



# General Assembly

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## Sixty-eighth session

Agenda item 69 (c)

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

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

*Rapporteur:* Ms. Adriana Murillo Ruin (Costa Rica)

#### **I. Introduction**

1. At its 2nd plenary meeting, on 20 September 2013, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-eighth 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 held a general discussion on the sub-item jointly with sub-item 69 (b), “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, at its 23rd to 37th meetings, from 23 to 25 and from 28 to 31 October and on 1 November 2013, and considered proposals and took action on sub-item 69 (c) at its 43rd and 46th to 49th meetings, on 7, 14, 19 and 21 November. An account of the Committee’s discussion is contained in the relevant summary records (A/C.3/68/SR.23-37, 43 and 46-49).

3. For the documents before the Committee under this sub-item, see [A/68/456](#).

4. At the 23rd meeting, on 23 October, the United Nations High Commissioner for Human Rights addressed the Committee and engaged in a dialogue with the representatives of China, Ethiopia (on behalf of the Group of African States), Costa Rica, the European Union, El Salvador, the Russian Federation, Mexico, Norway, Romania, Suriname (on behalf of the Caribbean Community), Tunisia, the United Kingdom of Great Britain and Northern Ireland, Libya, Serbia, Switzerland, Chile,

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\*\* The report of the Committee on this item is being issued in five parts, under the symbol [A/68/456](#) and Add.1-4.



the Syrian Arab Republic, Liechtenstein, Belarus, Bangladesh, France, Nigeria, South Africa, the Islamic Republic of Iran, Morocco, Angola, the Netherlands, Kenya, Indonesia and Brazil, as well as with the observer for the State of Palestine (see [A/C.3/68/SR.23](#)).

5. At its 24th to 26th meetings, on 23 and 24 October, as well as at the 30th to 32nd meetings on 28 and 29 October, the Committee heard introductory statements by special procedures mandate holders, who subsequently responded to questions and comments made by representatives (for details, see [A/68/456/Add.2](#)).

6. At the 48th meeting, on 19 November, the representative of Cuba made a statement on behalf of the Non-Aligned Movement in connection with the draft resolutions submitted under sub-item 69 (c).

## II. Consideration of proposals

### A. Draft resolutions [A/C.3/68/L.42](#) and Rev.1

7. At the 46th meeting, on 14 November, the representative of Saudi Arabia, on behalf of Australia, Bahrain, Belgium, Bulgaria, Canada, Croatia, Egypt, Estonia, Denmark, France, Germany, Hungary, Iceland, Italy, Japan, Jordan, Kuwait, Libya, Luxembourg, Malta, Mauritania, Micronesia (Federated States of), Morocco, the Netherlands, Palau, Panama, Qatar, the Republic of Korea, San Marino, Saudi Arabia, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Vanuatu and Yemen, introduced a draft resolution entitled “Situation of human rights in the Syrian Arab Republic” ([A/C.3/68/L.42](#)), which read:

*“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 and relevant international human rights treaties, including the International Covenants on Human Rights,*

*“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 and [67/262](#) of 15 May 2013, Human Rights Council resolutions S-16/1 of 29 April 2011, S-17/1 of 23 August 2011, S-18/1 of 2 December 2011, [19/1](#) of 1 March 2012, [19/22](#) of 23 March 2012, S-19/1 of 1 June 2012, [20/22](#) of 6 July 2012, [21/26](#) of 28 September 2012, [22/24](#) of 22 March 2013, [23/1](#) of 29 May 2013, [23/26](#) of 14 June 2013 and [24/22](#) of 27 September 2013, and Security Council resolutions [2042 \(2012\)](#) of 14 April 2012, [2043 \(2012\)](#) of 21 April 2012 and [2118 \(2013\)](#) of 27 September 2013 and presidential statement 2013/15 of 2 October 2013,*

*“Expressing outrage* at the continuing escalation of violence in the Syrian Arab Republic, which has caused over 100,000 casualties, mostly by conventional weapons, and in particular at the continued widespread and systematic gross violations, as well as abuses, of human rights and violations of international humanitarian law, including those involving the continued use of heavy weapons and aerial bombardments, such as the indiscriminate use of ballistic missiles and cluster munitions, by the Syrian authorities against the Syrian population,

*“Expressing alarm* at the failure of the Government of the Syrian Arab Republic to protect its population and to implement the relevant resolutions and decisions of United Nations bodies,

*“Expressing grave concern* at the spread of extremism and extremist groups, and strongly condemning all human rights abuses and violations of international humanitarian law in the Syrian Arab Republic,

*“Strongly condemning* the large-scale use of chemical weapons on 21 August 2013 in the Ghouta area of Damascus, as concluded in the report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic, condemning the killing of civilians that resulted from it, affirming that the use of chemical weapons constitutes a serious violation of international law, and stressing that those responsible for any use of chemical weapons must be held accountable,

*“Recalling* that the League of Arab States, in its resolution 7667 adopted by the Ministerial Council of the League at its 140th ordinary session on 1 September 2013, and the Organization of Islamic Cooperation, in the final communiqué of its Annual Coordination Meeting of the Ministers of Foreign Affairs of 27 September 2013, have held the Syrian Government fully responsible for the chemical attacks against the Syrian people, which took place in the Ghouta area of Damascus,

*“Also recalling* the statements made by the Secretary-General and the United Nations High Commissioner for Human Rights that crimes against humanity are likely to have been committed in the Syrian Arab Republic, stressing that the Syrian authorities have failed to prosecute such serious violations, and noting the repeated encouragement by the High Commissioner that the Security Council refer the situation to the International Criminal Court,

*“Strongly condemning* the continued border violations from the Syrian Arab Republic into neighbouring countries, which have led to casualties among and injuries to the civilians of those countries, including Syrian refugees, and underlining that such incidents have violated international law and highlighted the grave impact of the crisis in the Syrian Arab Republic on the security of its neighbours and on regional peace and stability,

*“Deploring* the further deterioration of the humanitarian situation and the failure of the Government of the Syrian Arab Republic to ensure the immediate, safe and unimpeded provision of humanitarian assistance to all areas affected by the fighting,

*“Expressing deep concern* at the more than 2.2 million refugees, including more than one million children, and the millions of internally displaced persons fleeing as a result of the extreme violence in the Syrian Arab Republic, and at the escalating violence causing an influx of Syrian refugees into neighbouring countries and other countries in the region,

*“Welcoming* the hosting by the Government of Kuwait, on 30 January 2013, of the pledging conference for the United Nations joint appeal, and also welcoming with appreciation the hosting by the Government of Kuwait of a second international humanitarian pledging conference for Syria in January 2014,

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

*“Welcoming* the efforts of the United Nations, the League of Arab States and the Joint Special Representative of the United Nations and the League of Arab States for Syria to achieve a solution to the Syrian crisis,

“1. *Strongly condemns* the use of chemical weapons in the Syrian Arab Republic, which is prohibited under international law, amounts to a serious crime and has a devastating impact on civilians, and in particular the massacre in the Ghouta area of Damascus, and notes in this regard the report of 16 September 2013 prepared by the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic, which provides clear evidence that surface-to-surface rockets were fired on 21 August from Government-held territory into opposition areas, using professionally made munitions containing Sarin, which strongly points to use by the Syrian Government;

“2. *Also strongly condemns* the continued widespread and systematic gross violations of human rights and fundamental freedoms and all violations of international humanitarian law by the Syrian authorities and the Government affiliated *shabbiha* militias, including those involving the use of heavy weapons, aerial bombardments, cluster munitions, ballistic missiles and other force against civilians, attacks on schools, hospitals and places of worship, massacres, arbitrary executions, extrajudicial killings, the killing and persecution of protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, violations of women’s rights, unlawful interference with access to medical treatment, failure to respect and protect medical personnel, torture, systemic sexual and gender-based violence, including rape in detention, and ill-treatment, and strongly condemns all human rights abuses or violations of international humanitarian law by armed extremists, as well as any human rights abuses or violations of international humanitarian law by armed anti-Government groups;

