex.

<sup>20</sup> [A/72/562](#).

<sup>21</sup> [A/72/322](#) and [A/72/322/Corr.1](#).

<sup>22</sup> See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* ([A/72/53](#)), chap. IV, sect. A.

all women presidential candidates, who were disqualified through processes that lacked transparency;

9. *Expresses serious concern* at the alarmingly high frequency of the imposition and carrying-out of the death penalty by the Islamic Republic of Iran, in violation of its international obligations, including the imposition of the death penalty against minors and persons who at the time of their offence were under the age of 18, and executions undertaken for crimes that do not qualify as the most serious crimes, on the basis of forced confessions or against persons who at the time of their offence were under the age of 18, in violation of both the Convention on the Rights of the Child<sup>23</sup> and the International Covenant on Civil and Political Rights,<sup>2</sup> expresses concern at the continuing disregard for internationally recognized safeguards, including executions undertaken without notification to the prisoner's family members or legal counsel, and calls upon the Government of the Islamic Republic of Iran to abolish, in law and in practice, public executions, which are contrary to the 2008 directive seeking to end this practice issued by the former head of the judiciary;

10. *Calls upon* the Islamic Republic of Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, which may include sexual violence, and punishments that are grossly disproportionate to the nature of the offence, in conformity with amendments to the Penal Code, the constitutional guarantees of the Islamic Republic of Iran and international obligations;

11. *Urges* the Islamic Republic of Iran to cease the widespread and systematic use of arbitrary detention, including the use of such practices to target dual and foreign nationals, and to uphold, in law and in practice, procedural guarantees to ensure fair trial standards, including timely access to legal representation of one's choice from the time of arrest through all stages of trial and all appeals, the right not to be subjected to torture, cruel and inhuman or degrading treatment or punishment and consideration of bail and other reasonable terms for release from custody pending trial;

12. *Calls upon* the Islamic Republic of Iran to address the poor conditions of prisons, to eliminate the denial of access to adequate medical treatment and the consequent risk of death faced by prisoners and to put an end to the continued and sustained house arrest of leading opposition figures from the 2009 presidential elections despite serious concerns about their health, as well as the pressure exerted upon their relatives and dependants, including through arrest, and calls upon the Islamic Republic of Iran to establish credible and independent prison oversight authorities to investigate complaints of abuse;

13. *Also calls upon* the Islamic Republic of Iran, including the judicial and security branches, to create and maintain, in law and in practice, a safe and enabling environment in which an independent, diverse and pluralistic civil society can operate free from hindrance and insecurity, urges the Islamic Republic of Iran to end widespread and serious restrictions, in law and in practice, on the right to freedom of expression, opinion, association and peaceful assembly, both online and offline, including by ending the harassment, intimidation and persecution of political opponents, human rights defenders, women's and minority rights activists, labour leaders, students' rights activists, academics, film-makers, journalists, bloggers, social media users and social media page administrators, media workers, religious leaders, artists, lawyers and persons belonging to recognized and unrecognized religious minorities and their families, and further calls upon the Islamic Republic of Iran to release persons arbitrarily detained for the legitimate exercise of these rights,

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<sup>23</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

to consider rescinding unduly harsh sentences, including the death penalty and long-term internal exile, for exercising such fundamental freedoms and to end reprisals against individuals, including for cooperating with the United Nations human rights mechanisms;

14. *Strongly urges* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls, including with respect to the right to freedom of movement, the right to enjoyment of the highest attainable standard of physical and mental health and the right to work, to take measures to ensure protection for women and girls against violence and their equal protection and access to justice, to address the concerning incidence of child, early and forced marriage, as recommended by the Committee on the Rights of the Child, to promote, support and enable women's participation in leadership and decision-making processes and, while recognizing the high enrolment of women in all levels of education in the Islamic Republic of Iran, to lift restrictions on women's equal access to all aspects of education and women's equal participation in the labour market and in all aspects of economic, cultural, social and political life;

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

16. *Expresses serious concern* about ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief, restrictions on the establishment of places of worship, attacks against places of worship and burial and other human rights violations, including but not limited to harassment, intimidation, persecution, arbitrary arrests and detention, denial of access to education and incitement to hatred that leads to violence against persons belonging to recognized and unrecognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims, Yarsanis, Zoroastrians and members of the Baha'i faith and their defenders in the Islamic Republic of Iran, and calls upon the Government of the Islamic Republic of Iran to release all religious practitioners imprisoned for their membership in or activities on behalf of a recognized or unrecognized minority religious group, including the members of the Baha'i leadership who were declared by the Working Group on Arbitrary Detention of the Human Rights Council to have been arbitrarily detained since 2008, to eliminate, in law and in practice, all forms of discrimination, including economic restrictions, such as the closure or confiscation of businesses and properties, the cancellation of licences and denial of employment in certain public and private sectors, including government or military positions and elected office, and other human rights violations against persons belonging to recognized and unrecognized religious minorities, and to end impunity for those who commit crimes against persons belonging to religious minorities;

17. *Calls upon* the Islamic Republic of Iran to launch a comprehensive accountability process in response to all cases of serious human rights violations, including those involving the Iranian judiciary and security agencies, and calls upon the Government of the Islamic Republic of Iran to end impunity for such violations;

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

19. *Further calls upon* the Islamic Republic of Iran to deepen its engagement with international human rights mechanisms by:

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

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

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

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

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

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

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

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

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

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

### **Draft resolution III**

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

*The General Assembly,*

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

*Recalling* the Geneva Conventions of 12 August 1949<sup>2</sup> and Additional Protocol I thereto, of 1977,<sup>3</sup> as applicable, as well as relevant customary international law,

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

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

*Recalling* its resolution [68/262](#) of 27 March 2014 on the territorial integrity of Ukraine, in which it affirmed its commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders, resolution [71/205](#) of 19 December 2016 on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine), and relevant decisions of international organizations, specialized agencies and bodies within the United Nations system,

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

*Supporting* Ukraine’s commitment to adhere to international law in its efforts to put an end to the Russian occupation of Crimea, and welcoming Ukraine’s commitments to protect the human rights and fundamental freedoms of all its citizens,

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

*Welcoming* the reports of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine, of the Commissioner for Human Rights of the Council of Europe, and of the human rights assessment mission of the Office for Democratic Institutions and Human Rights and the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, in which they stated that violations and abuses of human

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

<sup>2</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

<sup>3</sup> *Ibid.*, vol. 1125, No. 17512.

rights continued to take place in Crimea and pointed to the sharp deterioration of the overall human rights situation,

