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Agenda item 72 (c)

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

Report of the Third Committee*

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I. Introduction

1. At its 2nd plenary meeting, on 18 September 2015, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventieth session, under the item entitled “Promotion and protection of human rights”, the sub-item entitled “Human rights situations and reports of special rapporteurs and representatives”, and to allocate it to the Third Committee.

2. The Third Committee considered the sub-item jointly with sub-item 72 (b), entitled “Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms”, at its 21st to 36th and 44th meetings, from 21 to 23 and from 26 to 30 October and on 5 November 2015. The Committee held a general discussion on the sub-items at its 35th, 36th and 44th meetings, on 30 October and 5 November, and considered proposals and took action under sub-item 72 (c) at its 43rd, 45th, 49th, 50th and 51st meetings, on 5, 10, 18 and 19 November 2015. An account of the Committee’s consideration of the sub-item is contained in the relevant summary records.¹

3. For the documents before the Committee under this sub-item, see document A/70/489.

* The report of the Committee on this item is being issued in five parts, under the symbols A/70/489, A/70/489/Add.1, A/70/489/Add.2, A/70/489/Add.3 and A/70/489/Add.4.

¹ See A/C.3/70/SR.21, A/C.3/70/SR.22, A/C.3/70/SR.23, A/C.3/70/SR.24, A/C.3/70/SR.25, A/C.3/70/SR.26, A/C.3/70/SR.27, A/C.3/70/SR.28, A/C.3/70/SR.29, A/C.3/70/SR.30, A/C.3/70/SR.31, A/C.3/70/SR.32, A/C.3/70/SR.33, A/C.3/70/SR.34, A/C.3/70/SR.35, A/C.3/70/SR.36, A/C.3/70/SR.43, A/C.3/70/SR.44, A/C.3/70/SR.45, A/C.3/70/SR.49, A/C.3/70/SR.50 and A/C.3/70/SR.51.



4. At the 21st meeting, on 21 October, the United Nations High Commissioner for Human Rights addressed the Committee and engaged in a dialogue with the representatives of Brazil, Morocco, Costa Rica, Colombia, Chile, Austria, Ireland, the Islamic Republic of Iran, India, Mexico, Indonesia, Switzerland, China, the Russian Federation, the European Union, Latvia, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Belarus, Liechtenstein, Norway, Spain, Cuba, Iraq, the Democratic People's Republic of Korea, Yemen, Libya, the Sudan, Armenia, Sierra Leone (on behalf of the Group of African States), the Syrian Arab Republic, Egypt, Turkey, Nigeria, Israel, Myanmar and Eritrea and the observer for the State of Palestine. The observer for the Organization of Islamic Cooperation also participated in the interactive dialogue.

5. At its 21st to 26th meetings, from 21 to 23 October, and its 27th to 34th meetings, from 26 to 29 October, the Committee heard introductory statements by special procedure mandate holders and chairpersons of treaty bodies and other experts, who subsequently responded to questions posed and comments made by representatives (for details, see A/70/489/Add.2, sect. I).

6. At the 50th meeting, on 19 November, the representative of Cuba made a statement on behalf of the members of the Movement of Non-Aligned Countries in connection with the draft resolutions submitted under sub-item 72 (c).

7. At the same meeting, the representative of Nicaragua made a statement in connection with the draft resolutions submitted under sub-item 72 (c).

II. Consideration of proposals

A. Draft resolution A/C.3/70/L.35

8. At the 43rd meeting, on 5 November, the representative of Luxembourg, on behalf of Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, 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 the Democratic People's Republic of Korea" (A/C.3/70/L.35).

9. At the 50th meeting, on 19 November, the representative of Luxembourg made a statement and orally revised the fourteenth preambular paragraph and operative paragraph 2 (a) (ix) of the draft resolution.²

10. Subsequently, Albania, Bosnia and Herzegovina, Botswana, Georgia, Honduras, Maldives, the Marshall Islands, New Zealand, Palau, Serbia, Seychelles, Turkey and Ukraine joined in sponsoring the draft resolution.

² See A/C.3/70/SR.50.

11. At the same meeting, the Committee adopted draft resolution A/C.3/70/L.35, as orally revised, by a recorded vote of 112 to 19, with 50 abstentions (see para. 30, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Saudi Arabia, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, South Sudan, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Against:

Algeria, Belarus, Bolivia (Plurinational State of), Burundi, China, Cuba, Democratic People's Republic of Korea, Egypt, Iran (Islamic Republic of), Lao People's Democratic Republic, Myanmar, Oman, Russian Federation, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Bangladesh, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Democratic Republic of the Congo, Dominican Republic, Ecuador, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Guinea, Guyana, India, Indonesia, Kenya, Kuwait, Kyrgyzstan, Lesotho, Libya, Malaysia, Mali, Mauritania, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Singapore, Solomon Islands, South Africa, Suriname, Swaziland, Tonga, Trinidad and Tobago, Turkmenistan, Uganda, United Republic of Tanzania, Yemen, Zambia.

12. Statements were made before the vote by the representatives of the Democratic People's Republic of Korea, Japan, Nigeria, the Syrian Arab Republic, the Islamic Republic of Iran, Egypt, Cuba (on behalf of the Movement of Non-Aligned Countries), the Plurinational State of Bolivia and Belarus. Statements were made after the vote by the representatives of the Bolivarian Republic of Venezuela, Ecuador, Brazil, China, the Russian Federation, Singapore, Viet Nam, the Lao People's Democratic Republic, El Salvador, Myanmar, the Democratic People's Republic of Korea, Norway and Australia (also on behalf of Canada, Iceland and Liechtenstein).

B. Draft resolution A/C.3/70/L.39/Rev.1

13. At its 49th meeting, on 18 November, the Committee had before it a draft resolution entitled “Situation of human rights in Myanmar” (A/C.3/70/L.39/Rev.1), which replaced draft resolution A/C.3/70/L.39 and was submitted by Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, the Netherlands, New Zealand, Poland, Portugal, the Republic of Moldova, Romania, San Marino, 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.

14. At the same meeting, the Chair drew the attention of the Committee to the programme budget implications of draft resolution A/C.3/70/L.39/Rev.1, as contained in document A/C.3/70/L.65.