“3. *Condemns* all grave 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, attacks on schools and hospitals, as well as arbitrary arrest, detention, torture, ill-treatment and their use as human shields;

“4. *Also condemns* all violence, irrespective of where it comes from, and calls upon all parties to immediately put an end to all forms of violence, including terrorist acts and acts of violence or intimidation that may foment sectarian tensions, and to comply strictly with their obligations under international law, including international humanitarian law;

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

“6. *Strongly condemns* the intervention of all foreign combatants in the Syrian Arab Republic, including those fighting on behalf of the Syrian authorities, and in particular Hizbullah, and expresses deep concern that their involvement further exacerbates the deteriorating human rights and humanitarian situation, which has a serious negative impact on the region;

“7. *Demands* that the Syrian authorities immediately release all persons arbitrarily detained, including the members of the Syrian Centre for Media and Freedom of Expression, publish a list of all detention facilities, ensure that conditions of detention comply with applicable international law and immediately allow access of independent monitors to all detention facilities;

“8. *Also demands* that the Syrian authorities fully cooperate with the independent international commission of inquiry on the Syrian Arab Republic and provide it and individuals working on its behalf with immediate, full and unfettered entry and access to all areas of the country, and further demands that all parties cooperate fully with the commission in the performance of its mandate;

“9. *Stresses* the importance of ensuring accountability and the need to end impunity and hold to account those responsible for violations of international humanitarian law and violations and abuses of human rights, including those violations that may amount to crimes against humanity, notably in the Ghouta area of Damascus on 21 August 2013, and encourages the Security Council to consider appropriate measures to ensure accountability in the Syrian Arab Republic, and stresses the important role that international criminal justice could play in this regard;

“10. *Underlines* the importance that the Syrian people, on the basis of broad, inclusive and credible consultations, should determine, within the framework provided by international law and based upon the complementarity

principle, the domestic process and mechanisms to achieve reconciliation, truth and accountability for gross violations, as well as reparations and effective remedies for the victims;

“11. *Reminds* the Security Council of its primary responsibility for the maintenance of international peace and security and to take measures to put an end to all serious violations of international humanitarian law and all serious violations and abuses of international human rights law committed in the Syrian Arab Republic;

“12. *Strongly condemns* all attacks by the Syrian authorities or any other party against medical facilities, personnel and vehicles as well as the use of medical and civilian facilities, including hospitals, for armed purposes, recalls that under international humanitarian law the wounded and sick must receive, to the fullest extent practicable, and with the least possible delay, the medical care and attention required by their condition, and urges that free passage for medical personnel and supplies, including surgical items and medicine be provided to all areas in the Syrian Arab Republic;

“13. *Stresses* that the magnitude of the humanitarian tragedy caused by the conflict in the Syrian Arab Republic requires immediate action to facilitate the safe and unimpeded delivery of humanitarian assistance throughout the entire country, in particular in areas and districts where humanitarian needs are especially urgent, condemns all cases of arbitrary denial of humanitarian access, and recalls that depriving civilians of objects indispensable to their survival, including wilfully impeding relief supply and access, can constitute a violation of international humanitarian law;

“14. *Demands* that the Syrian authorities take immediate steps to facilitate the expansion of humanitarian relief operations and lift bureaucratic impediments and other obstacles, including through immediately facilitating safe and unimpeded access to people in need, through the most effective ways, including across conflict lines and across borders, and urges all parties to take all appropriate steps to facilitate the efforts of the United Nations, its specialized agencies and all humanitarian actors engaged in humanitarian relief activities to provide immediate humanitarian assistance to the affected people in the Syrian Arab Republic and to nominate empowered interlocutors who can work with humanitarian agencies to resolve difficulties in gaining such access, in order to fully implement the humanitarian response plan;

“15. *Expresses grave concern* at the increasing numbers of refugees and internally displaced persons as a result of the ongoing violence, reiterates its appreciation for the significant efforts that have been made by neighbouring countries and countries of the region to assist those who have fled across the borders of the Syrian Arab Republic as a consequence of the violence, urges all relevant United Nations agencies, in particular the Office of the United Nations High Commissioner for Refugees, and other donors to provide urgent and coordinated support to Syrian refugees and their host countries, and calls upon Member States, based on burden-sharing principles, to host the Syrian refugees in coordination with the Office of the High Commissioner;

“16. *Demands* that the Syrian Government implement the relevant resolutions and decisions of United Nations bodies and the Organization for the Prohibition of Chemical Weapons;

“17. *Stresses* its support for the aspirations of the Syrian people for a peaceful, democratic and pluralistic society, with the full and effective participation of women, in which there is no room for sectarianism or discrimination on ethnic, religious, linguistic, gender or any other grounds, based on the promotion of universal respect for and observance of human rights and fundamental freedoms;

“18. *Reaffirms* its support for the Geneva communiqué of 30 June 2012, and demands in this regard that all Syrian parties to the conflict rapidly implement the transition plan set forth in the final communiqué in a way that assures the safety of all in an atmosphere of stability and calm, provides for clear and irreversible steps in the transition according to a fixed time frame and establishes a consensus transitional governing body with full executive powers to which all functions of the presidency and Government are transferred, including those pertaining to military, security, and intelligence issues, as well as a review of the constitution on the basis of an inclusive national dialogue and free and fair multiparty elections held in the framework of this new constitutional order, and calls for the convening as soon as possible of the international conference on the Syrian Arab Republic to implement the Geneva communiqué.”

8. At its 48th meeting, on 19 November, the Committee had before it a revised draft resolution ([A/C.3/68/L.42/Rev.1](#)), submitted by the sponsors of draft resolution [A/C.3/68/L.42](#) and Albania, Andorra, Austria, Botswana, Colombia, the Comoros, Cyprus, the Czech Republic, Finland, Georgia, Greece, Ireland, Latvia, Liechtenstein, Lithuania, Monaco, Montenegro, New Zealand, Norway, Poland, Portugal, the Republic of Moldova, Romania, Seychelles, Somalia, Sweden and Switzerland. Subsequently, Kiribati also joined in sponsoring the draft resolution.<sup>1</sup>

9. Also at the same meeting, the representative of the Syrian Arab Republic made a statement and requested a recorded vote on the draft resolution (see [A/C.3/68/SR.48](#)).

10. Also at its 48th meeting, the Committee adopted draft resolution [A/C.3/68/L.42/Rev.1](#) by a recorded vote of 123 to 13, with 46 abstentions (see para. 27, draft resolution I). The voting was as follows:

*In favour:*

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait,

<sup>1</sup> The delegation of Côte d'Ivoire subsequently indicated that it had intended to sponsor the draft resolution.

Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

*Against:*

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

*Abstaining:*

Algeria, Angola, Antigua and Barbuda, Armenia, Bangladesh, Bhutan, Brunei Darussalam, Côte d'Ivoire, Democratic Republic of the Congo, El Salvador, Ethiopia, Fiji, Ghana, Guyana, India, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Mali, Mozambique, Namibia, Nepal, Niger, Nigeria, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Tajikistan, Togo, Trinidad and Tobago, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam, Zambia.

11. Before the vote, statements were made by the representatives of the Islamic Republic of Iran, Nicaragua, Qatar, Turkey, Venezuela (Bolivarian Republic of), Ecuador, the Democratic People's Republic of Korea, Belarus, Cuba and Nigeria; after the vote, statements were made by the representatives of Pakistan, Chile, Iraq, Brazil, Indonesia, the Syrian Arab Republic, Argentina, Serbia, Singapore, the Russian Federation, China, Switzerland and Liechtenstein (see [A/C.3/68/SR.48](#)).