*Welcoming also* the report of the Office of the United Nations High Commissioner for Human Rights on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine),<sup>4</sup> submitted pursuant to resolution [71/205](#),

*Reaffirming* grave concern that the human rights monitoring mission in Ukraine continues to be denied access to Crimea, despite its existing mandate, which covers the entire territory of Ukraine within its internationally recognized borders,

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

*Condemning also* the reported serious violations and abuses committed against residents of Crimea, in particular extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, discrimination, harassment, intimidation, violence, including sexual violence, arbitrary detentions, torture and ill-treatment, in particular to extract confessions, and psychiatric internment, and their transfer or deportation from Crimea to the Russian Federation, as well as reported abuses of other fundamental freedoms, including the freedoms of expression, religion or belief and association and the right to peaceful assembly,

*Reaffirming serious concern* at the decision of the so-called Supreme Court of Crimea of 26 April 2016 and the decision of the Supreme Court of the Russian Federation of 29 September 2016 to declare the Mejlis of the Crimean Tatar People, the self-governing body of the Crimean Tatars, to be an extremist organization and to ban its activities,

*Condemning* the increasing pressure exerted upon religious minority communities, including through frequent police raids, threats against and persecution of those belonging to the Ukrainian Orthodox Church of the Kyiv Patriarchate, the Protestant Church, mosques and Muslim religious schools, Greek-Catholics, Roman Catholics and Jehovah's Witnesses, and condemning also the baseless prosecutions of dozens of peaceful Muslims for allegedly belonging to Islamic organizations,

*Taking note* of the order of the International Court of Justice as of 19 April 2017 on provisional measures in the case concerning the *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of all Forms of Racial Discrimination (Ukraine v. Russian Federation)*,

*Recalling* the prohibition under the Geneva Conventions of 12 August 1949 for the occupying Power to compel protected persons to serve in its armed or auxiliary forces, including through pressure or propaganda that is aimed at securing voluntary enlistment,

*Underlining* the importance of the measures to develop transparent, accessible, non-discriminatory and expeditious procedures and regulations governing access to Crimea for human rights defenders, journalists and lawyers, as well as the possibility to appeal, in accordance with national legislation and in conformity with all applicable international law,

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<sup>4</sup> See [A/72/498](#).

*Welcoming* the support provided by Ukraine to media outlets and civil society organizations that have fled Crimea, which improves the ability of the media and civil society to work independently and without interference,

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

1. *Condemns* violations, abuses, measures and practices of discrimination against the residents of the temporarily occupied Crimea, including Crimean Tatars, as well as Ukrainians and persons belonging to other ethnic and religious groups, by the Russian occupation authorities;

2. *Also condemns* the unlawful imposition of laws, jurisdiction and administration in the occupied Crimea by the Russian Federation, and demands that the Russian Federation respect obligations under international law with regard to respecting the laws in force in Crimea prior to occupation;

3. *Urges* the Russian Federation:

(a) To uphold all of its obligations under applicable international law as an occupying Power;

(b) To fully and immediately comply with the order of the International Court of Justice of 19 April 2017 on provisional measures in the case concerning the *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of all Forms of Racial Discrimination (Ukraine v. Russian Federation)*;

(c) To take all measures necessary to bring an immediate end to all violations and abuses against residents of Crimea, in particular reported discriminatory measures and practices, arbitrary detentions, torture and other cruel, inhuman or degrading treatment, and to revoke all discriminatory legislation;

(d) To respect the laws in force in Ukraine and to repeal laws imposed in Crimea by the Russian Federation that allow for forced evictions and the confiscation of private property in Crimea, in violation of applicable international law;

(e) To immediately release Ukrainian citizens who were unlawfully detained and judged without regard for elementary standards of justice, as well as those transferred or deported across internationally recognized borders from Crimea to the Russian Federation;

(f) To address the issue of impunity and ensure that those found to be responsible for violations and abuses are held accountable before an independent judiciary;

(g) To create and maintain a safe and enabling environment for journalists, human rights defenders and defence lawyers to perform their work independently and without undue interference in Crimea;

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

(i) To ensure the availability of education in the Ukrainian and Crimean Tatar languages;

(j) To revoke immediately the decision declaring the Mejlis of the Crimean Tatar People an extremist organization and banning its activities, repeal the decision banning leaders of the Mejlis from entering Crimea and refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions;

(k) To end the practice of compelling Crimean residents to serve in the armed or auxiliary forces of the Russian Federation, including through pressure or propaganda;

(l) To cooperate fully and immediately with the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe and the Council of Europe on the situation of human rights in Crimea;

4. *Requests* the Secretary-General to seek ways and means, including through consultations with the United Nations High Commissioner for Human Rights and relevant regional organizations, to ensure safe and unfettered access to Crimea by established regional and international human rights monitoring mechanisms, in particular the human rights monitoring mission in Ukraine, to enable them to carry out their mandate;

5. *Urges* the Russian Federation to ensure the proper and unimpeded access of international human rights monitoring missions and human rights non-governmental organizations to Crimea, including all places where persons may be deprived of their liberty, recognizing that the international presence in Crimea is of paramount importance in preventing further deterioration of the situation;

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

7. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare by the end of its seventy-second session the second dedicated thematic report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, and to update the Human Rights Council on the issue at its thirty-seventh session, in accordance with the existing mandate and within the existing resources of the human rights monitoring mission in Ukraine, which is currently funded by voluntary contributions;

8. *Requests* the Secretary-General to take all necessary steps to ensure the full and effective coordination of all United Nations bodies with regard to the implementation of the present resolution;

9. *Decides* to continue its consideration of the matter at its seventy-third session under the item entitled "Promotion and protection of human rights".