15. Also at the 49th meeting, the representative of Luxembourg made a statement and orally revised operative paragraphs 6 and 18 of the draft resolution.³

16. Subsequently, Norway, the Republic of Korea, Serbia, Switzerland, Turkey and Ukraine joined in sponsoring the draft resolution.

17. At the same meeting, the Committee adopted draft resolution A/C.3/70/L.39/Rev.1, as orally revised (see para. 30, draft resolution II).

18. After the adoption of the draft resolution, statements were made by the representatives of Myanmar, Egypt (on behalf of the Organization of Islamic Cooperation), Singapore, China, the Islamic Republic of Iran, Cuba, the Russian Federation, Thailand, Viet Nam, Belarus, India, the Philippines, the Democratic People’s Republic of Korea, Japan and the Bolivarian Republic of Venezuela.

C. Draft resolution A/C.3/70/L.45

19. At the 43rd meeting, on 5 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, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, the Netherlands, Norway, Poland, Portugal, the Republic of Moldova, Romania, San Marino, 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 the Islamic Republic of Iran” (A/C.3/70/L.45). Subsequently, Albania, New Zealand, Palau and Vanuatu joined in sponsoring the draft resolution.

20. At the 51st meeting, on 19 November, Greece withdrew its sponsorship of the draft resolution.

21. At the same meeting, the Committee adopted draft resolution A/C.3/70/L.45 by a recorded vote of 76 to 35, with 68 abstentions (see para. 30, draft resolution III). The voting was as follows:

³ See A/C.3/70/SR.49.

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Gabon, Germany, Greece, Grenada, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Serbia, Seychelles, Slovakia, Slovenia, South Sudan, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, 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, Comoros, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, India, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Lebanon, Myanmar, Nicaragua, Oman, Pakistan, Russian Federation, 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, Dominican Republic, Ethiopia, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, Jamaica, Jordan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Papua New Guinea, Philippines, Qatar, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Yemen, Zambia.

22. Statements were made before the vote by the representatives of the Islamic Republic of Iran, the Syrian Arab Republic, the Democratic People's Republic of Korea, Nigeria, Ecuador, Costa Rica, Cuba, Belarus and the Plurinational State of Bolivia. Statements were made after the vote by the representatives of Brazil, Japan, Chile, the Bolivarian Republic of Venezuela, China, the Russian Federation, Guatemala, Myanmar, Mexico, the Republic of Korea and Greece.

D. Draft resolution A/C.3/70/L.47

23. At the 45th meeting, on 10 November, the representative of Qatar, on behalf of Bahrain, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Jordan, Kuwait, Luxembourg, Malta, Micronesia (Federated States of), Morocco, Qatar, Saudi Arabia, Slovenia, Spain, Sweden, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and

Northern Ireland, the United States of America and Yemen, introduced a draft resolution entitled "Situation of human rights in the Syrian Arab Republic" (A/C.3/70/L.47). Subsequently, Botswana, Iceland, Montenegro, Oman and Ukraine joined in sponsoring the draft resolution.

24. At the 51st meeting, on 19 November, the Chair drew the attention of the Committee to the programme budget implications of draft resolution A/C.3/70/L.47, as contained in document A/C.3/70/L.67.

25. Subsequently, Albania, Andorra, Australia, Austria, Belgium, Canada, Comoros, Côte d'Ivoire, Croatia, the Czech Republic, Georgia, Latvia, Libya, Lithuania, Mauritania, Monaco, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Slovakia, Somalia and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution, and Greece withdrew its sponsorship of the draft resolution.

26. At the same meeting, statements were made by the representatives of the Syrian Arab Republic, the Islamic Republic of Iran, the Democratic People's Republic of Korea, Nigeria, the United States of America, Saudi Arabia, Turkey and Qatar.

27. Also at the 51st meeting, the Secretary of the Committee responded to a question in relation to the draft resolution, which was posed by the representative of the Syrian Arab Republic.

28. At the same meeting, the Committee adopted draft resolution A/C.3/70/L.47 by a recorded vote of 115 to 15, with 51 abstentions (see para. 30, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Belgium, Benin, Botswana, Brazil, Bulgaria, Cabo Verde, Cameroon, Canada, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, 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, Rwanda, Saint Kitts and Nevis, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

Against:

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

Abstaining:

Angola, Antigua and Barbuda, Armenia, Bangladesh, Belize, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Democratic Republic of the Congo, Dominican Republic, Eritrea, Ethiopia, Fiji, Ghana, Greece, Guinea, Guyana, India, Indonesia, Iraq, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Mali, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Philippines, Saint Lucia, Singapore, South Africa, South Sudan, Sudan, Suriname, Swaziland, Tajikistan, Togo, Tonga, Trinidad and Tobago, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam, Zambia.

29. At the same meeting, statements were made before the vote by the representatives of Algeria, Cuba and Belarus. Statements were made after the vote by the representatives of the Islamic Republic of Iran, Brazil, Ecuador, the Bolivarian Republic of Venezuela, Lebanon, Argentina, China, Switzerland (also on behalf of Iceland and Liechtenstein), the Russian Federation, Greece, Canada, Luxembourg (on behalf of the European Union), Japan and Hungary.

III. Recommendations of the Third Committee

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

Draft resolution I

Situation of human rights in the Democratic People's Republic of Korea

The General Assembly,

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

Recalling all previous resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea, including Assembly resolution 69/188 of 18 December 2014 and Council resolution 28/22 of 27 March 2015,¹ and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

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

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

Welcoming the decision of the Security Council to add the situation in the Democratic People's Republic of Korea to the list of issues of which the Council is seized and the holding of an open meeting of the Council on 22 December 2014 during which the situation of human rights in the Democratic People's Republic of Korea was discussed,

Recalling the responsibility of the Democratic People's Republic of Korea to protect its population from crimes against humanity,

Taking note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea,³ regretting that he still has not been allowed to visit the country and that he has received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution 69/188,⁴

¹ See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53 (A/70/53)*, chap. III, sect. A.

² A/HRC/25/63.