## **B. Draft resolutions [A/C.3/68/L.55](#) and Rev.1**

12. At the 43rd meeting, on 7 November, the representative of Lithuania, on behalf of Albania, Andorra, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Palau, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Situation of human rights in Myanmar" ([A/C.3/68/L.55](#)), which read:



*“The General Assembly,*

*“Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments, and recalling its previous resolutions on the situation of human rights in Myanmar, the most recent of which is resolution [67/233](#) of 24 December 2012, those of the Commission on Human Rights, and those of the Human Rights Council, the most recent of which is resolution [22/14](#) of 21 March 2013,

*“Welcoming* the report of the Secretary-General on the situation of human rights in Myanmar and the facilitation by the Government of Myanmar of the visits of his special adviser to the country from 13 to 16 January, 3 to 6 February, 21 to 25 March, 25 August to 2 September and 7 to 10 October 2013,

*“Welcoming also* the report of the Special Rapporteur on the situation of human rights in Myanmar and the access granted to him during his visits to Myanmar from 11 to 16 February and 11 to 21 August 2013,

*“1. Welcomes* the positive developments in Myanmar and the stated commitment of the Government of Myanmar to continue on the path of political and economic reform, democratization and national reconciliation and the promotion and protection of human rights, recognizing the scale of the reform effort undertaken to date;

*“2. Also welcomes* the continued engagement of the Government of Myanmar with political actors within Parliament, civil society and opposition parties, and urges the Government to continue constitutional and electoral reform in order to ensure that the elections to be held in 2015 are genuinely credible, inclusive and transparent;

*“3. Further welcomes* the increasing space for political activity, assembly, speech and the press, and encourages the Government of Myanmar to fulfil its commitment to carry out comprehensive media reform and to protect the right to freedom of expression, association and of peaceful assembly, including to allow for free and independent media and to ensure the safety, security and freedom of human rights defenders to pursue their activities;

*“4. Welcomes* the statement by the President of Myanmar that no prisoners of conscience will remain in prison by the end of the year, the continued release of prisoners of conscience during the past year and the work of the political prisoner review committee, and urges the Government of Myanmar to continue the process and to fulfil its commitment to release them by the end of 2013, without conditions, and to ensure the full restoration of their rights and freedoms;

*“5. Expresses concern* about remaining human rights violations, including arbitrary arrests and detentions of political activists and human rights defenders, forced displacement, land confiscations, rape and other forms of sexual violence and torture and cruel, inhuman and degrading treatment, as well as violations of international humanitarian law, and urges the Government of Myanmar to step up its efforts to put an end to such violations;

“6. *Welcomes* ongoing efforts aimed at reviewing and reforming legislation, including the Constitution, recalls the importance of ensuring its compatibility with international standards and democratic principles, in this regard acknowledges with interest the draft legislation on the National Human Rights Commission intended to bring its functioning into line with the Paris Principles, and calls upon the Government of Myanmar to continue legal reform, including by repealing laws restricting fundamental freedoms, and to consider ratifying additional international instruments, including international human rights Conventions;

“7. *Encourages* the Government of Myanmar to take further steps to strengthen the rule of law, including through legislative and institutional reform, and to address the need for an independent, impartial and effective judiciary, and repeats its call upon the Government to take necessary measures to ensure accountability and end impunity, including by undertaking a full, transparent and independent investigation into all reports of violations of international human rights and humanitarian law;

“8. *Welcomes* the signing of ceasefire agreements between the Government of Myanmar and ethnic armed groups, and the recent signing of a seven-point agreement with regard to Kachin State and urges full implementation of it and of ceasefire agreements between other groups and the Government, including for all parties to protect the civilian population against ongoing violations of human rights and international humanitarian law and for safe, timely, full and unhindered humanitarian access to be granted to all areas, also welcomes the commitment by the Government to reach a nationwide ceasefire with ethnic armed groups, and encourages an all-inclusive political dialogue with the objective of achieving lasting peace;

“9. *Urges* the Government of Myanmar to accelerate its efforts to address discrimination, human rights violations, violence, displacement and economic deprivation affecting various ethnic and religious minorities, and, expressing particular concern about the situation of the Rohingya minority in Rakhine State, urges the Government to take action to bring about an improvement in their situation and to protect all their human rights, including their right to a nationality;

“10. *Reiterates its serious concern* about the situation of the Rohingya minority in Rakhine State, including repeated instances of violence and other abuses in the past year, and about attacks against Muslim and other religious minorities elsewhere in the country, calls on the Government of Myanmar to protect the civilian population from ongoing violence, to ensure full respect for human rights and fundamental freedoms, including full access to humanitarian assistance without discrimination, unhindered access across Rakhine State and the voluntary return of internally displaced persons and refugees to their communities of origin, to allow freedom of movement, equal access to full citizenship for the Rohingya minority and to address issues of land ownership and restitution of property, and, while welcoming some measures taken by the Government in this regard, encourages the Government to facilitate intercommunity dialogue and address the root causes of the issue, to undertake full, transparent and independent investigations into all reports of

human rights violations and to ensure accountability and bring about reconciliation;

“11. *Calls upon* the Government of Myanmar to step up its efforts to promote tolerance and peaceful coexistence in all sectors of society by, inter alia, encouraging interfaith dialogue and understanding and supporting community leaders in this direction;

“12. *Welcomes* the steps taken by the Government of Myanmar to improve engagement and cooperation with the United Nations and other international actors, including the Special Representative of the Secretary-General for Children and Armed Conflict, the International Labour Organization and the International Committee of the Red Cross, and encourages the full implementation of relevant agreements, including of the action plan to end and prevent the recruitment and use of children by the armed forces and the commitment to end forced labour by 2015;

“13. *Expresses concern* at continued delays, and, while noting ongoing negotiations, calls upon the Government of Myanmar to establish a timeline to open a country office of the Office of the United Nations High Commissioner for Human Rights in accordance with the mandate of her office;

“14. *Encourages* the international community to continue to support the Government of Myanmar in the fulfilment of its international human rights obligations and commitments, the implementation of its democratic transitional process and its economic and social development;

“15. *Requests* the Secretary-General:

“(a) To continue to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, involving all relevant stakeholders, including democracy and human rights groups, and to offer technical assistance to the Government in this regard;

“(b) To give all assistance necessary to enable the Special Adviser to the Secretary-General on Myanmar and the Special Rapporteur on the situation of human rights in Myanmar to discharge their mandates fully, effectively and in a coordinated manner;

“(c) To report to the General Assembly at its sixty-ninth session, as well as to the Human Rights Council, on the progress made in the implementation of the present resolution;

“16. *Decides* to remain seized of the matter on the basis of the reports of the Secretary-General and the Special Rapporteur.”

13. At its 47th meeting, on 19 November, the Committee had before it a revised draft resolution ([A/C.3/68/L.55/Rev.1](#)), submitted by the sponsors of draft resolution [A/C.3/68/L.55](#) and Australia, Bosnia and Herzegovina, Israel, Liechtenstein, Monaco, Norway, the Republic of Moldova, San Marino, Serbia, Seychelles, Switzerland and Turkey.

14. At the same meeting, the attention of the Committee was drawn to the programme budget implications of draft resolution [A/C.3/68/L.55/Rev.1](#) contained in document [A/C.3/68/L.76](#).

15. Also at the same meeting, the representative of Lithuania orally revised the draft resolution by deleting, in operative paragraph 11, the word “upcoming” before the words “visit of the Secretary-General”.

16. Also at its 47th meeting, the Committee adopted draft resolution [A/C.3/68/L.55/Rev.1](#), as orally revised (see para. 27, draft resolution II).