## Draft resolution IV Situation of human rights in the Syrian Arab Republic

*The General Assembly,*

*Guided by the Charter of the United Nations,*

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

*Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter,*

*Recalling its resolutions [66/176](#) of 19 December 2011, [66/253 A](#) of 16 February 2012, [66/253 B](#) of 3 August 2012, [67/183](#) of 20 December 2012, [67/262](#) of 15 May 2013, [68/182](#) of 18 December 2013, [69/189](#) of 18 December 2014, [70/234](#) of 23 December 2015, [71/130](#) of 9 December 2016, [71/203](#) of 19 December 2016 and [71/248](#) of 21 December 2016 and Human Rights Council resolutions S-16/1 of 29 April 2011,<sup>3</sup> S-17/1 of 23 August 2011,<sup>3</sup> S-18/1 of 2 December 2011,<sup>4</sup> 19/1 of 1 March 2012,<sup>5</sup> 19/22 of 23 March 2012,<sup>5</sup> S-19/1 of 1 June 2012,<sup>6</sup> 20/22 of 6 July 2012,<sup>7</sup> 21/26 of 28 September 2012,<sup>8</sup> 22/24 of 22 March 2013,<sup>9</sup> 23/1 of 29 May 2013,<sup>10</sup> 23/26 of 14 June 2013,<sup>10</sup> 24/22 of 27 September 2013,<sup>11</sup> 25/23 of 28 March 2014,<sup>12</sup> 26/23 of 27 June 2014,<sup>13</sup> 27/16 of 25 September 2014,<sup>14</sup> 28/20 of 27 March 2015,<sup>15</sup> 29/16 of 2 July 2015,<sup>16</sup> 30/10 of 1 October 2015,<sup>17</sup> 31/17 of 23 March 2016,<sup>18</sup> 32/25 of 1 July 2016,<sup>19</sup> 33/23 of 30 September 2016<sup>20</sup> and S-25/1 of 21 October 2016,<sup>21</sup> 34/26 of 24 March 2017,<sup>22</sup> 35/26 of 23 June 2016<sup>23</sup> and 36/20 of 29 September 2017,<sup>24</sup> and Security Council resolutions [2042 \(2012\)](#) of 14 April 2012, [2043 \(2012\)](#) of 21 April 2012, [2118 \(2013\)](#) of 27 September 2013, [2139 \(2014\)](#) of 22 February 2014, [2165 \(2014\)](#) of 14 July 2014, [2170 \(2014\)](#) of 15 August 2014, [2178 \(2014\)](#) of 24 September 2014, [2191 \(2014\)](#) of 17 December 2014, [2209 \(2015\)](#) of 6 March 2015, [2235 \(2015\)](#) of 7 August 2015, [2258 \(2015\)](#) of 22 December 2015, [2268 \(2016\)](#) of 26*

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

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

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

<sup>4</sup> *Ibid.*, *Supplement No. 53B* and corrigendum ([A/66/53/Add.2](#) and [Corr.1](#)), chap. II.

<sup>5</sup> *Ibid.*, *Sixty-seventh Session, Supplement No. 53* and corrigendum ([A/67/53](#) and [Corr.1](#)), chap. III, sect. A.

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

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

<sup>8</sup> *Ibid.*, *Supplement No. 53A (A/67/53/Add.1)*, chap. III.

<sup>9</sup> *Ibid.*, *Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. IV, sect. A.

<sup>10</sup> *Ibid.*, chap. V, sect. A.

<sup>11</sup> *Ibid.*, *Supplement No. 53A (A/68/53/Add.1)*, chap. III.

<sup>12</sup> *Ibid.*, *Sixty-ninth Session, Supplement No. 53 (A/69/53)*, chap. IV, sect. A.

<sup>13</sup> *Ibid.*, chap. V, sect. A.

<sup>14</sup> *Ibid.*, *Supplement No. 53A* and corrigenda ([A/69/53/Add.1](#) and [Corr.1](#) and [2](#)), chap. IV, sect. A.

<sup>15</sup> *Ibid.*, *Seventieth Session, Supplement No. 53 (A/70/53)*, chap. II.

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

<sup>17</sup> *Ibid.*, *Supplement No. 53A (A/70/53/Add.1)*, chap. II.

<sup>18</sup> *Ibid.*, *Seventy-first Session, Supplement No. 53 (A/71/53)*, chap. II.

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

<sup>20</sup> *Ibid.*, *Supplement No. 53A* and corrigendum ([A/71/53/Add.1](#) and [Corr.1](#)), chap. II.

<sup>21</sup> *Ibid.*, *Supplement No. 53B* and corrigendum ([A/71/53/Add.2](#) and [Corr.1](#)), chap. II.

<sup>22</sup> *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. IV, sect. A.

<sup>23</sup> *Ibid.*, chap. V, sect. A.

<sup>24</sup> *Ibid.*, *Supplement No. 53 A (A/72/53/Add.1)*, chap. III.

February 2016, [2286 \(2016\)](#) of 3 May 2016, [2314 \(2016\)](#) of 31 October 2016, [2319 \(2016\)](#) of 17 November 2016, [2328 \(2016\)](#) of 19 December 2016, [2332 \(2016\)](#) of 21 December 2016 and [2336 \(2016\)](#) of 31 December 2016, and the statements by the President of the Council of 3 August 2011,<sup>25</sup> 2 October 2013<sup>26</sup> and 17 August 2015,<sup>27</sup>

*Strongly condemning* the grave deterioration of the human rights situation in the Syrian Arab Republic, the indiscriminate killing and deliberate targeting of civilians as such, including those involving the continued indiscriminate use of heavy weapons and aerial bombardments, which has caused more than 400,000 fatalities, including the killing of more than 17,000 children, the continued widespread and systematic gross violations, as well as abuses, of human rights and violations of international humanitarian law, including by the starvation of civilians as a method of warfare and the use of chemical weapons, including chlorine gas, sarin and sulphur mustard, which are prohibited under international humanitarian law, and acts of violence that foment sectarian tensions by the Syrian authorities against the Syrian population,

*Noting with deep concern* the culture of impunity for serious violations of international law and violations and abuses of human rights law committed during the present conflict, which has provided a fertile ground for further violations and abuses,

*Recalling* that, amid expressions of popular discontent over restrictions on the enjoyment of civil, political, economic and social rights, civilian protests erupted in Dar'a in March 2011, and noting that the violent oppression of civilian protests by the Syrian authorities, which later escalated to the direct shelling of civilians, fuelled the escalation of armed violence and violent extremist groups, and terrorist groups, including so-called ISIL (also known as Da'esh),

*Recalling also* the specific obligations under international humanitarian law to respect and protect, in situations of armed conflict, medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, and hospitals and other medical facilities, and to ensure that the wounded and sick receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required, recalling also that, under international law, attacks intentionally directed against hospitals and places where the sick and wounded are collected, provided that they are not military objectives, as well as attacks intentionally directed against buildings, material, medical units and transport and personnel using the distinctive emblems of the Geneva Conventions of 12 August 1949<sup>28</sup> in conformity with international law are war crimes, and recalling the applicable rules of international humanitarian law relating to the non-punishment of any person for carrying out medical activities compatible with medical ethics,

*Expressing grave concern* at the disproportionate use of force by the Syrian authorities against civilians, which has caused immense human suffering and fomented the spread of extremism and extremist groups and which demonstrates the failure of the Syrian authorities to protect its population and to implement the relevant resolutions and decisions of United Nations bodies,

*Expressing grave concern also* at the remaining presence of extremism and violent extremist groups, terrorism and terrorist groups, and strongly condemning all violations and abuses of human rights and violations of international humanitarian law committed in the Syrian Arab Republic by any party to the conflict, in particular so-

<sup>25</sup> [S/PRST/2011/16](#); see *Resolutions and Decisions of the Security Council, 1 August 2011–31 July 2012 (S/INF/67)*.

