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Summary record (partial)* of the 58th meeting

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President: Mr. Villegas (Argentina)

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Closure of the session

* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3.55 p.m.

Agenda item 7: Human rights situation in Palestine and other occupied Arab territories (A/HRC/49/L.17, A/HRC/49/L.18 and A/HRC/49/L.19)

Draft resolution A/HRC/49/L.17: Right of the Palestinian people to self-determination

1. **Mr. Mehdi** (Pakistan), introducing the draft resolution, said that the realization of the right to self-determination was key to upholding human dignity and advancing human rights. Draft resolution A/HRC/49/L.17 reaffirmed the inalienable right of the Palestinian people to self-determination and their rights to live in freedom, justice and dignity and to an independent State. While reaffirming the need for a just, comprehensive and lasting solution to the Israeli-Palestinian conflict, it called upon Israel to immediately end its occupation of the entire Occupied Palestinian Territory, including East Jerusalem, and to reverse and redress any impediments to the political independence, sovereignty and territorial integrity of Palestine. The draft resolution expressed grave concern at the demographic changes in the Occupied Palestinian Territory that had resulted from continued Israeli settlement activities. He hoped that the Council would adopt the draft resolution by consensus.

2. **The President** announced that 12 States had joined the sponsors of the draft resolution, which had no programme budget implications. He invited the States concerned by the draft resolution to make statements.

3. **Ms. Eilon Shahar** (Observer for Israel) said that her statement addressed all three draft resolutions submitted under agenda item 7. Days earlier, in March 2022, the Ministers for Foreign Affairs of Israel, Bahrain, Egypt, Morocco and the United Arab Emirates, alongside the Secretary of State of the United States of America, had met in Israel for an unprecedented summit, at which the United Arab Emirates had called for an end to the narrative of hate in respect of Israeli-Arab relations. Now, her delegation called on the Council to reject the narrative of hate represented by agenda item 7, which was a relic of the past. It hearkened back to a time when singling out Israel and holding it to double standards was common practice. The Middle East was coming together and Israel was building new ties; it no longer stood alone. However, some members of the Council would continue to vote blindly for draft resolutions submitted under agenda item 7, ignoring the reality of the outside world. The previous day, at the Council's 55th meeting, the Palestinian representative had stated that his delegation would be willing to negotiate with the Israeli delegation on draft resolutions. She wished to suggest that the negotiations should start with the abolishment of agenda item 7. Her delegation called on all States members of the Council to choose hope over hate by voting against draft resolutions A/HRC/49/L.17, A/HRC/49/L.18 and A/HRC/49/L.19.

4. **Mr. Khraishi** (Observer for the State of Palestine) said that his statement addressed all three draft resolutions submitted under agenda item 7. The representative of the occupying Power had alluded to the idea that a new Middle East was being forged. However, the only vision for the region that should be aspired to was one in which the Israeli occupation had ceased and the Palestinian people were free to exercise their right to self-determination. Regarding his statement at the 55th meeting, his delegation was indeed willing to negotiate on draft resolutions. However, the abolishment of agenda item 7 was not on the table. Moreover, the preconditions for such negotiations would be for Israel to cease its abuses and for the representative of the occupying Power to state before the Council that she was willing to cooperate with the human rights mechanisms of the United Nations.

5. The right to self-determination had been instrumental in helping countries in Europe, Latin America, Asia and Africa to put an end to colonialism and occupation. It was hard to believe that in the twenty-first century, some countries continued to refuse to recognize the right to self-determination of all peoples everywhere in the world. Such a position was tantamount to discrimination. In view of the continued division of the West Bank into enclaves, those countries that supported a two-State solution should ask themselves what would be left of the State of Palestine in the near future. Moreover, given the adoption by the Knesset, in 2018, of the Basic Law: Israel the Nation State of the Jewish People, under which only Jewish citizens enjoyed the right to self-determination, it should be clear to all that the occupation of Palestine was based on a system of apartheid. He urged all members of the

Council to vote in favour of the right to self-determination for all peoples of the world and against colonialism.

6. **Ms. Taylor** (United States of America), speaking in explanation of vote before the voting, said that the United States strongly and unequivocally opposed the biased agenda item 7, the continued existence of which called into question the credibility of the Council. None of the world's worst human rights violators, some of which were the subject of resolutions adopted at the current session, had their own stand-alone agenda item. Only Israel received such treatment. For that reason, the United States opposed the draft resolutions submitted annually under agenda item 7 and strongly rejected the characterization of the Israeli authorities' actions as constituting apartheid. One-sided resolutions distracted from efforts to advance peace. The United States was committed to a negotiated two-State solution and believed that Israelis and Palestinians alike deserved to live safely and securely and enjoy equal measures of security, freedom and prosperity. It would continue to oppose every effort to delegitimize Israel. Her delegation called for a vote on draft resolution [A/HRC/49/L.17](#) and urged all Council members to vote against it.