³ A/70/362.

⁴ A/70/393.

Mindful that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,⁵ the International Covenant on Economic, Social and Cultural Rights,⁵ the Convention on the Rights of the Child⁶ and the Convention on the Elimination of All Forms of Discrimination against Women,⁷ and recalling the concluding observations of the treaty bodies under the four treaties and the importance of giving them consideration,

Noting with appreciation the signature of the Convention on the Rights of Persons with Disabilities⁸ and the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography⁹ by the Democratic People's Republic of Korea, encouraging the Government of the Democratic People's Republic of Korea to expedite the ratification of the Convention, and urging the Government to fully respect the rights of persons with disabilities and children,

Acknowledging the participation of the Democratic People's Republic of Korea in the second universal periodic review process, noting the acceptance by the Government of the Democratic People's Republic of Korea of 113 out of the 268 recommendations contained in the outcome of the review¹⁰ and its stated commitment to implement them and look into the possibility of implementing a further 58 recommendations, and emphasizing the importance of the implementation of the recommendations in order to address the grave human rights violations in the country,

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 to improve the nutrition of children and the quality of children's education,

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

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

⁵ See resolution 2200 A (XXI), annex.

⁶ United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁷ Ibid., vol. 1249, No. 20378.

⁸ Ibid., vol. 2515, No. 44910.

⁹ Ibid., vol. 2171, No. 27531.

¹⁰ A/HRC/27/10.

closer to international standards for all United Nations entities, and noting with appreciation the work of international aid operators,

Taking note of the United Nations report entitled “Democratic People’s Republic of Korea 2015: needs and priorities” and its call to address the critical humanitarian needs in the Democratic People’s Republic of Korea,

Noting the importance of the issue of international abductions and of the immediate return of all abductees, taking note of the outcome of the government-level consultation between the Democratic People’s Republic of Korea and Japan in May 2014, on the basis of which the Democratic People’s Republic of Korea commenced investigations on all the Japanese nationals, and expecting the resolution of all issues related to the Japanese nationals, in particular the return of all abductees, to be achieved at the earliest possible date,

Welcoming the panel discussion on the situation of human rights in the Democratic People’s Republic of Korea, including the issue of international abductions, enforced disappearances and related matters, held during the thirtieth session of the Human Right Council,

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

Welcoming the resumption of the reunions of separated families across the border in October 2015, and, given that this is an urgent humanitarian concern of the entire Korean people, owing, in particular, to the advanced age of many members of the separated families, hoping that necessary arrangements for 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,

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

1. *Condemns* the long-standing and ongoing systematic, widespread and gross violations of human rights in the Democratic People’s Republic of Korea, including those which the commission of inquiry on human rights in the Democratic People’s Republic of Korea, established by the Human Rights Council in its resolution 22/13 of 21 March 2013,¹¹ has said may amount to crimes against humanity, and the continuing impunity for such violations;

2. *Expresses its very serious concern at:*

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

(i) Torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention; rape; public executions; extrajudicial and arbitrary detention; the absence of due process and the rule of law, including fair trial guarantees and an independent judiciary; extrajudicial, summary and arbitrary executions; the imposition of the death penalty for

¹¹ See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

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;

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

(iv) The situation of refugees and asylum seekers expelled from 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, other cruel, inhuman or degrading treatment, sexual violence or the death penalty, and in this regard strongly urges all States to respect the fundamental principle of non-refoulement, to treat those who seek refuge humanely and to ensure unhindered access to the United Nations High Commissioner for Refugees and his Office, with a view to protecting the human rights of those who seek refuge, and once again urges States parties to comply with their obligations under the 1951 Convention relating to the Status of Refugees¹² and the 1967 Protocol thereto¹³ 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) Violations of economic, social and cultural rights, which have led to severe hunger, malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for women, children, persons with disabilities and the elderly;

(vii) 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 make them extremely vulnerable to trafficking in persons for the purpose of prostitution, domestic servitude or forced marriage and the subjection of women to gender-based discrimination, including in the political and social spheres, forced abortions and other forms of sexual and gender-based violence;

(viii) Violations of the human rights and fundamental freedoms of children, in particular the continued lack of access to basic economic, social and cultural

¹² United Nations, *Treaty Series*, vol. 189, No. 2545.

¹³ *Ibid.*, vol. 606, No. 8791.

rights for many children, and in this regard notes the particularly vulnerable situation faced by, inter alia, returned or repatriated children, street children, children with disabilities, children whose parents are detained, children living in detention or in institutions and children in conflict with the law;

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

(x) Violations of workers' rights, including the right to freedom of association and effective recognition of the right to collective bargaining, the right to strike as defined by the obligations of the Democratic People's Republic of Korea under the International Covenant on Economic, Social and Cultural Rights,⁵ 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;⁶

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

(b) The continued refusal of the Government of the Democratic People's Republic of Korea to extend an invitation to the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to the Special Rapporteur and other United Nations special procedures in accordance with their terms of reference, as well as to other United Nations human rights mechanisms;

(c) The continued lack of acknowledgement by the Government of the Democratic People's Republic of Korea of the grave human rights situation in the country and its consequential lack of action to implement the recommendations contained in the outcome of its first universal periodic review¹⁴ and to give consideration to the concluding observations of the treaty bodies;

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

4. *Expresses its very deep concern* at the precarious humanitarian situation in the country, which could rapidly deteriorate owing to limited resilience to natural disasters and to government policies causing limitations in the availability of and access to adequate food, compounded by structural weaknesses in agricultural production resulting in significant shortages of diversified food and the State restrictions on the cultivation of and trade in foodstuffs, as well as the prevalence of

¹⁴ A/HRC/13/13.

chronic malnutrition, particularly among the most vulnerable groups, pregnant and lactating women, children, persons with disabilities, the elderly and political prisoners, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action, cooperating where necessary with international donor agencies and in accordance with international standards for monitoring humanitarian assistance;

5. *Commends* the Special Rapporteur for the activities undertaken so far and for his continued efforts in the conduct of his mandate despite the denial of access;

6. *Welcomes* the findings contained in the report of the Special Rapporteur,³ and takes note of his recommendations, in particular those aimed at exploring possible options to ensure justice and accountability;