<sup>26</sup> [S/PRST/2013/15](#); see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014 (S/INF/69)*.

<sup>27</sup> [S/PRST/2015/15](#).

<sup>28</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

called ISIL (also known as Da'esh), Al-Nusrah Front, Al-Qaida-affiliated terrorist groups, and militias fighting on behalf of the regime, and other violent extremist groups,

*Expressing its deepest concern* about the latest findings of the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism that the Syrian Arab Armed Forces were responsible for the use of sarin as a chemical weapon in Khan Shaykhun in April 2017, and that so-called ISIL (also known as Da'esh) used sulfur mustard in Umm Hawsh in September 2016, as well as previous findings of at least three chlorine attacks by the Syrian Arab Republic and one mustard attack by so-called ISIL (also known as Da'esh), reaffirming the principles of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,<sup>29</sup> and the determination of the States parties to the Convention “for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons, through the implementation of the provisions of this Convention”, and noting that the Convention entered into force in the Syrian Arab Republic on 14 October 2013,

*Expressing support* for the work carried out by the Independent International Commission of Inquiry on the Syrian Arab Republic, and strongly condemning the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

*Noting with serious concern* the observation of the Commission of Inquiry that, since March 2011, the Syrian authorities have conducted widespread attacks against the civilian population as a matter of policy,

*Noting with serious concern also* the observation of the Commission of Inquiry that non-State armed groups still resort to the use of force against civilians,

*Strongly condemning* the reported killing of detainees in Syrian military intelligence facilities and the widespread practice of enforced disappearance, arbitrary detention and the use of sexual and gender-based violence and torture in detention centres referred to in the reports of the Commission of Inquiry, including, but not limited to, Branch 215, Branch 227, Branch 235, Branch 251, the Air Force Intelligence Investigation Branch at Mezzeh military airport and Sednaya prison, including the reported practice of mass hangings by the authorities, as well as the reported killing of detainees at military hospitals, including Tishreen and Harasta hospitals,

*Recalling* the statements made by the Secretary-General, the United Nations High Commissioner for Human Rights and the special procedures of the Human Rights Council that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, noting the repeated encouragement by the High Commissioner for the Security Council to refer the situation to the International Criminal Court, and regretting that a draft resolution<sup>30</sup> was not adopted notwithstanding broad support from Member States,

*Expressing its deepest concern* about the findings of the Commission of Inquiry and also the allegations contained in the evidence presented by “Caesar” in January 2014 regarding the torture and execution of persons incarcerated by the Syrian authorities, and underscoring the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

*Expressing concern* that the implementation of Security Council resolutions [2139 \(2014\)](#), [2165 \(2014\)](#), [2191 \(2014\)](#), [2254 \(2015\)](#) of 18 December 2015, [2258 \(2015\)](#), [2268 \(2016\)](#) and [2286 \(2016\)](#) remains largely unfulfilled, and noting the

<sup>29</sup> Ibid., vol. 1974, No. 33757.

<sup>30</sup> [S/2014/348](#).

urgent need to strengthen efforts to address the humanitarian situation in the Syrian Arab Republic, including through protection of civilians and full, immediate, unimpeded and sustained humanitarian access,

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

*Alarmed* that more than 5.3 million refugees, including more than 3.8 million women and children, have been forced to flee the Syrian Arab Republic and that 13.6 million people in the Syrian Arab Republic, of whom 6.5 million are internally displaced, require urgent humanitarian assistance, which has resulted in an influx of Syrian refugees into neighbouring countries, other countries in the region and beyond, and alarmed at the risk the situation presents to regional and international stability,

*Expressing its profound indignation* at the death of more than 17,000 children and the many more injured since the beginning of the peaceful protests in March 2011, and at all grave violations and abuses committed against children in contravention of applicable international law, such as their recruitment and use, killing and maiming, rape, kidnapping and abductions and attacks on schools and hospitals, as well as their arbitrary arrest, detention, torture, ill-treatment and their use as human shields,

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

*Underscoring* the critical need to build conditions for the safe and voluntary return of refugees and internally displaced persons to their home areas and the rehabilitation of affected areas, in accordance with international law, including applicable provisions of the Convention relating to the Status of Refugees<sup>31</sup> and the Protocol thereto,<sup>32</sup> and taking into account the interests of those countries hosting refugees,

*Welcoming* the hosting by the Government of Kuwait of the First, Second and Third International Humanitarian Pledging Conferences for Syria, held on 30 January 2013, 15 January 2014 and 31 March 2015, expressing its deep appreciation for the significant pledges of humanitarian assistance that have been made, welcoming the initiative of the co-hosts of the London conference and Brussels conference on supporting the Syrian Arab Republic and the region on 4 February 2016 and 5 April 2017, respectively, and renewing its call upon all members of the international community to respond expeditiously to the Syrian humanitarian appeals and to disburse all previous pledges,

*Welcoming also* the efforts of the United Nations and the League of Arab States and all diplomatic efforts to achieve a political solution to the Syrian crisis based on the final communiqué of the Action Group for Syria of 30 June 2012,<sup>33</sup> and consistent with Security Council resolution [2254 \(2015\)](#),

*Expressing full support* for the efforts of the Special Envoy of the Secretary-General for Syria, with a view to the protection of the civilian population and the full implementation of the Syrian political process that establishes credible, inclusive and non-sectarian governance, in accordance with the final communiqué and consistent with Security Council resolutions [2254 \(2015\)](#) and [2258 \(2015\)](#), urging the Special Envoy to pave the way for the negotiation of a genuine political transition, noting

<sup>31</sup> United Nations, *Treaty Series*, vol. 189, No. 2545.

<sup>32</sup> *Ibid.*, vol. 606, No. 8791.