7. *At the request of the representative of the United States of America, a recorded vote was taken.*

In favour:

Argentina, Armenia, Benin, Bolivia (Plurinational State of), Brazil, China, Côte d'Ivoire, Cuba, Eritrea, Finland, France, Gabon, Gambia, Germany, India, Indonesia, Japan, Kazakhstan, Libya, Luxembourg, Malawi, Malaysia, Mauritania, Mexico, Montenegro, Namibia, Nepal, Netherlands, Pakistan, Paraguay, Poland, Qatar, Republic of Korea, Russian Federation, Senegal, Somalia, Sudan, Ukraine, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of).

Against:

Marshall Islands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Cameroon, Honduras, Lithuania.

8. *Draft resolution [A/HRC/49/L.17](#) was adopted by 41 votes to 3, with 3 abstentions.*

Draft resolution [A/HRC/49/L.18](#): Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan

9. **Mr. Mehdi** (Pakistan), introducing the draft resolution, said that the text affirmed that any action by Israel to transfer parts of its own civilian population to the Occupied Palestinian Territory and the occupied Syrian Golan constituted a grave breach of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) and relevant provisions of customary international law, and recalled that the International Court of Justice, in its advisory opinion of 9 July 2004, had indicated that Israeli settlements were unlawful under international law. Such settlements seriously endangered the viability of the two-State solution. The operative part of the draft resolution called for the effective implementation of all relevant Security Council resolutions; demanded that Israel should immediately cease and reverse all settlement activities; and requested the United Nations High Commissioner for Human Rights to report on the implementation of the draft resolution to the Human Rights Council at its fifty-second session. The violations committed in the territories under Israeli occupation were a not a relic of the past; they were the worst human rights tragedy of the modern era. Calling for accountability for crimes against Palestinians was not a narrative of hate. He hoped that the Council members would unanimously reject the Israeli Government's illegal settlement policy and adopt draft resolution [A/HRC/49/L.18](#) by consensus.

10. **The President** announced that 11 States had joined the sponsors of the draft resolution, which had no programme budget implications.

11. **Ms. Imene-Chanduru** (Namibia), making a general statement before the voting, said that her Government remained deeply concerned about the gross and persistent violations of

international human rights and humanitarian law by Israel in the Occupied Palestinian Territory. The expansion of illegal settlements in the occupied territories was indicative of the colonial and apartheid system operated by Israel. Settler violence in the Occupied Palestinian Territory also continued unabated. Despite the credible reports in that regard and the illegality of settlement activities under international law, some countries continued to shield Israel by attempting to block initiatives aimed at holding it accountable for its countless violations. As Namibia had experienced a similar struggle against occupation and apartheid, her delegation wished to reiterate that the cause of the Palestinian people would ultimately prevail and history would not look kindly upon those who continued to protect Israel.

12. **Mr. Baiou** (Libya), making a general statement before the voting, said that occupation was the true relic of the past. It had no place in the twenty-first century. The countries of the world must rally together to condemn the continued occupation of the Palestinian territories.

13. **Mr. Manley** (United Kingdom), speaking in explanation of vote before the voting, said that it had long been clear to his Government that the Council's disproportionate focus on Israel was unfair and only served to harden positions, rather than to encourage the Israeli Government to engage with the mechanisms and expertise of the Council. Agenda item 7 alienated Israel, and its continuation was an impediment to dialogue; it obstructed efforts for peace in the Middle East and damaged the prospects for a two-State solution. His Government supported scrutiny of the situation in Israel and the Occupied Palestinian Territory by the Council, so long as it was justified, proportionate and appropriate. It fully supported the Palestinian people's right to self-determination and called out the illegal expansion of Israeli settlements. However, his delegation called for a vote on draft resolution [A/HRC/49/L.18](#), in order to take a stand against the Council's persistent and disproportionate focus on Israel.

14. *At the request of the representative of the United Kingdom, a recorded vote was taken.*

In favour:

Argentina, Armenia, Benin, Bolivia (Plurinational State of), China, Côte d'Ivoire, Cuba, Eritrea, Finland, France, Gabon, Gambia, Germany, India, Indonesia, Japan, Kazakhstan, Libya, Luxembourg, Malaysia, Mauritania, Mexico, Montenegro, Namibia, Nepal, Netherlands, Pakistan, Paraguay, Poland, Qatar, Republic of Korea, Russian Federation, Senegal, Somalia, Sudan, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of).