17. Before the adoption of the draft resolution, the representative of the United States of America made a statement; after the adoption of the draft resolution, statements were made by the representatives of Myanmar, Japan, Brazil, Australia, Thailand, the Philippines, Norway, Canada, China, Singapore, Venezuela (Bolivarian Republic of), Israel, Viet Nam, the Lao People’s Democratic Republic, Cuba, Djibouti (on behalf of the Organization of Islamic Cooperation), the Russian Federation, Egypt, India, Albania and the Democratic People’s Republic of Korea (see [A/C.3/68/SR.47](#)).

### **C. Draft resolution [A/C.3/68/L.56](#)**

18. At the 43rd meeting, on 7 November, the representative of Lithuania, on behalf of Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, the Netherlands, New Zealand, Norway, Palau, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Vanuatu, introduced a draft resolution entitled “Situation of human rights in the Democratic People’s Republic of Korea” ([A/C.3/68/L.56](#)). Subsequently, Bosnia and Herzegovina, the Marshall Islands, Panama, Papua New Guinea, the Republic of Moldova, San Marino, Serbia and Seychelles joined in sponsoring the draft resolution.

19. At the same meeting, the representative of the Democratic People’s Republic of Korea made a statement (see [A/C.3/68/SR.43](#)).

20. At its 48th meeting, on 19 November, the Committee adopted draft resolution [A/C.3/68/L.56](#) (see para. 27, draft resolution III).

21. Before the adoption of the draft resolution, statements were made by the representatives of the Democratic People’s Republic of Korea and Japan; after the adoption of the draft resolution, statements were made by the representatives of the Islamic Republic of Iran, Brazil, Singapore, the Russian Federation, the Lao People’s Democratic Republic, Cuba, Venezuela (Bolivarian Republic of), Ecuador, Belarus, the Democratic People’s Republic of Korea, China and the Syrian Arab Republic (see [A/C.3/68/SR.48](#)).

### **D. Draft resolution [A/C.3/68/L.57](#)**

22. At the 43rd meeting, on 7 November, the representative of Canada, on behalf of Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary,

Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, the Netherlands, Norway, Palau, Panama, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tuvalu, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Vanuatu, introduced a draft resolution entitled "Situation of human rights in the Islamic Republic of Iran" (A/C.3/68/L.57). Subsequently, New Zealand, the Republic of Moldova, San Marino and Seychelles joined in sponsoring the draft resolution.

23. At the same meeting, the representative of the Islamic Republic of Iran made a statement (see A/C.3/68/SR.43).

24. At the 48th meeting, on 19 November, the representative of the Islamic Republic of Iran made a statement and requested a recorded vote on the draft resolution.

25. At the same meeting, the Committee adopted draft resolution A/C.3/68/L.57 by a recorded vote of 83 to 36, with 62 abstentions (see para. 27, draft resolution IV). The voting was as follows:

*In favour:*

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Cabo Verde, Canada, Central African Republic, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

*Against:*

Afghanistan, Algeria, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cambodia, China, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Lebanon, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

*Abstaining:*

Angola, Antigua and Barbuda, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Cameroon, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Iraq, Jamaica, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Niger, Nigeria, Philippines, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia,

Senegal, Sierra Leone, Singapore, South Africa, South Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Yemen, Zambia.

26. Before the vote, statements were made by the representatives of the Syrian Arab Republic, Belarus, Cuba, the Democratic People's Republic of Korea, Djibouti (on behalf of the Organization of Islamic Cooperation), Venezuela (Bolivarian Republic of), the Russian Federation and Ecuador; after the vote, statements were made by the representatives of Indonesia, Mexico, Chile, Brazil, Trinidad and Tobago, Japan, New Zealand, Uruguay and Costa Rica (see [A/C.3/68/SR.48](#) and 49).

### III. Recommendations of the Third Committee

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

#### **Draft resolution I** **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 and 67/262 of 15 May 2013, Human Rights Council resolutions S-16/1 of 29 April 2011, 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, 23/1 of 29 May 2013, 23/26 of 14 June 2013 and 24/22 of 27 September 2013, and Security Council resolutions 2042 (2012) of 14 April 2012, 2043 (2012) of 21 April 2012 and 2118 (2013) of 27 September 2013 and presidential statement 2013/15 of 2 October 2013,

*Noting* the fact that the Syrian Arab Republic has acceded to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,

*Expressing outrage* at the continuing escalation of violence in the Syrian Arab Republic, which has caused over 100,000 casualties, mostly by conventional weapons, and in particular at the continued widespread and systematic gross violations, as well as abuses, of human rights and violations of international humanitarian law, including those involving the continued use of heavy weapons and aerial bombardments, such as the indiscriminate use of ballistic missiles and cluster munitions, by the Syrian authorities against the Syrian population,

<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.

*Expressing alarm* at the failure of the Government of the Syrian Arab Republic to protect its population and to implement the relevant resolutions and decisions of United Nations bodies,

*Expressing grave concern* at the spread of extremism and extremist groups, and strongly condemning all human rights abuses and violations of international humanitarian law in the Syrian Arab Republic,

*Strongly condemning* the large-scale use of chemical weapons on 21 August 2013 in the Ghouta area of Damascus, as concluded in the report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic,<sup>9</sup> condemning the killing of civilians that resulted from it, affirming that the use of chemical weapons constitutes a serious violation of international law, and stressing that those responsible for any use of chemical weapons must be held accountable,

*Noting* that the League of Arab States, in its resolution 7667 adopted by the Ministerial Council of the League at its 140th ordinary session on 1 September 2013, and the Organization of Islamic Cooperation have held the Government of the Syrian Arab Republic fully responsible for the chemical attacks against the Syrian people, which took place in the Ghouta area of Damascus,

*Recalling* the statements made by the Secretary-General and the United Nations High Commissioner for Human Rights that crimes against humanity are likely to have been committed in the Syrian Arab Republic, stressing that the Syrian authorities have failed to prosecute such serious violations, and noting the repeated encouragement by the High Commissioner that the Security Council refer the situation to the International Criminal Court,

*Expressing support* for the work carried out by the independent international commission of inquiry on the Syrian Arab Republic,

*Strongly condemning* the continued border violations from the Syrian Arab Republic into neighbouring countries, which have led to casualties among and injuries to the civilians of those countries, including Syrian refugees, and underlining that such incidents have violated international law and highlighted the grave impact of the crisis in the Syrian Arab Republic on the security of its neighbours and on regional peace and stability,

*Deploring* the further deterioration of the humanitarian situation and the failure of the Government of the Syrian Arab Republic to ensure the immediate, safe and unimpeded provision of humanitarian assistance to all areas affected by the fighting,

*Expressing deep concern* at the more than 2.2 million refugees, including more than 1 million children, and the millions of internally displaced persons fleeing as a result of the extreme violence in the Syrian Arab Republic, and at the escalating violence causing an influx of Syrian refugees into neighbouring countries and other countries in the region,

*Welcoming* the hosting by the Government of Kuwait, on 30 January 2013, of the pledging conference for the United Nations joint appeal, and also welcoming

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<sup>9</sup> A/67/997-S/2013/553.



with appreciation the hosting by the Government of Kuwait of a second international humanitarian pledging conference for Syria in January 2014,

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

*Welcoming* the efforts of the United Nations, the League of Arab States and the Joint Special Representative of the United Nations and the League of Arab States for Syria to achieve a solution to the Syrian crisis,

1. *Strongly condemns* the use of chemical weapons in the Syrian Arab Republic, which is prohibited under international law, amounts to a serious crime and has a devastating impact on civilians, and in particular the massacre in the Ghouta area of Damascus, and notes in this regard the report of 16 September 2013<sup>9</sup> prepared by the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic, which provides clear evidence that surface-to-surface rockets were fired on 21 August from Government-held territory into opposition areas, using professionally made munitions containing sarin;