<sup>33</sup> Security Council resolution [2118 \(2013\)](#), annex II.

with appreciation the mediation efforts to facilitate the establishment of a ceasefire in the Syrian Arab Republic, as noted by the Security Council in its resolution [2336 \(2016\)](#), and supporting the efforts to end violence, while expressing deep concern at the violations, demanding that all parties to the ceasefire in the Syrian Arab Republic respect their commitments, and urging all Member States, especially the members of the International Syria Support Group, to use their influence to ensure respect for those commitments and the full implementation of those resolutions, to support efforts to create conditions for a durable and lasting ceasefire, which is essential to achieving a political solution to the conflict in the Syrian Arab Republic, and to bring to an end the systematic, widespread and gross violations and abuses of human rights and violations of international humanitarian law,

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

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

3. *Urges* all Member States, especially the members of the International Syria Support Group, to create conditions for continued negotiations for a political solution to the Syrian conflict, under the auspices of the United Nations, by working towards the nationwide ceasefire, to enable full, immediate and safe humanitarian access and to lead to the release of those arbitrarily detained, consistent with Security Council resolution [2254 \(2016\)](#), as only a durable and inclusive political solution to the conflict can bring an end to the systematic, widespread and gross violations and abuses of international human rights law and violations of international humanitarian law;

4. *Strongly condemns* any use of any chemical weapons, such as chlorine, sarin and sulphur mustard, by any party as a weapon in the Syrian Arab Republic, and also demands that the Syrian regime and so-called ISIL (also known as Da'esh) immediately desist from any further use of chemical weapons;

5. *Reaffirms its condemnation*, in the strongest possible terms, of the use of chemical weapons by anyone under any circumstances, emphasizing that any use of chemical weapons anywhere, at any time, by anyone, under any circumstances, is unacceptable and is a violation of international law, and expressing its strong conviction that those individuals responsible for the use of chemical weapons must and should be held accountable;

6. *Recalls* the decision of the Security Council that the Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to other States or non-State actors, and, in keeping with the decision of the Council, expresses its strong conviction that those individuals responsible for the use of chemical weapons in the Syrian Arab Republic should be held accountable, and calls for a significant

enhancement of the verification measures of the Organisation for the Prohibition of Chemical Weapons;

7. *Strongly condemns* the use, on 4 April 2017, of sarin gas by the Syrian Arab Republic in Khan Shaykhun, which led to approximately one hundred civilian deaths, including children and relief workers, as confirmed by the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism in its report<sup>34</sup> and in the report of the Commission of Inquiry of 8 August 2017,<sup>35</sup> condemns the attack of 30 March 2017 in Al-Latamneh, and demands that the Syrian regime immediately cease the use of chemical weapons and that those individuals responsible for the use of chemical weapons be held accountable;

8. *Recalls with grave concern* the investigation by the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism and the above-mentioned report of the Commission of Inquiry of 8 August 2017 identifying the Syrian air force as being responsible for the 4 April 2017 sarin gas attack on Khan Shaykhun;

9. *Commends* the work conducted in difficult conditions by the fact-finding mission of the Organisation for the Prohibition of Chemical Weapons and the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism, their well-established methodology and the crucial role they play in preserving the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction<sup>29</sup> and the chemical non-proliferation regime, welcomes the reports of the Joint Investigative Mechanism, including its reports of 24 August 2016,<sup>36</sup> 21 October 2016<sup>37</sup> and 26 October 2017,<sup>38</sup> and notes with deep concern its findings that the Armed Forces of the Syrian Arab Republic were responsible for the use of chemical weapons in at least four attacks in the Syrian Arab Republic (Talmenes in 2014, Sarmin in 2015, Qmenas in 2015 and Khan Shaykhun in 2017) and that so-called ISIL (also known as Da'esh) was responsible for two attacks in the Syrian Arab Republic (Marea in 2015 and Umm Hawsh in 2016);

10. *Demands* that the Syrian regime adhere fully to its international obligations, including the requirement that it declare in full its chemical weapons programme, with special emphasis on the need for the Syrian Arab Republic to urgently resolve the verified gaps, inconsistencies and discrepancies pertaining to its declaration in respect of the Convention and to eliminate its chemical weapons programme in its entirety as referred to in the report of the Director General of the Organisation for the Prohibition of Chemical Weapons dated 22 February 2016<sup>39</sup> indicating that the Technical Secretariat is at present unable to verify fully that the declaration and related submissions of the Syrian Arab Republic are accurate and complete, as required by the Convention and decision EC-M-33/DEC.1 of the Executive Council of the Organisation for the Prohibition of Chemical Weapons;<sup>40</sup>

11. *Requests* additional procedures for stringent verification pursuant to article IV, paragraph 8, and article V, paragraph 10, of the Convention, in order to ensure the complete destruction of the Syrian chemical weapons programme and prevent any further use of chemical weapons;

<sup>34</sup> See [S/2017/440](#), annex.

<sup>35</sup> See [A/HRC/36/55](#).

<sup>36</sup> [S/2016/738/Rev.1](#).

<sup>37</sup> [S/2016/888](#).

<sup>38</sup> [S/2017/904](#).

<sup>39</sup> EC-81/HP/DG.1.

<sup>40</sup> Security Council resolution [2118 \(2013\)](#), annex I.

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

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

14. *Deplores and strongly condemns* the terrorist acts and violence committed against civilians by so-called ISIL (also known as Da'esh) and Al-Nusrah Front and their continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of so-called ISIL (also known as Da'esh), cannot and should not be associated with any religion, nationality or civilization;

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

16. *Condemns* the reported forced displacements of the population in the Syrian Arab Republic, including forced displacement of civilians as a result of local truce agreements, as highlighted by the Commission of Inquiry, and the alarming impact thereof on the demography of the country, which amounts to a strategy of radical demographic change initiated by the Syrian authorities, its allies and other non-State actors, calls upon all parties concerned to cease immediately all activities related to these actions, including any activities that may amount to war crimes and crimes against humanity, notes that impunity for such crimes is unacceptable, reaffirms that those responsible for such breaches of international law, must be brought to justice, and supports efforts to collect evidence in view of future legal action;

17. *Reminds* the Government of the Syrian Arab Republic of its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>41</sup> including its obligation to take effective measures to prevent acts of torture in any territory under its jurisdiction, and calls upon all States parties to the Convention to comply with any relevant obligations under the

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<sup>41</sup> United Nations, *Treaty Series*, vol. 1465, No. 24841.