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

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

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

10. *Encourages* the Security Council to continue its consideration of the relevant conclusions and recommendations of the commission of inquiry and take appropriate action to ensure accountability, including through consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court and consideration of the scope for effective targeted sanctions against those who appear to be most responsible for acts that the commission has said may constitute crimes against humanity;

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

12. *Welcomes* the establishment by the Office of the United Nations High Commissioner for Human Rights of a field-based structure in Seoul to strengthen the monitoring and documentation of the situation of human rights in the Democratic People's Republic of Korea, to ensure accountability, to provide the Special Rapporteur with increased support, to enhance the engagement and capacity-building of the Governments of all States concerned, civil society and other stakeholders and to maintain the visibility of the situation of human rights in the Democratic People's Republic of Korea, including through sustained communications, advocacy and outreach initiatives;

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

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

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

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

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

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

(e) To ensure that citizens of the Democratic People's Republic of Korea who are expelled from 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;

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

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

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

(i) To become a member of the International Labour Organization and consider ratifying all the relevant conventions;

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

(k) 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, to ensure access to adequate food and implement more effective food security and nutrition policies, including through sustainable agriculture, sound food production and distribution measures and the allocation of more funds to the food sector, and to ensure adequate monitoring of humanitarian assistance;

(l) 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 progress towards the achievement of the Sustainable Development Goals;

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

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

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

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

18. *Notes* the willingness expressed by the Democratic People's Republic of Korea in 2014 to consider human rights dialogues with States and groups of States, technical cooperation with the Office of the High Commissioner and a country visit of the Special Rapporteur, and strongly encourages the Democratic People's Republic of Korea to continue to undertake such dialogues and cooperation initiatives as a matter of priority;

19. *Calls upon* the Democratic People's Republic of Korea to continue to engage constructively with international interlocutors with a view to promoting concrete improvements in the human rights situation on the ground, including through dialogues, official visits to the country and more people-to-people contact;

20. *Decides* to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its seventy-first session, and to this end requests the Secretary-General to submit a comprehensive report on the situation in the Democratic People's Republic of Korea, and requests the Special Rapporteur to continue to report his findings and recommendations, as well as to report on the follow-up to the implementation of the recommendations of the commission of inquiry.²

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,¹ the International Covenants on Human Rights² 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 69/248 of 29 December 2014, those of the Commission on Human Rights and those of the Human Rights Council, the most recent of which are resolutions 28/23 of 28 March 2015³ and 29/21 of 3 July 2015,⁴

Welcoming the report of the Secretary-General on the situation of human rights in Myanmar⁵ and the facilitation by the Government of Myanmar of the visits of his Special Adviser to the country from 15 to 20 January 2015, 24 to 26 February 2015, 17 to 22 March 2015, 22 May to 6 June 2015, on 6 and 7 August 2015 and from 12 to 16 October 2015,

Welcoming also the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar⁶ and the access granted to her during her visits to Myanmar from 7 to 16 January 2015 and from 3 to 7 August 2015,

1. *Welcomes* the continued positive developments in Myanmar towards political and economic reform, democratization and national reconciliation, good governance and the rule of law and the efforts to promote and protect human rights, recognizes the scale of the reform effort undertaken to date, and encourages the Government of Myanmar to take further steps to consolidate the progress made and address outstanding concerns;

2. *Also welcomes* the peaceful and competitive conduct of the elections on 8 November 2015, the participation in voting of large numbers of the people of Myanmar and the efforts made towards ensuring a credible electoral process, commends this significant step towards democracy, encourages the authorities to continue to ensure a transparent approach in subsequent stages of the electoral process, further welcomes the invitation and access given to domestic and international observer organizations to monitor the elections by the Government and the Union Election Commission, and encourages the authorities to implement the recommendations made by those organizations to further strengthen Myanmar's electoral process;

3. *Expresses serious concern* over, and encourages action to address, political disenfranchisement and discriminatory disqualification of candidates, including with respect to members of the Rohingya community and persons belonging to religious and ethnic minorities;

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53 (A/70/53)*, chap. III, sect. A.

⁴ *Ibid.*, chap. V, sect. A.

⁵ A/70/332 and Corr.1.

⁶ A/70/412.

4. *Encourages* continued efforts by parties to engage in early, constructive and inclusive dialogue towards a smooth transition to the next government, and calls on all stakeholders to cooperate in ensuring that the period between the final election announcement and formation of the next government is conducted in an atmosphere of calm and restraint, and with respect for all human rights and fundamental freedoms, as well as the rule of law;

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

6. *Calls upon* all actors to sustain the democratic transition of Myanmar by bringing all national institutions, including the military, under a democratically elected, fully representative civilian government;

7. *Welcomes* the steps taken to strengthen good governance and the rule of law, and calls upon the Government of Myanmar to continue such efforts, especially through continued constitutional, legislative, judicial and institutional reform, and recalls the importance of ensuring, including through the revision of laws, that existing and new legislation is fully compatible with democratic principles and human rights obligations and commitments, including, as part of those obligations, the right to freedom of religion or belief, the human rights of women and children and the rights of persons belonging to minorities;

8. *Recalls* the handling of certain demonstrations, and encourages the Government of Myanmar to continue its efforts to fulfil its human rights obligations and commitments to protect the right to freedom of expression, association and peaceful assembly, to create and maintain a safe and enabling environment for civil society and independent media and to take appropriate steps to ensure the safety and security of journalists, civil society activists and human rights defenders and their freedom to pursue their activities;

9. *Welcomes* the recent release of some prisoners of conscience, while urging the Government of Myanmar to resume working with the political prisoner review committee and to fulfil its commitment to the unconditional release of all political prisoners, including those recently detained or convicted, and to provide for the full rehabilitation of former prisoners of conscience;

10. *Urges* the Government of Myanmar to step up its efforts to end remaining human rights violations and abuses, including arbitrary arrest and detention, forced displacement, rape and other forms of sexual violence, torture and cruel, inhuman and degrading treatment, arbitrary deprivation of property, including land, and violations of international humanitarian law in some parts of the country, and repeats its call upon the Government to take necessary measures to ensure accountability and end impunity;