Against:

Malawi, Marshall Islands, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Brazil, Cameroon, Honduras, Lithuania, Ukraine.

15. *Draft resolution [A/HRC/49/L.18](#) was adopted by 38 votes to 4, with 5 abstentions.*

Draft resolution [A/HRC/49/L.19](#): Human rights in the occupied Syrian Golan

16. **Mr. Mehdi** (Pakistan), introducing the draft resolution, said that the sponsors strongly condemned the grave human rights violations that had been committed in the occupied Syrian Golan, including the illegal imposition of Israeli citizenship on Syrian nationals, arbitrary arrests and the exploitation of natural resources. Reaffirming the illegality of the decision by Israel in 1981 to impose its laws on the occupied Syrian Golan, the draft resolution highlighted the established international legal practice of regarding the acquisition of territory by force as inadmissible. It also expressed hope for the resumption of peace talks on the basis of Security Council resolutions 242 (1967) and 338 (1973). The operative part of the draft resolution called for the Government of Israel to implement all relevant resolutions of the General Assembly, the Security Council and the Human Rights Council; rejected the imposition of Israeli law and jurisdiction on the occupied Syrian Golan; and requested the Government of Israel to immediately cease all settlement-related plans and activities in that territory. Given that the draft resolution was based on the principles of international law, his delegation hoped that the Council would adopt it by consensus.

17. **The President** announced that four States had joined the sponsors of the draft resolution, which had no programme budget implications. He invited the State concerned by the draft resolution to make a statement.

18. **Mr. Aala** (Observer for the Syrian Arab Republic) said that his statement addressed draft resolutions [A/HRC/49/L.18](#) and [A/HRC/49/L.19](#). He condemned the disinformation and intimidation campaigns led by the Israeli delegation and its allies in the Council to silence those who criticized the violations committed by the Israeli authorities in the occupied Syrian Golan. The Council had a special responsibility to monitor and condemn such violations and to hold the occupying Power accountable for them. Contrary to the flimsy pretext employed by Western countries to justify their vote against the draft resolutions, the issues addressed under agenda item 7 were not related to the political targeting of any one country but rather to the human rights situation in the occupied territories and the grave violations committed by the occupying authorities, which continued to flout all United Nations resolutions calling for an end to the occupation.

19. The expansion of Israeli settlements in the occupied Syrian Golan, the theft of natural resources, the confiscation of land and the transfer of persons to the occupied territories clearly constituted a policy of colonialism and annexation. The Israeli Government's announcement, following its provocative meeting in the occupied Syrian Golan in late 2021, of its plans to spend over \$300 million on two new settlements and the expansion of existing settlements was an example of its brazen disregard for its legal obligations, the rules of international law, the Fourth Geneva Convention and Security Council resolution 497 (1981). Such settlement activities and plans were tantamount to war crimes and required accountability. Draft resolution [A/HRC/49/L.19](#) condemned such activities and warned of their devastating consequences for the human rights of the Syrians living in the occupied territory. It called on the Israeli Government to stop altering the demographic and legal status of the occupied Syrian Golan, cease its attempts to impose Israeli citizenship and identity cards on Syrian nationals and allow displaced persons to return to their homes. The adoption of draft resolutions [A/HRC/49/L.18](#) and [A/HRC/49/L.19](#) would send a strong message that the international community was monitoring the illegal activity of the Israeli authorities and that their violations of international law would not go unpunished. His delegation called on the Council to adopt draft resolution [A/HRC/49/L.19](#) by consensus.

Statements made in explanation of vote before the voting

20. **Mr. Bonnafont** (France), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union remained opposed to the annexation of the Syrian Golan by Israel and wished to reaffirm its commitment to the protection of human rights and the application of the Fourth Geneva Convention to the situation in the occupied Syrian Golan. The European Union had not been involved in discussions on the draft resolution, as the textual amendments it had suggested in the past had been systematically ignored. The current draft contained no substantive changes and did not in any way redress the imbalance inherent in a text that expressed deep concern about the suffering caused by Syrian citizens by the actions of Israel but failed to even mention the suffering caused by the Syrian regime to its own people. For those reasons, the States members of the European Union that were members of the Council would vote against the draft resolution.

21. **Ms. Stasch** (Germany) said that, while the position of Germany on the illegality of annexation remained unchanged, the draft resolution distorted the realities of the situation in Syria: at a time when vast numbers of Syrians were suffering at the hands of the Syrian regime and its supporters, the text focused solely on Israel. Germany could not accept the draft resolution and called for a vote. It would vote against the draft resolution's adoption and urged other members of the Council to do the same.