Convention, including with respect to the extradite or prosecute principle contained in article 7 of the Convention;

18. *Strongly condemns* the reported persistent and widespread use of sexual violence, abuse and exploitation, including in government detention centres, including those run by the intelligence agencies, and notes that such acts may constitute violations of international humanitarian law and violations and abuses of international human rights law, and in this regard expresses deep concern at the prevailing climate of impunity for sexual violence crimes;

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

20. *Recalls* the statement made by the Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic on 21 September 2015 that the Syrian authorities remain responsible for the majority of the civilian casualties, killing and maiming scores of civilians daily, welcomes the most recent report of the Commission of Inquiry of 8 August 2017,<sup>35</sup> reiterates its decision to transmit the reports of the Commission of Inquiry to the Security Council, expresses its appreciation to the Commission of Inquiry for its briefings to members of the Security Council, and requests that the Commission of Inquiry continue to brief the General Assembly and members of the Security Council;

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

22. *Demands* that the Syrian authorities, in accordance with their obligations under relevant provisions of international human rights law, including the right to life and right to the enjoyment of the highest attainable standard of physical and mental health, promote non-discriminatory access to health services and respect and protect medical and health personnel from obstruction, threats and physical attacks;

23. *Strongly condemns* all attacks on medical and health personnel, their means of transport and equipment, as well as on hospitals and other medical facilities, deplores the long-term consequences of such attacks for the population and health-care systems of the Syrian Arab Republic, and reaffirms that humanitarian workers and their means of transport, equipment and facilities must be protected in accordance with international humanitarian law;

24. *Expresses its profound concern* about the findings of the Commission of Inquiry in its report on Aleppo,<sup>42</sup> including those suggesting that the offensive against eastern Aleppo in the second half of 2016 involved serious violations and abuses of international human rights law and violations of international humanitarian law by all parties to the conflict, which, according to the Commission, in many cases amounted to war crimes, in particular by the Syrian authorities and their allies, including in the attack on Orum al-Kubra;

25. *Also expresses its profound concern* about the findings contained in the report of the Commission of Inquiry regarding the tragic and relentless level of indiscriminate attacks on civilians in the Syrian Arab Republic, targeted attacks on

<sup>42</sup> [A/HRC/34/64](#).

protected persons and objects, including medical facilities, personnel and transport and blocked humanitarian convoys, as well as enforced disappearances, summary executions and other violations and abuses;

26. *Demands* that the Syrian authorities cooperate fully with the Commission of Inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

27. *Also demands* that the Syrian authorities meet their responsibilities to protect the Syrian population;

28. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign organizations and foreign forces fighting on behalf of the Syrian regime, expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region, and further demands that all foreign terrorist fighters, and those who are fighting in support of the Syrian authorities, particularly the Al-Quds Brigades, the Iranian Islamic Revolutionary Guard Corps and militia groups such as Hizbullah, immediately withdraw from the Syrian Arab Republic;

29. *Demands* that all parties immediately put an end to all violations and abuses of international human rights law and violations of international humanitarian law, recalls, in particular, the obligation under international humanitarian law to distinguish between civilians and combatants and the prohibition against indiscriminate and disproportionate attacks and all attacks against civilians and civilian objects, further demands that all parties to the conflict take all appropriate steps to protect civilians, in compliance with international law, including by desisting from attacks directed against civilian objects, such as medical centres, schools and water stations, and refrain from militarizing such facilities, seek to avoid establishing military positions in densely populated areas and enable the evacuation of the wounded and all civilians who wish to leave besieged areas, and recalls in this regard that the Syrian authorities bear primary responsibility for protecting its population;

30. *Condemns in the strongest terms* all attacks on protected objects, including indiscriminate and disproportionate attacks and those which may constitute a war crime, taking place in the Syrian Arab Republic, and requests the Commission of Inquiry to continue to investigate all such acts;

31. *Recalls* the statements made by the Special Envoy of the Secretary-General for Syria, Staffan de Mistura, indicating that the overwhelming majority of the civilian casualties in the Syrian Arab Republic have been caused by the indiscriminate use of aerial bombardments, demands in this regard that the Syrian authorities immediately cease any attacks on civilians, any disproportionate attacks and any indiscriminate use of weapons in populated areas, and recalls in this regard the obligation to respect international humanitarian law in all circumstances;

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

33. *Welcomes* the decision of the General Assembly to establish, by its resolution [71/248](#), 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 recent appointment of the Head of the Mechanism, urges all Member States, parties to the conflict and civil society organizations to cooperate fully with

the Mechanism, including through the provision of relevant information and documentation, stresses its mandate to closely cooperate with the Commission of Inquiry, and further urges the Mechanism to make a particular effort to ensure consultation of and cooperation with Syrian civil society organizations;

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

35. *Welcomes* the voluntary contributions made by Member States to the funding of the Mechanism, invites all Member States to make additional financial contributions to this end, and calls upon the Secretary-General to include the necessary funding for the Mechanism in his next budget proposal;

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

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

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

39. *Welcomes* the efforts of those countries outside the region that have put in place measures and policies to assist and host Syrian refugees, encourages them to do more, and also encourages other States outside the region to consider implementing similar measures and policies, with a view to providing Syrian refugees with protection and humanitarian assistance;

40. *Strongly condemns* the intentional denial of humanitarian assistance to civilians, from whatever quarter, and in particular the denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, which has recently worsened, stressing that the starvation of civilians as a method of warfare is prohibited under international law, noting especially the primary responsibility of the Government of the Syrian Arab Republic in this regard, and deplores the deteriorating humanitarian situation;

41. *Demands* that the Syrian authorities and all other parties to the conflict do not hinder the full, immediate, unimpeded and sustained access of the United Nations and humanitarian actors, including to besieged and hard-to-reach areas, consistent with Security Council resolutions [2139 \(2014\)](#), [2165 \(2014\)](#), [2191 \(2014\)](#), [2254 \(2015\)](#), [2258 \(2015\)](#) and [2332 \(2016\)](#);

42. *Strongly condemns* practices including abduction, hostage-taking, arbitrary and incommunicado detention, torture, the murder of innocent civilians and summary executions carried out by non-State armed groups and terrorist groups, most notably

so-called ISIL (also known as Da'esh) and Al-Nusrah Front, and underlines that such acts may amount to crimes against humanity;

43. *Deplores* the suffering and torture in detention centres throughout the Syrian Arab Republic, as depicted in the reports of the Commission of Inquiry and the Office of the United Nations High Commissioner for Human Rights, as well as in the evidence presented by “Caesar” in January 2014, and in the reports of widespread killing of detainees in Syrian military intelligence facilities, in particular in Mezzeh military airport detention facilities, and Military Security Branches 215, 227, 248 and 291, as well as the reported killing of detainees at military hospitals, including Tishreen and Harasta, expresses deep concern that the regime concealed a mass killing of prisoners at the Seydnaya penitentiary complex, demands that the Syrian authorities immediately halt the arbitrary detention of individuals, release all those unlawfully detained, including women, children, human rights defenders, humanitarian aid providers, medical personnel and journalists, and ensure that conditions in detention facilities are consistent with international law, and calls upon the Syrian authorities to publish a list of all detention facilities and to provide information on those they have detained to their families;