11. *Welcomes* the signing of the nationwide ceasefire agreement by the Government of Myanmar with eight armed groups as a significant step and as progress towards initiating an inclusive and comprehensive national political dialogue with the objective of achieving lasting peace, encourages the Government and remaining non-signatory ethnic armed groups to continue discussions towards realizing the signing of the agreement, and urges all parties to end violence and to fully implement existing ceasefire agreements, including by protecting individuals against ongoing violations and abuses of human rights and violations of

international humanitarian law, and by granting safe, timely, full and unhindered humanitarian access to all areas;

12. *Urges* the Government of Myanmar to intensify its efforts to address discrimination, human rights violations, displacement and economic deprivation affecting members of various ethnic and religious minorities and stateless populations, and to counter incitement to hatred and hate speech leading to violence, and expresses concern over the recent enactment of four laws relating to issues of race and religion and continuing concern over the 1982 Citizenship Law;

13. *Calls upon* the Government of Myanmar to ensure the rule of law and to further increase its efforts to promote tolerance and peaceful coexistence in all sectors of society by, inter alia, further facilitating interfaith and intercommunal dialogue, and to issue identity documents that secure the legal status and rights of all former white-card holders in accordance with the Government's international commitments to respect human rights without discrimination of any kind;

14. *Reiterates its serious concern* about the situation of the Rohingya in Rakhine State and of other minorities subject to marginalization and instances of human rights violations and abuses, and calls upon the Government of Myanmar to protect the human rights and fundamental freedoms of all individuals, including persons belonging to the Rohingya minority, to allow for self-identification, to ensure equal access to full citizenship and related rights, including civil and political rights, for all stateless persons, freedom of movement, as well as the safe and voluntary return of internally displaced persons to their communities of origin, and rapid and unhindered access to humanitarian assistance without discrimination, to ensure equal access to services, particularly health and education, the right to marry and birth registration and to undertake full, transparent and independent investigations into all reports of human rights violations and abuses in order to ensure accountability and bring about reconciliation;

15. *Calls upon* the Government of Myanmar to ensure its full cooperation with all parties and to allow full access for humanitarian assistance to affected persons and communities, and in this regard urges the Government to implement the various cooperation agreements that have not yet been implemented made between the authorities of Myanmar and the international community for the distribution of humanitarian aid to all affected areas, including Rakhine State, without discrimination;

16. *Underlines its strong concern* at the plight of migrants, including asylum seekers, and refugees in the Andaman Sea and the Bay of Bengal and travelling along land routes, and, welcoming the commitment by Governments in the region to provide temporary shelter and protection for refugees, encourages the continued efforts of the Government of Myanmar, other countries in the region, regional organizations and the international community to save lives, to take appropriate measures to prevent and counter trafficking in persons and the smuggling of all categories of migrants, while extending protections to victims of trafficking and smuggled migrants, and to address the root causes of this migration;

17. *Welcomes* the recent signature by the Government of Myanmar of the International Covenant on Economic, Social and Cultural Rights² and the Optional Protocol to the Convention on Rights of the Child on the involvement of children in

armed conflict,⁷ and the Government's progress towards ending the recruitment and use of child soldiers, encourages consideration of the ratification of additional international human rights conventions, including the International Covenant on Civil and Political Rights² and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁸ also welcomes the engagement of the Government with the United Nations, regional organizations and other actors, and encourages the full implementation of relevant agreements and commitments, notably the 2012 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;

18. *Urges* the Government of Myanmar to further facilitate the work of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar and to grant her unimpeded access to the country, bearing in mind the lack of such access, including to Rakhine State, during her last visit, and to fulfil its commitment, without further delay, to establish a country office with a full mandate, and in accordance with the mandate of the United Nations High Commissioner for Human Rights;

19. *Encourages* the international community to continue to support the Government of Myanmar in the fulfilment of its international human rights and international humanitarian law obligations and commitments, the implementation of its democratic transitional process, its economic and social development and its efforts towards achieving lasting peace;

20. *Requests* the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on human rights, democracy and reconciliation in Myanmar, involving all relevant stakeholders, and to offer technical assistance to the Government of Myanmar in this regard, bearing in mind the considerations contained in his report of 19 August 2015 relating to the future of the mandate of his Special Adviser on Myanmar;⁹

(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 seventy-first session, as well as to the Human Rights Council, on the progress made in the implementation of the present resolution;

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

⁷ United Nations, *Treaty Series*, vol. 2173, No. 27531.

⁸ Ibid., vol. 1465, No. 24841.

⁹ A/70/332 and Corr.1, para. 45.

Draft resolution III

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,¹ the International Covenants on Human Rights² 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 69/190 of 18 December 2014,

1. *Takes note* of the report of the Secretary-General of 31 August 2015 submitted pursuant to resolution 69/190³ and the report of the Special Rapporteur of the Human Rights Council of 6 October 2015,⁴ submitted pursuant to Council resolution 28/21 of 27 March 2015,⁵ both on the situation of human rights in the Islamic Republic of Iran;

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

3. *Acknowledges* proposals for legislative and administrative changes in the Islamic Republic of Iran, which, if properly implemented, would address some human rights concerns, including portions of the new Code of Criminal Procedure;

4. *Welcomes* recent announcements by the Government of the Islamic Republic of Iran of increased services for victims of domestic violence, as well as draft legislation that may increase penalties for perpetrators of violence against women;

5. *Also welcomes* steps taken to improve access to education for persons belonging to some ethnic minorities in their native languages;

6. *Acknowledges* the participation of the Government of the Islamic Republic of Iran in its second universal periodic review, and welcomes its acceptance of 130 recommendations, as well as its recent engagement with human rights treaty bodies through the submission of periodic national reports, while remaining concerned about the Government's implementation record in respect of the recommendations that it accepted during its first universal periodic review;

7. *Expresses serious concern* at the alarming high frequency of and increase in the carrying-out of the death penalty, in disregard of internationally recognized safeguards, including executions undertaken without notification to the prisoner's family members or legal counsel, and at the continuing imposition and carrying-out of the death penalty against minors and persons who at the time of their offence

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ A/70/352.