22. **Mr. Da Silva Nunes** (Brazil) said that Brazil reiterated its recognition of the territorial integrity of Syria and of Syrian sovereignty over the occupied Golan, to which the Fourth Geneva Convention was applicable. Brazil remained committed to the protection and promotion of human rights in that territory. However, the current draft resolution was incomplete and unbalanced, failed to recognize that Israel had legitimate concerns about its security and did not effectively address the human rights issues affecting the Syrian people,

including in the Golan. For those reasons, his delegation would abstain from voting on the draft resolution.

23. *At the request of the representative of Germany, a recorded vote was taken.*

In favour:

Argentina, Armenia, Benin, Bolivia (Plurinational State of), China, Côte d'Ivoire, Cuba, Eritrea, Gabon, Gambia, India, Indonesia, Kazakhstan, Libya, Malaysia, Mauritania, Mexico, Namibia, Nepal, Pakistan, Paraguay, Qatar, Russian Federation, Senegal, Somalia, Sudan, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of).

Against:

Finland, France, Germany, Japan, Lithuania, Luxembourg, Malawi, Marshall Islands, Montenegro, Netherlands, Poland, Republic of Korea, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Brazil, Cameroon, Honduras.

24. *Draft resolution [A/HRC/49/L.19](#) was adopted by 29 votes to 15, with 3 abstentions.*

25. **The President** invited delegations to make statements in explanation of vote or general statements on any of the draft resolutions considered under agenda item 7.

26. **Mr. Staniulis** (Lithuania) said that his delegation wished to note that it had voted in favour of draft resolution [A/HRC/49/L.26](#) on the human rights situation in the Occupied Palestinian Territory, which had been adopted under agenda item 2. It remained deeply concerned about the continuing violence and instability in the region and strongly supported efforts to ensure accountability for perpetrators and justice for victims of human rights violations. However, with regard to the resolutions adopted under agenda item 7, Lithuania took the view that it was unfair to single out one country on the standing agenda of the Council. The Council should instead address the human rights situation in the Occupied Palestinian Territory under agenda item 4, together with other country-specific situations. Although Lithuania was not therefore in a position to support any draft resolution submitted under agenda item 7, irrespective of its substance, it looked forward to continuing cooperation with the Palestinian delegation and would support all efforts to achieve a comprehensive peace on the basis of the two-State solution.

27. **Mr. Da Silva Nunes** (Brazil) said that a comprehensive Israeli-Palestinian peace agreement that ensured a fair and equitable solution acceptable to both sides remained an attainable and desirable goal. Brazil remained ready to engage in constructive and balanced dialogue and considered it important that the Council should continue to monitor the human rights situation in the Occupied Palestinian Territory in a balanced way. While appreciating the decision to address the situation of human rights in the Occupied Palestinian Territory under agenda item 2, his delegation remained concerned about the unbalanced, partial and biased nature of draft resolution [A/HRC/49/L.26](#), which, by singling out Israel while overlooking human rights violations attributable to other parties, was more likely to prompt polarization than cooperation. In addition, specific language on issues of accountability and international criminal justice and references to possible war crimes and crimes against humanity were misplaced. Such references were counterproductive and did not contribute to the goals advocated by the Council, which should be primarily to promote and protect human rights. For those reasons, his delegation had voted against draft resolution [A/HRC/49/L.26](#). However, it stood ready to cooperate with all interested delegations in pursuit of their common objectives on that important issue.

Agenda item 9: Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action (A/HRC/49/L.5)

Draft resolution A/HRC/49/L.5: Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief

28. **Mr. Mehdi** (Pakistan), introducing the draft resolution on behalf of the States Members of the United Nations that were members of the Organization of Islamic Cooperation, said that the continuing adoption by consensus of resolutions based on the landmark Human Rights Council resolution 16/18 was a testament to States' political commitment to countering the scourge of religious intolerance, discrimination and violence. Constructive engagement and dialogue across diverse perspectives should remain the driving force of the Council's work. Resolution 16/18 was unique in that it articulated an eight-point action plan for addressing the growing worldwide problem of discrimination, xenophobia and incitement to violence on grounds of religion and belief. The series of meetings organized to promote the implementation of that plan, known as the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, had facilitated the exchange of views, perspectives and lessons learned among States, civil society, faith communities and other relevant stakeholders. The eighth meeting, hosted online by the delegation of Pakistan in Geneva, had provided a useful opportunity to take stock of progress, reflect on contemporary trends and concerns, and explore ways to further optimize the implementation of resolution 16/18.