2. *Also strongly condemns* the continued widespread and systematic gross violations of human rights and fundamental freedoms and all violations of international humanitarian law by the Syrian authorities and the Government-affiliated *shabbiha* militias, including those involving the use of heavy weapons, aerial bombardments, cluster munitions, ballistic missiles and other force against civilians, attacks on schools, hospitals and places of worship, massacres, arbitrary executions, extrajudicial killings, the killing and persecution of protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, violations of women's rights, unlawful interference with access to medical treatment, failure to respect and protect medical personnel, torture, systemic sexual and gender-based violence, including rape in detention, and ill-treatment, and strongly condemns all human rights abuses or violations of international humanitarian law by armed extremists, as well as any human rights abuses or violations of international humanitarian law by armed anti-Government groups;

3. *Condemns* all grave 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, attacks on schools and hospitals, as well as arbitrary arrest, detention, torture, ill-treatment and their use as human shields;

4. *Also condemns* all violence, irrespective of where it comes from, and calls upon all parties to immediately put an end to all forms of violence, including terrorist acts and acts of violence or intimidation that may foment sectarian tensions, and to comply strictly with their obligations under international law, including international humanitarian law;

5. *Demands* that all parties immediately put an end to all violations and abuses of international human rights law and international humanitarian law, and recalls, in particular, the obligation under international humanitarian law to distinguish between civilian populations and combatants, the prohibition against indiscriminate and disproportionate attacks and all attacks against civilians and

civilian objects, also demands that all parties to the conflict take all appropriate steps to protect civilians, including by desisting from attacks directed against civilian objects, such as medical centres, schools and water stations, immediately demilitarize such facilities, avoid establishing military positions in populated areas and enable the evacuation of the wounded and all civilians who wish to do so from besieged areas, and recalls in this regard that the Syrian authorities bear primary responsibility for protecting the population;

6. *Strongly condemns* the intervention of all foreign combatants in the Syrian Arab Republic, including those fighting on behalf of the Syrian authorities, and in particular Hizbullah, and expresses deep concern that their involvement further exacerbates the deteriorating human rights and humanitarian situation, which has a serious negative impact on the region;

7. *Demands* that the Syrian authorities immediately release all persons arbitrarily detained, including the members of the Syrian Centre for Media and Freedom of Expression, publish a list of all detention facilities, ensure that conditions of detention comply with applicable international law and immediately allow access of independent monitors to all detention facilities;

8. *Also demands* that the Syrian authorities fully cooperate with the independent international commission of inquiry on the Syrian Arab Republic and provide it and individuals working on its behalf with immediate, full and unfettered entry and access to all areas of the country, and further demands that all parties cooperate fully with the commission in the performance of its mandate;

9. *Welcomes* the reports submitted by the independent international commission of inquiry on the Syrian Arab Republic and the conclusions and recommendations contained therein;

10. *Stresses* the importance of ensuring accountability and the need to end impunity and hold to account those responsible for violations of international humanitarian law and violations and abuses of human rights, including those violations that may amount to crimes against humanity, notably in the Ghouta area of Damascus on 21 August 2013, and encourages the Security Council to consider appropriate measures to ensure accountability in the Syrian Arab Republic, and stresses the important role that international criminal justice could play in this regard;

11. *Underlines* the importance that the Syrian people, on the basis of broad, inclusive and credible consultations, should determine, within the framework provided by international law and based upon the complementarity principle, the domestic process and mechanisms to achieve reconciliation, truth and accountability for gross violations, as well as reparations and effective remedies for the victims;

12. *Reminds* the Security Council of its primary responsibility for the maintenance of international peace and security and to take measures to put an end to all serious violations of international humanitarian law and all serious violations and abuses of international human rights law committed in the Syrian Arab Republic;

13. *Strongly condemns* all attacks by the Syrian authorities or any other party against medical facilities, personnel and vehicles, as well as the use of medical and civilian facilities, including hospitals, for armed purposes, recalls that under

international humanitarian law the wounded and sick must receive, to the fullest extent practicable, and with the least possible delay, the medical care and attention required by their condition, and urges that free passage for medical personnel and supplies, including surgical items and medicine, be provided to all areas in the Syrian Arab Republic;

14. *Stresses* that the magnitude of the humanitarian tragedy caused by the conflict in the Syrian Arab Republic requires immediate action to facilitate the safe and unimpeded delivery of humanitarian assistance throughout the entire country, in particular in areas and districts where humanitarian needs are especially urgent, condemns all cases of arbitrary denial of humanitarian access, and recalls that depriving civilians of objects indispensable to their survival, including wilfully impeding relief supply and access, can constitute a violation of international humanitarian law;

15. *Demands* that the Syrian authorities take immediate steps to facilitate the expansion of humanitarian relief operations and lift bureaucratic impediments and other obstacles, including by immediately facilitating safe and unimpeded access to people in need, through the most effective ways, including across conflict lines and across borders, and urges all parties to take all appropriate steps to facilitate the efforts of the United Nations, its specialized agencies and all humanitarian actors engaged in humanitarian relief activities to provide immediate humanitarian assistance to the affected people in the Syrian Arab Republic and to nominate empowered interlocutors who can work with humanitarian agencies to resolve difficulties in gaining such access, in order to fully implement the humanitarian response plan;

16. *Expresses grave concern* at the increasing numbers of refugees and internally displaced persons as a result of the ongoing violence, reiterates its appreciation for the significant efforts that have been made by neighbouring countries and countries of the region to assist those who have fled across the borders of the Syrian Arab Republic as a consequence of the violence, urges all relevant United Nations agencies, in particular the Office of the United Nations High Commissioner for Refugees, and other donors to provide urgent and coordinated support to Syrian refugees and their host countries, and calls upon Member States, based on burden-sharing principles, to host the Syrian refugees in coordination with the Office of the High Commissioner;

17. *Demands* that the Government of the Syrian Arab Republic implement the relevant resolutions and decisions of United Nations bodies and the Organization for the Prohibition of Chemical Weapons;

18. *Stresses its support* for the aspirations of the Syrian people for a peaceful, democratic and pluralistic society, with the full and effective participation of women, in which there is no room for sectarianism or discrimination on ethnic, religious, linguistic, gender or any other grounds, based on the promotion of universal respect for and observance of human rights and fundamental freedoms;

19. *Stresses* that rapid progress on a political transition represents the best opportunity to resolve the situation in the Syrian Arab Republic peacefully, reaffirms its support for the engagement of the Secretary-General and the Joint Special Representative of the United Nations and the League of Arab States for Syria and all diplomatic efforts aimed at reaching a political solution to the crisis,

also reaffirms the role of regional and subregional organizations in the maintenance of international peace and security as set out in Chapter VIII of the Charter of the United Nations, and welcomes the relevant resolutions of the League of Arab States to address the situation in the Syrian Arab Republic;

20. *Endorses* the Geneva communiqué of 30 June 2012, and calls for the convening as soon as possible of the international conference on the Syrian Arab Republic to implement the Geneva communiqué.