⁴ A/70/411.

⁵ See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53 (A/70/53)*, chap. III, sect. A.

were under the age of 18, in violation of the obligations of the Islamic Republic of Iran under both the Convention on the Rights of the Child⁶ and the International Covenant on Civil and Political Rights,² and for crimes that do not qualify as the most serious crimes, and calls upon the Government of the Islamic Republic of Iran to abolish, in law and in practice, public executions, which are contrary to the 2008 prohibition of this practice by the former head of the judiciary, and executions carried out in violation of its international obligations or in the absence of respect for internationally recognized safeguards;

8. *Calls upon* the Government of the Islamic Republic of Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, which may include sexual violence, in conformity with the constitutional guarantees of the Islamic Republic of Iran and international obligations;

9. *Urges* the Government of the Islamic Republic of Iran to uphold, in law and in practice, procedural guarantees to ensure fair trial standards of law, including timely access to legal representation of one's choice, the right not to be subjected to torture, cruel and inhuman or degrading treatment or punishment and consideration of bail and other reasonable terms for release from custody pending trial, and urges the Government to cease enforced disappearances and the widespread and systematic use of arbitrary detention;

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

11. *Also calls upon* the Government of the Islamic Republic of Iran, including the judicial and security branches, to end widespread and serious restrictions, in law and in practice, on the right to freedom of expression, opinion, association and peaceful assembly, including through the ongoing harassment, intimidation, arbitrary detention and prosecution of, as well as the denial of access to higher education for, political opponents, human rights defenders, women's and minority rights activists, labour leaders, students' rights activists, academics, filmmakers, journalists, bloggers, social media users, religious leaders, artists, lawyers, recognized and unrecognized religious minorities and their families, and urges the Government to release persons arbitrarily detained for the legitimate exercise of these rights, to consider rescinding unduly harsh sentences, including the death penalty and long-term exile, for exercising such fundamental freedoms and to end reprisals against individuals cooperating with the United Nations human rights mechanisms;

12. *Strongly urges* the Government of the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls, to take measures to ensure protection for women and girls against violence, to address the alarming incidence of child, early and forced marriage, to promote women's participation in decision-making processes and, while recognizing the high enrolment of women in all levels of

⁶ United Nations, *Treaty Series*, vol. 1577, No. 27531.

education in the Islamic Republic of Iran, to lift restrictions on women's equal access to all aspects of education and women's equal participation in the labour market and in all aspects of economic, cultural, social and political life;

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

14. *Expresses serious concern* about ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the establishment of places of worship, as well as attacks against places of worship and burial, as well as other human rights violations, including but not limited to harassment, persecution and incitement to hatred that lead to violence against persons belonging to recognized and unrecognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims, Zoroastrians and members of the Baha'i faith and their defenders, and calls on the Government of the Islamic Republic of Iran to release the seven Baha'i leaders declared by the Working Group on Arbitrary Detention to have been arbitrarily detained since 2008, and to eliminate, in law and in practice, all forms of discrimination, including the closure of businesses, and other human rights violations against persons belonging to recognized and unrecognized religious minorities;

15. *Urges* the Government of the Islamic Republic of Iran 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 those following the 2009 presidential elections, and calls on the Government to end impunity for such violations;

16. *Strongly urges* the Government of the Islamic Republic of Iran to ensure credible, transparent and inclusive parliamentary elections in 2016, and to allow all candidates to stand in a manner consistent with the Universal Declaration of Human Rights¹ and the International Covenant on Civil and Political Rights² in order to guarantee the free expression of the will of the Iranian people, and to that end calls upon the Government to allow independent national and international observation;

17. *Calls upon* the Government of the Islamic Republic of Iran to implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that it has made 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;

18. *Also calls upon* the Government of the Islamic Republic of Iran to engage with international human rights mechanisms by:

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

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

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

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

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

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

20. *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;

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

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

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

Draft resolution IV

Situation of human rights in the Syrian Arab Republic

The General Assembly,

Guided by the Charter of the United Nations,

Reaffirming the purposes and principles of the Charter, the Universal Declaration of Human Rights¹ and relevant international human rights treaties, including the International Covenants on Human Rights,²

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

Recalling its resolutions 66/176 of 19 December 2011, 66/253 A of 16 February 2012, 66/253 B of 3 August 2012, 67/183 of 20 December 2012, 67/262 of 15 May 2013, 68/182 of 8 December 2013 and 69/189 of 18 December 2014, Human Rights Council resolutions S-16/1 of 29 April 2011,³ S-17/1 of 23 August 2011,³ S-18/1 of 2 December 2011,⁴ 19/1 of 1 March 2012,⁵ 19/22 of 23 March 2012,⁵ S-19/1 of 1 June 2012,⁶ 20/22 of 6 July 2012,⁷ 21/26 of 28 September 2012,⁸ 22/24 of 22 March 2013,⁹ 23/1 of 29 May 2013,¹⁰ 23/26 of 14 June 2013,¹⁰ 24/22 of 27 September 2013,¹¹ 25/23 of 28 March 2014,¹² 26/23 of 27 June 2014,¹³ 27/16 of 25 September 2014,¹⁴ 28/20 of 27 March 2015, 29/16 of 2 July 2015 and 30/10 of 1 October 2015 and Security Council resolutions 2042 (2012) of 14 April 2012, 2043 (2012) of 21 April 2012, 2118 (2013) of 27 September 2013, 2139 (2014) of 22 February 2014, 2165 (2014) of 14 July 2014, 2170 (2014) of 15 August 2014, 2178 (2014) of 24 September 2014, 2191 (2014) of 17 December 2014, 2209 (2015) of 6 March 2015 and 2235 (2015) of 7 August 2015 and the statements by the President of the Council of 3 August 2011,¹⁵ 2 October 2013,¹⁶ and 17 August 2015,¹⁷

Condemning the grave deterioration of the human rights situation and the indiscriminate killing and deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that foment sectarian tensions,

Noting with concern the culture of impunity for serious violations of international humanitarian law and violations and abuses of human rights law

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

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

⁴ *Ibid.*, *Supplement No. 53B* and corrigendum (A/66/53/Add.2 and Corr.1), chap. II.