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

45. *Demands* that all parties take all appropriate steps to protect civilians and persons hors de combat, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect its population lies with the Syrian authorities;

46. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, bearing in mind the widespread destruction in Palmyra and Aleppo, World Heritage Sites of the United Nations Educational, Scientific and Cultural Organization, as well as the organized looting and trafficking of cultural property, as outlined by the Security Council in its resolution [2199 \(2015\)](#) of 12 February 2015, and [2347 \(2017\)](#) of 24 March 2017, and affirms that directing unlawful attacks against sites and buildings dedicated to religion, education, art, science or charitable purposes, or against historic monuments, may constitute, under certain circumstances and pursuant to international law, a war crime;

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

48. *Urges* the international community to support the leadership and full and effective participation of women in all efforts aimed at finding a political solution to the Syrian crisis, as envisaged by the Security Council in its resolutions [1325 \(2000\)](#) of 31 October 2000, [2122 \(2013\)](#) of 18 October 2013 and [2242 \(2015\)](#) of 13 October 2015;

49. *Reaffirms* that there can only be a political solution to the conflict in the Syrian Arab Republic, reiterates its commitment to the national unity and territorial integrity of the Syrian Arab Republic, and urges the parties to the conflict to abstain from actions that may contribute to the continuing deterioration of the human rights,

security and humanitarian situation, in order to reach a genuine political transition, based on the final communiqué of the Action Group for Syria of 30 June 2012,<sup>28</sup> consistent with Security Council resolutions [2254 \(2015\)](#) and [2268 \(2016\)](#), that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, with the full and effective participation of women, where there is no room for sectarianism or discrimination on ethnic, religious, linguistic, gender or any other grounds, and where all citizens receive equal protection, regardless of gender, religion or ethnicity, and further demands that all parties work urgently towards the comprehensive implementation of the final communiqué, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions.

## Draft resolution V

### Situation of human rights in Myanmar

*The General Assembly,*

*Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights,<sup>1</sup> the International Covenants on Human Rights,<sup>2</sup> the Convention on the Rights of the Child<sup>3</sup> and other relevant international law and human rights law instruments,

*Noting* the importance of the role of regional organizations in efforts to achieve pacific settlement of local disputes, as stipulated in Chapter VIII of the Charter,

*Reaffirming* its previous resolutions on the situation of human rights in Myanmar, the most recent of which being resolution [70/233](#) of 23 December 2015, and the resolutions and decisions of the Human Rights Council, the most recent of which being resolution 34/22 of 24 March 2017<sup>4</sup> and decision 36/115 of 29 September 2017,<sup>5</sup>

*Welcoming* the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar<sup>6</sup> and the access granted to her during her visits to Myanmar in January 2017 and July/August 2017,

*Expressing grave concern* at the recent reports of serious human rights violations and abuses in Myanmar, in particular in Rakhine State, as well as in Kachin and northern Shan States,

*Highly alarmed* at the outbreak of violence in Rakhine State in August 2017 that has caused hundreds of thousands of Rohingya civilians to flee towards Bangladesh, and which, thus far, has displaced nearly 600,000 Rohingya, with the prospect of even higher numbers of displaced people,

*Further alarmed* by the disproportionate and sustained use of force by the Myanmar forces against the Rohingya community and others in northern Rakhine State,

*Condemning* the attacks of the Arakan Rohingya Salvation Army against police and military posts on 25 August 2017,

*Underlining* the importance of the Government of Myanmar intensifying efforts to fulfil its human rights obligations, and concerned about the denial of human rights violations by the Government of Myanmar,

*Underlining also* the need for the armed forces of Myanmar to take immediate steps to protect all civilians, including those belonging to the Rohingya community, by respecting international law, including human rights law, and ending the violence, and calling for urgent steps to ensure independent and impartial investigations into all human rights violations and abuses,

*Deeply distressed* by the reports of unarmed Rohingya in Rakhine State being subjected to the unlawful use of force by non-State actors and the excessive use of force by the military and security forces, including extrajudicial killings, rape and other forms of sexual violence, arbitrary detention and the unexplained disappearance

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

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

<sup>3</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>4</sup> *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* ([A/72/53](#)), chap. IV, sect. A.

<sup>5</sup> *Ibid*, *Supplement No. 53 A* ([A/72/53/Add.1](#)), chap. IV.

<sup>6</sup> [A/72/382](#).

of Rohingya civilians in Rakhine State, and by reports of large-scale destruction of homes and systematic evictions in northern Rakhine State, including the use of arson and violence,

*Noting with deep concern* that, according to the United Nations Children's Fund, nearly 60 per cent of Rohingya Muslims who have been forced to flee to Bangladesh are children,

*Noting with deep concern also* the deteriorating security, human rights and humanitarian situation in Rakhine State, and the continued serious violations and abuses of human rights of Rohingya Muslims in Rakhine State, as well as statelessness, disenfranchisement, economic dispossession, marginalization and deprivation of livelihoods, as well as restrictions on freedom of movement for persons belonging to the Rohingya community, including the confinement of approximately 120,000 people in camps for internally displaced persons, the majority of whom rely entirely on foreign aid,

*Reaffirming* the right of all refugees and displaced persons to return home in safety and dignity and in a voluntary and sustainable manner,

*Taking note* of the formation, in 2016, of the Advisory Commission on Rakhine State, chaired by Kofi Annan, which submitted its final report in August 2017,<sup>7</sup> and the commitment of the Government of Myanmar to implementing the Commission's recommendations and addressing the underlying causes of the situation in Rakhine State,

*Noting* the other commitments of the Government of Myanmar to improve the situation in Rakhine State for all communities, while underscoring the need for expedited implementation, including through commitments to the return of refugees and forcibly displaced persons, and the speech by the State Counsellor of 12 October 2017, in which she set out her vision for resolving the crisis, including through the setting up of the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine and of country-wide interfaith meetings,

*Concerned* that, in spite of Rohingya Muslims having lived in Myanmar for generations prior to the independence of Myanmar, they were made stateless by the enactment of the 1982 Citizenship Law and were eventually disenfranchised, in 2015, from the electoral process,

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

*Noting with concern* the findings of the flash report of 3 February 2017 on the mission of the Office of the United Nations High Commissioner for Human Rights to Bangladesh, as well as the report of the rapid response mission of the Office of the High Commissioner to Cox's Bazar, Bangladesh, in September 2017,

*Welcoming* the decision of the Human Rights Council to constitute a fact-finding mission pursuant to its resolution 34/22,

*Reiterating* the concerns expressed by the Secretary-General to the Human Rights Council and at the open debate of the Security Council on Myanmar, held on 28 September 2017,

1. *Calls upon* the authorities of Myanmar:

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<sup>7</sup> Advisory Commission on Rakhine State, "Towards a peaceful, fair and prosperous future for the people of Rakhine", August 2017.