## Draft resolution II

### 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> and other relevant human rights instruments, and recalling its previous resolutions on the situation of human rights in Myanmar, the most recent of which is resolution [67/233](#) of 24 December 2012, those of the Commission on Human Rights, and those of the Human Rights Council, the most recent of which is resolution [22/14](#) of 21 March 2013,<sup>3</sup>

*Welcoming* the report of the Secretary-General on the situation of human rights in Myanmar<sup>4</sup> and the facilitation by the Government of Myanmar of the visits of his special adviser to the country from 13 to 16 January, 3 to 6 February, 21 to 25 March, 25 August to 2 September and 7 to 10 October 2013,

*Welcoming also* the report of the Special Rapporteur on the situation of human rights in Myanmar<sup>5</sup> and the access granted to him during his visits to Myanmar from 11 to 16 February and 11 to 21 August 2013,

1. *Welcomes* the positive developments in Myanmar and the stated commitment of the Government of Myanmar to continue on the path of political and economic reform, democratization and national reconciliation and the promotion and protection of human rights, recognizing the scale of the reform effort undertaken to date;

2. *Also welcomes* the continued engagement of the Government of Myanmar with political actors within the parliament, civil society and opposition parties, and urges the Government to continue constitutional and electoral reform in order to ensure that the elections to be held in 2015 are genuinely credible, inclusive and transparent;

3. *Further welcomes* the increasing space for political activity, assembly, speech and the press, and encourages the Government of Myanmar to fulfil its commitment to carry out comprehensive media reform and to protect the right to freedom of expression, association and of peaceful assembly, including to allow for free and independent media and to ensure the safety, security and freedom of human rights defenders to pursue their activities;

4. *Welcomes* the statement by the President of Myanmar that no prisoners of conscience will remain in prison by the end of the year, the continued release of prisoners of conscience during the past year and the work of the political prisoner review committee, and urges the Government of Myanmar to continue the process and to fulfil its commitment to release them by the end of 2013, without conditions, and to ensure the full restoration of their rights and freedoms;

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<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-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

<sup>4</sup> A/68/331.

<sup>5</sup> A/68/397.

5. *Expresses concern* about remaining human rights violations, including arbitrary arrests and detentions of political activists and human rights defenders, forced displacement, land confiscations, rape and other forms of sexual violence and torture and cruel, inhuman and degrading treatment, as well as violations of international humanitarian law, and urges the Government of Myanmar to step up its efforts to put an end to such violations;

6. *Welcomes* ongoing efforts aimed at reviewing and reforming legislation, including the Constitution, recalls the importance of ensuring its compatibility with international standards and democratic principles, in this regard acknowledges with interest the draft legislation on the National Human Rights Commission intended to bring its functioning into line with the Paris Principles, and calls upon the Government of Myanmar to continue legal reform, including by repealing laws restricting fundamental freedoms, and to consider ratifying additional international instruments, including international human rights conventions;

7. *Encourages* the Government of Myanmar to take further steps to strengthen the rule of law, including through legislative and institutional reform, and to address the need for an independent, impartial and effective judiciary, and repeats its call upon the Government to take necessary measures to ensure accountability and end impunity, including by undertaking a full, transparent and independent investigation into all reports of violations of international human rights and humanitarian law;

8. *Welcomes* the signing of ceasefire agreements between the Government of Myanmar and ethnic armed groups, and the recent signing of a seven-point agreement with regard to Kachin State and urges full implementation of it and of ceasefire agreements between other groups and the Government, including for all parties to protect the civilian population against ongoing violations of human rights and international humanitarian law and for safe, timely, full and unhindered humanitarian access to be granted to all areas, also welcomes the commitment by the Government to reach a nationwide ceasefire with ethnic armed groups, and encourages an all-inclusive political dialogue with the objective of achieving lasting peace;

9. *Urges* the Government of Myanmar to accelerate its efforts to address discrimination, human rights violations, violence, displacement and economic deprivation affecting various ethnic and religious minorities;

10. *Reiterates its serious concern* about the situation of the Rohingya minority in Rakhine State, including repeated instances of communal violence and other abuses in the past year, and about attacks against Muslim minorities elsewhere in the country, calls upon the Government of Myanmar to protect the civilian population from ongoing violence, to ensure full respect for human rights and fundamental freedoms, including full access to humanitarian assistance without discrimination, unhindered access across Rakhine State and the voluntary return of internally displaced persons and refugees to their communities of origin, to allow freedom of movement, equal access to full citizenship for the Rohingya minority and to address issues of land ownership and restitution of property, and, while welcoming some measures taken by the Government in this regard, encourages the Government to facilitate intercommunity dialogue and address the root causes of the issue, to undertake full, transparent and independent investigations into all reports

of human rights violations and to ensure accountability and bring about reconciliation;

11. *Welcomes* steps taken by the Government of Myanmar towards further engagement with a number of regional and other actors, and in this regard welcomes the visit of the Secretary-General of the Organization of Islamic Cooperation and a group of ministers in November 2013;

12. *Calls upon* the Government of Myanmar to step up its efforts to promote tolerance and peaceful coexistence in all sectors of society by, inter alia, encouraging interfaith dialogue and understanding and supporting community leaders in this direction;

13. *Welcomes* the steps taken by the Government of Myanmar to improve engagement and cooperation with the United Nations and other international actors, including the International Committee of the Red Cross, the Special Representative of the Secretary-General for Children and Armed Conflict and the International Labour Organization, and the progress made towards ending recruitment and use of child soldiers in Myanmar and towards the elimination of forced labour, and encourages the full implementation of relevant agreements, including of the action plan to end and prevent the recruitment and use of children by the armed forces and the commitment to end forced labour by 2015;

14. While noting ongoing negotiations, *expresses concern* at delays, and calls upon the Government of Myanmar to speed up the process of establishing a country office of the Office of the United Nations High Commissioner for Human Rights in accordance with the mandate of the High Commissioner;

15. *Encourages* the international community to continue to support the Government of Myanmar in the fulfilment of its international human rights obligations and commitments, the implementation of its democratic transitional process and its economic and social development;

16. *Requests* the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, involving all relevant stakeholders, including democracy and human rights groups, and to offer technical assistance to the Government in this regard;

(b) To give all assistance necessary to enable the Special Adviser to the Secretary-General on Myanmar and the Special Rapporteur on the situation of human rights in Myanmar to discharge their mandates fully, effectively and in a coordinated manner;

(c) To report to the General Assembly at its sixty-ninth session, as well as to the Human Rights Council, on the progress made in the implementation of the present resolution;

17. *Decides* to remain seized of the matter on the basis of the reports of the Secretary-General and the Special Rapporteur.

### **Draft resolution III**

## **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,

*Mindful* that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,<sup>1</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>1</sup> the Convention on the Rights of the Child<sup>2</sup> and the Convention on the Elimination of All Forms of Discrimination against Women,<sup>3</sup> and recalling the concluding observations of the treaty-monitoring bodies under the four treaties,

*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 67/181 of 20 December 2012 and Council resolution 22/13 of 21 March 2013, and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

*Welcoming* the establishment of the commission of inquiry by the Human Rights Council in its resolution 22/13, taking note of its initial oral report to the Council in September 2013 and to the General Assembly in October 2013 and commending its methodology of conducting public hearings with witnesses, while regretting that the commission has received no cooperation from the authorities of the Democratic People's Republic of Korea, including with regard to access to the country,

*Acknowledging* the participation of the Democratic People's Republic of Korea in the universal periodic review process, expressing serious concern at the continued refusal of the Government of the Democratic People's Republic of Korea to articulate its position as to which recommendations included in the outcome report of its universal periodic review,<sup>4</sup> adopted in March 2010, enjoy its support, and regretting the continuing lack of action by the Democratic People's Republic of Korea to implement the recommendations contained in the report,

*Noting with appreciation* 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, and the collaboration established with the United Nations Children's Fund in order to improve the quality of education for children,

*Noting* the decision on the resumption, on a modest scale, of the activities of the United Nations Development Programme in the Democratic People's Republic of Korea, and encouraging the engagement of the Government of the Democratic

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<sup>1</sup> See resolution 2200 A (XXI), annex.

<sup>2</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>3</sup> *Ibid.*, vol. 1249, No. 20378.

<sup>4</sup> A/HRC/13/13.