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

⁶ *Ibid.*, chap. V.

⁷ *Ibid.*, chap. IV, sect. A.

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

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

¹⁰ *Ibid.*, chap. V, sect. A.

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

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

¹³ *Ibid.*, chap. V, sect. A.

¹⁴ *Ibid.*, *Supplement No. 53A* and corrigendum (A/69/53/Add.1 and Corr.1), chap. IV, sect. A.

¹⁵ S/PRST/2011/16.

¹⁶ S/PRST/2013/15.

¹⁷ S/PRST/2015/15.

committed during the present conflict, which has provided a fertile ground for further violations and abuses,

Recalling that, amid expressions of popular discontent over restrictions on the enjoyment of civil, political, economic and social rights, civilian protests erupted in Dar'a in March 2011, and noting that the excessive and violent oppression of civilian protests by the Syrian authorities, which later escalated to the direct shelling of civilian population areas, fuelled the escalation of armed violence and extremist groups, including so-called Islamic State in Iraq and the Levant (ISIL) (Daesh),

Expressing outrage at the continuing escalation of violence in the Syrian Arab Republic, which has caused more than 250,000 fatalities, including the killing of many more than 10,000 children, 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 indiscriminate use of heavy weapons and aerial bombardments, such as the indiscriminate use of ballistic missiles, cluster munitions, barrel and vacuum bombs and chlorine gas, and the starvation of civilians as a method of combat, which are prohibited under international humanitarian law, by the Syrian authorities against the Syrian population,

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

Taking note of the identical letters dated 18 June 2015 addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, on behalf of 71 Member States, expressing outrage regarding the continued bloodshed and violence against civilians in Syria, caused in particular by the systematic use of barrel bombs,

Expressing grave concern at the spread of extremism and extremist groups, terrorism and terrorist groups, and strongly condemning all violations and abuses of human rights and violations of international humanitarian law committed in the Syrian Arab Republic by any party to the conflict, in particular so-called ISIL (Daesh), militias fighting on behalf of the regime, Al-Qaida-affiliated terrorist groups and other extremist groups,

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

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

Recalling the statements made by the Secretary-General, the United Nations High Commissioner for Human Rights and the special procedures of the Human Rights Council that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, noting the repeated encouragement by the High Commissioner for the Security Council to refer the situation to the

International Criminal Court, and regretting that a draft resolution¹⁸ was not adopted notwithstanding broad support from Member States,

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

Expressing concern that the implementation of Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014) remains largely unfulfilled, and noting the urgent need to strengthen efforts to address the humanitarian situation in the Syrian Arab Republic, including through protection of civilians and rapid, safe and unhindered humanitarian access,

Recalling its commitment to Security Council resolutions 2170 (2014) and 2178 (2014),

Alarmed that more than 4.2 million refugees, including more than 2.8 million women and children, have been forced to flee the Syrian Arab Republic and that 12.2 million people in the Syrian Arab Republic, of whom 6.5 million are internally displaced, require urgent humanitarian assistance, which has resulted in an influx of Syrian refugees into neighbouring countries, other countries in the region and beyond, and alarmed at the risk the situation presents to regional and international stability,

Expressing its profound indignation at the death of many more than 10,000 children and the many more injured since the beginning of the peaceful protests in March 2011, and at all grave violations and abuses committed against children in contravention of applicable international law, such as their recruitment and use, killing and maiming, rape, attacks on schools and hospitals, as well as their arbitrary arrest, detention, torture, ill-treatment and their use as human shields,

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

Welcoming the hosting by the Government of Kuwait of the First, Second and Third International Humanitarian Pledging Conferences for Syria, held on 30 January 2013, 15 January 2014 and 31 March 2015, and expressing its deep appreciation for the significant pledges of humanitarian assistance that have been made,

Welcoming also the efforts of the United Nations and the League of Arab States and all diplomatic efforts to achieve a political solution to the Syrian crisis based on the Geneva communiqué of 30 June 2012,¹⁹ and expressing its full support for the Special Envoy of the Secretary-General for Syria, Staffan de Mistura,

¹⁸ S/2014/348.

¹⁹ Security Council resolution 2118 (2013), annex II.

Expressing its regret that the parties to the conflict in the Syrian Arab Republic, in particular the Syrian authorities, have failed to take advantage of the opportunities to achieve a political solution and form a transitional government with full executive powers based on the Geneva communiqué of 30 June 2012,

1. *Strongly condemns* all violations and abuses of international human rights law and all violations of international humanitarian law committed against the civilian population, in particular all indiscriminate attacks, including the use of barrel bombs in civilian areas and against civilian infrastructure, and demands that all parties immediately demilitarize medical facilities and schools and comply with their obligations under international law;

2. *Deplores and condemns in the strongest terms* the continued armed violence by the Syrian authorities against its own people since the beginning of the peaceful protests in 2011, and demands that the Syrian authorities immediately put an end to all indiscriminate attacks in civilian areas and public spaces, including those involving the use of terror tactics, airstrikes, barrel and vacuum bombs, chemical weapons and heavy artillery;

3. *Also deplores and condemns in the strongest terms* the continued widespread and systematic gross violations of human rights and fundamental freedoms and all violations of international humanitarian law by the Syrian authorities, the Government-affiliated *shabbiha* militias and those who fight on their behalf, including those violations involving the use of heavy weapons, aerial bombardments, cluster munitions, ballistic missiles, barrel bombs, chemical weapons and other force against civilians, as well as the starvation of the civilian population as a method of combat, attacks on schools, hospitals and places of worship, massacres, arbitrary executions, extrajudicial killings, the killing and persecution of peaceful protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, violations of women's and children's rights, unlawful interference with access to medical treatment, failure to respect and protect medical personnel, torture, systematic sexual and gender-based violence, including rape in detention, and ill-treatment;

4. *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;

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

6. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by so-called ISIL (Daesh), in particular the enslavement and sexual abuse of women and girls, the forced recruitment, use and abduction of children;

7. *Reminds* the Government of the Syrian Arab Republic of its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading

Treatment or Punishment,²⁰ including to take effective measures to prevent acts of torture in any territory under its jurisdiction, and calls upon all States parties to the Convention to comply with any relevant obligations under the Convention, including with respect to the extradite or prosecute principle contained in article 7 of the Convention;

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

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

10. *Recalls* the statement made by the Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic on 21 September 2015 that the Syrian authorities remain responsible for the majority of the civilian casualties, killing and maiming scores of civilians daily, reiterates its decision to transmit the reports of the Commission of Inquiry to the Security Council, expresses its appreciation to the Commission of Inquiry for its briefings to members of the Security Council, and recommends the continuation of such briefings;

11. *Reaffirms* the Syrian authorities' responsibility for enforced disappearances, takes note of the assessment of the Commission of Inquiry that the Syrian authorities' use of enforced disappearances amounts to a crime against humanity, and condemns the targeted disappearances of young men, following Government-brokered ceasefires;

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

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

14. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign organizations and foreign forces fighting on behalf of the Syrian regime, particularly the Al-Quds Brigades, the Islamic Revolutionary Guard Corps and militia groups, such as Hizbullah, Asa'ib Ahl al-Haq, and Liwa' Abu al-Fadl al-Abbas, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

15. *Also strongly condemns* all attacks against the Syrian moderate opposition and calls for their immediate cessation, given that such attacks benefit

²⁰ United Nations, *Treaty Series*, vol. 1465, No. 24841.

so-called ISIL (Daesh) and other terrorist groups, such as Al-Nusrah Front, and contribute to a further deterioration of the humanitarian situation;

16. *Demands* that all foreign terrorist fighters, including those who are fighting in support of the Syrian authorities, immediately withdraw from the Syrian Arab Republic;

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

18. *Condemns in the strongest terms* the increasing number of massacres and other mass casualty incidents, including those which may constitute a war crime, taking place in the Syrian Arab Republic, including the outrageous attack in Douma by the Syrian regime that struck a busy marketplace on 16 August 2015, when at least 111 civilians were killed, including women and children, and requests the Commission of Inquiry to continue to investigate all such acts;

19. *Recalls* the statements made by the Special Envoy of the Secretary-General for Syria, Staffan de Mistura, indicating that the overwhelming majority of the civilian casualties in the Syrian Arab Republic have been caused by the indiscriminate use of aerial bombardments, demands in this regard that the Syrian authorities immediately cease any attacks on civilians, any disproportionate attacks and any indiscriminate use of weapons in populated areas, including any indiscriminate use of weapons involving shelling and aerial bombardment, in particular the use of barrel bombs and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering, and recalls in this regard the obligation to respect international humanitarian law in all circumstances;

20. *Stresses* the need to promote accountability for those responsible for the unlawful killing of civilians, and also stresses the importance of holding to account those responsible for all violations of international humanitarian law and international human rights law;

21. *Condemns* the reported forced displacement of the population in the Syrian Arab Republic and the alarming impact on the demography of the country, and calls upon all parties concerned to immediately cease all activities related to these actions, including any activities that may amount to crimes against humanity;

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

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

24. *Demands* that the Syrian authorities and all other parties to the conflict do not hinder the full, immediate and safe access of the United Nations and humanitarian actors, including to besieged and hard-to-reach areas, consistent with Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014);

25. *Strongly condemns* practices including abduction, hostage-taking, incommunicado detention, torture, the brutal murder of innocent civilians and summary executions carried out by non-State armed groups and terrorist groups, most notably ISIL (Daesh) and Al-Nusrah Front, and underlines that such acts may amount to crimes against humanity;

26. *Deplores* the suffering and torture in detention centres throughout the Syrian Arab Republic, as depicted in the reports of the Commission of Inquiry and the Office of the United Nations High Commissioner for Human Rights, as well as in the evidence presented by “Caesar” in January 2014, demands that the Syrian authorities immediately release all persons arbitrarily detained and ensure that detention conditions are consistent with international law, and calls upon the Syrian authorities to publish a list of all detention facilities;

27. *Demands* that the Syrian authorities, ISIL (Daesh), Al-Nusrah Front and all other groups halt the arbitrary detention of civilians and release all detained civilians;

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

29. *Strongly condemns* the use of chemical weapons and all indiscriminate methods of warfare in the Syrian Arab Republic, which is prohibited under international law, and notes with grave concern the Commission of Inquiry's findings that the Syrian authorities have repeatedly used chlorine gas as an illegal weapon, which constitutes a violation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction²¹ and is prohibited under international law;

30. *Welcomes* the unanimous adoption of Security Council resolution 2235 (2015), in which the Council established an Organization for the Prohibition of Chemical Weapons-United Nations joint investigative mechanism to identify those involved in certain uses of toxic chemicals as weapons in the Syrian Arab Republic, and emphasizes the need to hold those responsible to account;

31. *Demands* that the Syrian Arab Republic respect fully its obligations under the Chemical Weapons Convention, the decision of 27 September 2013 of the Executive Council of the Organization for the Prohibition of Chemical Weapons,²²

²¹ Ibid., vol. 1974, No. 33757.

²² Security Council resolution 2118 (2013), annex I.

and Security Council resolutions 2118 (2013) and 2235 (2015) requiring it to declare its programme in full and eliminate it in its entirety;

32. *Also demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect its population lies with the Syrian authorities;

33. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, as well as the organized looting and trafficking of its cultural property, as outlined by the Security Council in its resolution 2199 (2015) of 12 February 2015;

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

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

36. *Urges* the international community, including all donors, to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

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

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

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

40. *Reaffirms its commitment* to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, with the full and effective participation of women, and where there is no room for sectarianism or discrimination on ethnic, religious, linguistic, gender or any other grounds, and demands that all parties work urgently towards the comprehensive implementation of the Geneva communiqué,²⁰ aiming at bringing an end to all violence, violations and abuses of human rights and violations of international humanitarian law and the launching of a Syrian-led political process leading to a political transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their future, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions;

41. *Requests* the Secretary-General to report on the implementation of the present resolution by the Syrian authorities within 45 days of its adoption.