(a) To end the ongoing military operations that have fuelled tensions among the communities and have led to the systematic violation and abuse of human rights of persons belonging to the Rohingya community and other ethnic minorities and to hold perpetrators accountable;

(b) To allow full and unhindered access for the delivery of humanitarian assistance by humanitarian actors, including the United Nations, its international partners as well as by regional organizations, including, but not limited to, the Coordinating Centre for Humanitarian Assistance on Disaster Management of the Association of Southeast Asian Nations, to affected persons and communities, and in this regard urges the Government to implement the various international cooperation agreements that have not yet been implemented for the distribution of humanitarian aid to all affected areas, including Rakhine State, without discrimination;

(c) To de-escalate the situation to prevent the further loss of lives and displacement so that humanitarian aid may be provided to all affected communities in need and medical support provided to the sick, injured and those suffering from malnutrition and severe mental trauma;

(d) To ensure the voluntary and sustainable return, in safety, security and dignity and in accordance with international law, of all internally displaced persons, refugees and others who have had to leave Myanmar to their original places of residence, in particular those from the Rohingya minority;

(e) To intensify its efforts to address discrimination, human rights violations, displacement and economic deprivation affecting members of various ethnic and religious minorities and stateless populations, as well as to take all necessary measures to prevent the destruction of places of worship;

(f) To undertake all measures to counter incitement to hatred and hate speech leading to violence and to combat discrimination and violence against persons belonging to national or ethnic, religious or linguistic minorities in order to allow true reconciliation to take place in Rakhine State;

(g) To grant full, unrestricted and unmonitored access for the fact-finding mission of the Human Rights Council, other human rights mechanisms and the United Nations to independently monitor the human rights situation, and to ensure that individuals have unhindered access to and can communicate with the United Nations and other human rights entities, without fear of reprisal, intimidation or attack;

(h) To ensure accountability by undertaking full, transparent and independent investigations of those who commit human rights violations and abuses, including violations and abuses carried out by members of the military, other Government agents and members of vigilante groups, including those motivated by extreme views against Rohingya Muslims and those who divide communities;

(i) To ensure that any response against extremism is proportionate and respects the rule of law, international human rights obligations and international humanitarian law, and to take initiatives to address the underlying causes for the spread of violent extremism and radicalization in Rakhine State;

(j) To ensure that any measure taken to address the underlying causes for the spread of violence and radicalization complies with applicable international law, including international human rights and refugee law;

(k) To dismantle the present internally displaced persons' camps in Rakhine State, ensuring that the return and relocation of internally displaced persons is carried out in accordance with international standards and best practices;

(l) To ensure an expeditious verification process for refugees and forcibly displaced persons, in timely manner;

(m) To ensure full respect for all human rights and fundamental freedoms for persons belonging to the Rohingya community, to end all restrictions on their movements, to ensure full access to health and medical services without any discrimination and to reverse any step or directive that caused marginalization and vulnerability for Rohingya Muslims;

(n) To fully implement the recommendations of the Advisory Commission on Rakhine State, to allow reconciliation among all other communities living in Rakhine State and to commence a process of inclusive development meaningful for all communities;

(o) To grant full citizenship rights, in keeping with a transparent due process, to Rohingya Muslims in Rakhine State, including by reviewing the 1982 Citizenship Law;

(p) To ensure full protection of the human rights and fundamental freedoms of Rohingya Muslims and other ethnic and religious minorities in an equal and dignified manner in order to prevent further instability and insecurity, alleviate suffering, address the root causes of the situation and forge a viable, lasting and durable solution;

2. *Urges* the forging of a long-lasting solution that affirms shared values, promotes mutual respect and upholds human dignity, and recognizes the setting up by the Government of Myanmar of the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine, the Central Committee for the Implementation of Peace, Stability and Development in Rakhine State and the Advisory Commission on Rakhine State and the efforts to implement the recommendations of the Commission;

3. *Expresses its deep concern* at the plight of refugees and forcibly displaced persons living in Bangladesh and in other countries, and appreciates the commitment by the Government of Bangladesh to provide temporary shelter, humanitarian assistance and protection to them;

4. *Encourages* further cooperation between Myanmar and Bangladesh to address all relevant aspects of the crisis, including the expedited, safe and voluntary return of refugees, as well as full cooperation with the United Nations and its funds, programmes and agencies;

5. *Encourages* the international community to (a) assist Bangladesh in providing humanitarian assistance to the Rohingya refugees and forcibly displaced persons until such time as they are voluntarily repatriated to Myanmar in safety and dignity; and (b) assist Myanmar in the provision of humanitarian assistance to affected persons of all communities who have been internally displaced within Rakhine State;

6. *Recognizes with appreciation* the assistance and support of the international community, including regional organizations and Myanmar's neighbouring countries, and encourages support for the Government of Myanmar in the fulfilment of its international human rights obligations and commitments, the implementation of its democratic transition process and its economic and social development and its efforts towards a sustainable peace, as well as its national reconciliation process involving all relevant stakeholders;

7. *Encourages* further efforts to promote intercommunal and interfaith dialogue to de-escalate tension and foster peaceful coexistence among all ethnic and religious groups;

8. *Stresses* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection under the law;

9. *Takes note* of those developments in Myanmar that contribute positively towards political and economic reform, democratization, national reconciliation, good governance and the rule of law, and of the efforts made to promote and protect human rights and combat corruption, and urges the Government to take further steps to address outstanding concerns, in particular those reflected in the present resolution;

10. *Requests* the Secretary-General to continue to provide his good offices and to pursue his discussions relating to Myanmar, involving all relevant stakeholders and including the concerns addressed in herein, and in this regard to appoint a special envoy on Myanmar and to offer assistance to the Government of Myanmar;

11. *Decides* to remain seized of the matter, inter alia, on the basis of the reports of the Secretary-General, the fact-finding mission and the Special Rapporteur of the Human Rights Council and the special envoy on Myanmar.

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