People's Republic of Korea with the international community to ensure that the programmes benefit the persons in need of assistance,

*Noting also* the cooperation established 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 for the purpose of conducting a crop and food security assessment, as well as the letter of understanding signed with the World Food Programme, recognizing improvements in access by the World Food Programme and emphasizing the importance of providing further access to all United Nations entities, while supporting the establishment, implementation and monitoring of joint projects with other international agencies and organizations aiming to increase the synergy of food and non-food assistance, and noting also with appreciation the work of international aid operators in the area of humanitarian and food assistance,

*Taking note* of the report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea,<sup>5</sup> regretting that he still has not been allowed to visit the country and that he 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 67/181,<sup>6</sup>

*Noting with appreciation* the recent signature of the Convention on the Rights of Persons with Disabilities by the Democratic People's Republic of Korea, encouraging the Government to take speedy steps to ratify the Convention, and urging the Government to fully respect the rights of persons with disabilities,

*Noting* the importance of the inter-Korean dialogue, which could contribute to the improvement of the human rights and humanitarian situation in the country,

*Noting with regret* that the reunion of separated families across the border, which is an urgent humanitarian concern of the entire Korean people, has been halted, and hoping that it will be resumed as early as possible and that necessary arrangements for 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,

*Deeply concerned* at the significant persistent deterioration of the human rights situation in the Democratic People's Republic of Korea,

1. *Expresses its very serious concern* at:

(a) The persistence of continuing reports of systematic, widespread and grave violations of civil, political, economic, social and cultural rights in the Democratic People's Republic of Korea, including:

(i) Torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention, 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

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<sup>5</sup> A/68/319.

<sup>6</sup> A/68/392.

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 and where alarming violations of human rights are perpetrated, and in this regard strongly urges the Democratic People's Republic of Korea to immediately end this practice and to release all political prisoners unconditionally and without any delay;

(iii) 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 sanctions imposed on citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, leading to punishments of internment, torture, cruel, inhuman or degrading treatment 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>7</sup> and the 1967 Protocol thereto<sup>8</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 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 persecution, torture and imprisonment of individuals exercising their freedom of opinion and expression, religion or 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) The violations of economic, social and cultural rights, which have led to severe malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for persons belonging to particularly exposed groups, inter alia, women, children and the elderly;

(vii) Continuing violations of the human rights and fundamental freedoms of women, in particular the creation of internal conditions that force women to leave the country and risk falling victim to trafficking for the purpose of prostitution or forced marriage and the subjection of women to human smuggling, forced abortions, gender-based discrimination, including in the economic sphere, and gender-based violence and continuing impunity for such violence;

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<sup>7</sup> United Nations, *Treaty Series*, vol. 189, No. 2545.

<sup>8</sup> *Ibid.*, vol. 606, No. 8791.

(viii) Continuing reports of 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) Continuing reports of violations of the human rights and fundamental freedoms of persons with disabilities, especially in the use of collective camps and of coercive measures that target the rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children;

(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>1</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>2</sup>

(b) The continued refusal of the Government of the Democratic People's Republic of Korea to recognize the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and the mandate of the commission of inquiry or to extend cooperation to the Special Rapporteur and the commission of inquiry;

(c) The continued refusal of the Government of the Democratic People's Republic of Korea to articulate which recommendations enjoyed its support following its universal periodic review by the Human Rights Council or to express its commitment to their implementation, and expresses its serious concern at the lack of action taken to date to implement the recommendations contained in the final outcome;<sup>4</sup>

2. *Underscores its very serious concern* at unresolved questions of international concern relating to abductions in the form of enforced disappearance, which violate the human rights of nationals of other sovereign countries, and in this regard strongly calls upon the Government of the Democratic People's Republic of Korea urgently to resolve those questions, including through existing channels, in a transparent manner, including by ensuring the immediate return of abductees;

3. *Expresses its very deep concern* at the precarious humanitarian situation in the country, which could rapidly deteriorate owing to limited resilience towards natural disasters and to government policies causing limitations in the availability of and access to food, compounded by structural weaknesses in agricultural production resulting in significant shortages of diversified food, and the State restrictions on the cultivation and trade in foodstuffs, as well as the prevalence of chronic and acute malnutrition, particularly among the most vulnerable groups, pregnant women, infants and children and the elderly, which, despite some progress, continues to affect the physical and mental development of a significant proportion of children, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action, cooperating where necessary with

international donor agencies and in accordance with international standards for monitoring humanitarian assistance;

4. *Commends* the Special Rapporteur and the commission of inquiry for the activities undertaken so far and for their continued efforts in the conduct of their mandates despite the denial of access;

5. *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 the United Nations special procedures and treaty bodies;

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

(c) To tackle the root causes leading to refugee outflows and prosecute those who exploit refugees by human smuggling, trafficking and extortion, while not criminalizing the victims;

(d) 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;

(e) To extend its full cooperation to the Special Rapporteur, and the commission of inquiry, including by granting them full, free and unimpeded access to the Democratic People's Republic of Korea and to other United Nations human rights mechanisms so that a full needs assessment of the human rights situation may be made;

(f) To engage in technical cooperation activities in the field of human rights with the United Nations High Commissioner for Human Rights and her Office, as pursued by the High Commissioner in recent years, with a view to improving the situation of human rights in the country, and strive to implement the recommendations made in the universal periodic review by the Human Rights Council;

(g) To engage in cooperation with the International Labour Organization;

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

(i) To ensure full, safe and unhindered access to humanitarian aid and take measures to allow humanitarian agencies to secure its impartial delivery to all parts of the country on the basis of need in accordance with humanitarian principles, as it pledged to do, and to ensure access to adequate food and implement more effective food security policies, including through sustainable agriculture, sound food

production distribution measures and by allocating more funds to the food sector, and to ensure adequate monitoring of humanitarian assistance;

(j) To further improve cooperation with the United Nations country team and development agencies so that they can directly contribute to improving the living conditions of the civilian population, including accelerating progress towards the achievement of the Millennium Development Goals, in accordance with international monitoring and evaluation procedures;

(k) To consider ratifying and acceding to remaining international human rights treaties, which would enable a dialogue with the human rights treaty bodies;

6. *Decides* to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its sixty-ninth 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 outcome of and follow-up to the work of the commission of inquiry, in line with any decision of the Human Rights Council at its twenty-fifth session.

## **Draft resolution IV**

### **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, the International Covenants on Human Rights 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 [67/182](#) of 20 December 2012,

1. *Takes note* of the report of the Secretary-General submitted in September 2013 pursuant to resolution [67/182](#),<sup>1</sup> in which he notes that he remains deeply troubled by ongoing human rights violations in the Islamic Republic of Iran, and the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran<sup>2</sup> submitted in October 2013 pursuant to Human Rights Council resolution [22/23](#) of 15 April 2013, in which the Special Rapporteur continues to catalogue a wide range of systemic and systematic human rights violations;

2. *Welcomes* pledges made by the new 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 and promoting freedom of expression and opinion, as well as the President's proposal to implement a civil rights charter, and encourages the Islamic Republic of Iran to take concrete action to ensure that these pledges can result in demonstrable improvements as soon as possible and to uphold the Government's obligations under its national laws and under international human rights law;

3. *Also welcomes* the peaceful conduct during voting in the June 2013 presidential elections and the broad participation of the Iranian people, while expressing concern over the restrictions placed on candidates, including the exclusion of all women candidates, and the further erosion of democratic space for political activities prior to the elections;

4. *Further welcomes* the recent release of a number of prisoners of conscience and political prisoners, and continues to call upon the Government of the Islamic Republic of Iran to immediately and unconditionally release all those who have been arbitrarily arrested and detained for exercising their rights to freedom of religion or belief, freedom of expression and peaceful assembly or participating in peaceful protests about political, economic, environmental or other issues;

5. *Expresses deep concern* at serious ongoing and recurring human rights violations in the Islamic Republic of Iran relating to, inter alia:

(a) Torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputations;

(b) The continuing alarming high frequency of the carrying out of the death penalty in the absence of internationally recognized safeguards, including public executions, notwithstanding the issuance of a circular by the former head of the

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<sup>1</sup> A/68/377.

<sup>2</sup> A/68/503.

judiciary prohibiting public executions, and secret group executions, as well as reports of executions undertaken without the notification of the prisoner's family members or legal counsel;

(c) The continuing imposition and carrying out of the death penalty against minors and persons who at the time of their offence were under the age of 18, in violation of the obligations of the Islamic Republic of Iran under the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights;

(d) The imposition of the death penalty for crimes that lack a precise and explicit definition, including *moharebeh* (enmity against God), and for crimes that do not qualify as the most serious crimes, in violation of international law;

(e) Widespread and serious restrictions on the right to peaceful assembly, freedom of association and freedom of opinion and expression, including through efforts to block, filter or hinder Internet access and content, jam international satellite transmission into the Islamic Republic of Iran and censor or close newspapers, magazines and other publications, including in the lead-up to the June 2013 presidential election;

(f) The systematic targeting and harassment of human rights defenders, who face arrest, arbitrary detention, long-term exile and harsh sentences, including the death sentence;

(g) Pervasive gender inequality and violence against women and increased discrimination against women and girls in law and in practice, as well as restrictions on access to government decision-making positions and the labour market;

(h) Continued discrimination and other human rights violations, at times amounting to persecution, against persons belonging to ethnic, linguistic or other minorities, including Arabs, Azeris, Balochis and Kurds and their defenders, noting in particular reports of the violent suppression and detention of ethnic Arabs and Azeris, including serious concerns about violations of their due process rights and alleged torture while imprisoned;

(i) Ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the building of, as well as attacks against, places of worship and burial;

(j) Continued harassment, at times amounting to persecution, and human rights violations against persons belonging to recognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims and Zoroastrians and their defenders, noting in particular the widespread arrest and detention of Sufi Muslims and evangelical Christians, including the continued detention of Christian pastors;

(k) Continued persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i faith and their defenders, including targeted attacks and murders, without proper investigation to hold those responsible accountable, arbitrary arrests and detention, the restriction of access to higher education on the basis of religion, the continued imprisonment of the leadership of the Iranian Baha'i community, the closure of Baha'i-owned businesses and the de facto criminalization of membership in the Baha'i faith;

(l) Continued and sustained house arrest of leading opposition figures from the 2009 presidential elections and growing concerns about their health, as well as ongoing restrictions on their supporters and family members, including through harassment, intimidation and reprisals;

(m) Persistent failure to uphold due process of law, and violations of the rights of detainees, including the widespread and systematic use of arbitrary detention and enforced disappearance, the lack of access of detainees to legal representation of their choice, the refusal to consider granting bail to detainees, the poor conditions of prisons and the denial of access to adequate medical treatment, as well as reports of detainees dying in custody, being subjected to torture, rape and other forms of sexual violence, harsh interrogation techniques and the use of pressure exerted upon their relatives and dependants, including through arrest, to obtain false confessions that are then used at trials;

(n) Continuing arbitrary or unlawful interference by State authorities with the privacy of individuals, in particular in relation to private homes, and with their correspondence, including telephone and e-mail communications, in violation of international law;

6. *Calls upon* the Government of 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, in particular:

(a) To eliminate, in law and in practice, amputations, flogging, blinding and other forms of torture and other cruel, inhuman or degrading treatment or punishment;

(b) To abolish, in law and in practice, public executions and other executions carried out in the absence of respect for internationally recognized safeguards, including by stoning and suspension strangulation;

(c) To further revisit the revised Islamic Penal Code to make it consistent with its obligation, under article 37 of the Convention on the Rights of the Child and article 6 of the International Covenant on Civil and Political Rights, to abolish executions of minors and persons who at the time of their offence were under the age of 18;

(d) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls, to promote women's participation in decision-making positions, and, while recognizing the high enrolment of women in all levels of education, to lift all restrictions on women's equal access to all aspects of university education;

(e) 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, recognized or otherwise;

(f) To eliminate discrimination against, and exclusion of, members of certain groups, including members of the Baloch community and members of the Baha'i faith, regarding access to higher education, to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities and to release those imprisoned for this reason;



(g) To implement, inter alia, the 1996 report of the Special Rapporteur on religious intolerance,<sup>3</sup> in which he recommended ways in which the Islamic Republic of Iran could emancipate the Baha'i community, to release the seven Baha'i leaders held since 2008 and to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed;

(h) To launch a comprehensive accountability process in response to cases of serious human rights violations, including those involving the Iranian judiciary and security agencies, and to end impunity for such violations;

(i) To fulfil pledges by the new President for greater space for freedom of expression and opinion by ending the harassment, intimidation and persecution of political opponents, human rights defenders, women's rights activists, labour leaders, students, academics, film-makers, journalists and their families, other media representatives, bloggers, netizens, clerics, artists and lawyers, including by releasing persons detained arbitrarily or on the basis of their political views, and in this regard welcoming the reopening of the House of Cinema;

(j) To end restrictions on the press and media representatives, Internet users and Internet providers, including the selective jamming of satellite broadcasts, that violate the rights to freedom of expression and association;

(k) To uphold, in law and in practice, procedural guarantees to ensure due process of law;

7. *Also calls upon* the Government of the Islamic Republic of Iran to strengthen its national human rights institutions in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), as it committed itself to doing in the framework of its universal periodic review by the Human Rights Council;

8. *Notes* the recent engagement by the Islamic Republic of Iran with the Committee on Economic, Social and Cultural Rights, recalls its previous engagement with the Human Rights Committee, and calls upon the Government of the Islamic Republic of Iran to consider acting upon the concluding observations adopted by those committees;

9. *Calls upon* the Government of the Islamic Republic of Iran to effectively implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that it may have made upon signature or ratification of other international human rights instruments where such reservations are overly general, 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;

10. *Strongly encourages* the Government of the Islamic Republic of Iran to implement all of the recommendations that it accepted in the framework of its universal periodic review by the Human Rights Council, with the full and genuine participation of civil society and other stakeholders in the implementation process;

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<sup>3</sup> E/CN.4/1996/95/Add.2.

11. *Expresses deep concern* that, despite the standing invitation issued by the Islamic Republic of Iran to all thematic special procedures mandate holders, it has not fulfilled any requests from those special mechanisms to visit the country in eight years and has left unanswered the vast majority of the numerous and repeated communications from those special mechanisms, and strongly urges the Government of the Islamic Republic of Iran to fully cooperate with the special mechanisms, including facilitating their visits to its territory, so that credible and independent investigations of all allegations of human rights violations can be conducted;

12. *Expresses serious concern* about allegations of reprisals against individuals for their cooperation or contact with United Nations human rights mechanisms or representatives;

13. *Strongly encourages* the 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, in particular the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the right to education, the Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence, the Independent Expert on minority issues, the Working Group on Arbitrary Detention, the Working Group on Enforced or Involuntary Disappearances and the Working Group on Discrimination against Women in Law and in Practice;

14. *Welcomes* the recent engagement, through country visits, of the heads of United Nations agencies, and urges the Government of the Islamic Republic of Iran to deepen its engagement with United Nations human rights mechanisms;

15. *Encourages* the Government of the Islamic Republic of Iran to continue exploring cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

16. *Continues to call upon* the Government of the Islamic Republic of Iran to cooperate fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and other international human rights mechanisms, including by responding positively to the request made by the Special Rapporteur in July 2013 to visit the country to carry out his mandate;

17. *Requests* the Secretary-General to report to the General Assembly at its sixty-ninth 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 twenty-fifth session;

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