29. Nonetheless, the global landscape presented a sobering picture. The coronavirus disease (COVID-19) pandemic had been accompanied by an infodemic and a hate pandemic. Particularly alarming, among the numerous disturbing examples of the use of the pandemic to incite racial discrimination, xenophobia and Islamophobia, were reports of smear campaigns identifying certain religious minorities as spreaders of the virus and the denial of medical treatment on religious grounds. It was in the collective interest to respect the religion of others, avoid the denigration of religious personalities and symbols and combat the deliberate provocation of violence. The Organization of Islamic Cooperation sincerely hoped that the adoption of the draft resolution by consensus and the full and effective implementation of the action plan contained therein would serve to advance the realization of those shared objectives.

30. **The President** announced that four States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$27,100.

31. **Mr. Hovhannisyan** (Armenia), making a general statement before the decision, said that Armenia considered both the subject and the content of the draft resolution to be extremely important for multilateral cooperation. It had previously expressed concern about the selective manner in which States had been invited to participate in the meetings of the Istanbul Process and now wished to reiterate its position that any process that harboured an ambition of being universally supported and endorsed through United Nations resolutions must be open to participation by all Member States without discrimination. That concern had been addressed at the eighth meeting of the Istanbul Process, held in February 2022, in which all Member States had been invited to participate. He encouraged the sponsors of the draft resolution and all future hosts of meetings of the Istanbul Process to continue that practice. The fact that Armenia had been compelled to raise that issue in the context of combating intolerance and discrimination attested to the considerable work that remained to be done by the Council and other United Nations bodies.

32. **Mr. Bonnafont** (France), making a general statement before the decision on behalf of the European Union, said that freedom of religion and belief was a universal human right, yet, throughout the world, religious intolerance continued to give rise to harassment, threats, arrest, discrimination, stigmatization and violence. Combating all forms of religious intolerance in an impartial manner should be a priority for all States and for the international community, and all persons should be guaranteed the right to choose and practise their religion or belief, or to choose not to practise a religion, without being subjected to

discrimination. For those reasons, the European Union supported the draft resolution and its adoption by consensus.

33. **Ms. Albastaki** (United Arab Emirates), making a general statement before the decision, said that the adoption of the draft resolution by consensus would reaffirm once again the international community's commitment to fighting one of the most dangerous threats to peaceful coexistence in contemporary societies. The United Arab Emirates supported the action plan contained in the draft resolution, had taken part in the Istanbul Process and had established a Ministry of Tolerance to strengthen the values of peaceful coexistence in a society that brought together around 200 different nationalities. It believed that constructive dialogue embracing divergent views should be the guiding characteristic of the Council's work and called for the draft resolution's adoption by consensus.

34. *Draft resolution A/HRC/49/L.5 was adopted.*

Agenda item 10: Technical assistance and capacity-building (A/HRC/49/L.3, A/HRC/49/L.27, A/HRC/49/L.33 and A/HRC/49/L.34)

Draft resolution A/HRC/49/L.3: Strengthening the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council

35. **Mr. Ahmed** (Observer for Maldives), introducing the draft resolution on behalf of the main sponsors, namely Barbados, Burkina Faso, Djibouti, Marshall Islands, Mauritius, Morocco, Netherlands, Norway, Senegal, Singapore, Switzerland, Turkey and his own delegation, said that 2022 marked the tenth anniversary of the establishment of the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council. The anniversary was a milestone for an institutional mechanism that promoted the inclusivity, diversity and universality that were key to strengthening multilateral engagement. The current draft resolution incorporated recommendations made by former beneficiaries or set forth in the Office of the United Nations High Commissioner for Human Rights (OHCHR) report (A/HRC/49/92) for strengthening the Trust Fund's future operations.

36. Despite the practical challenges posed by the COVID-19 pandemic, the Trust Fund had been able to provide 17 representatives of least developed countries and small island developing States – some of which had no permanent representation in Geneva – with the resources necessary to participate in the Council's forty-eighth and forty-ninth sessions. Overall, the Trust Fund had provided assistance to facilitate the participation of 173 representatives, of whom 108 had been women and 65 men, thereby greatly enhancing their countries' substantive engagement in the Council's work. Maldives wished to extend the beneficiaries' sincerest appreciation to the Trust Fund's donors and to Member States for their support and commitment to increasing the participation of least developed countries and small island developing States. It called on members of the Council to adopt the draft resolution by consensus.

37. **The President** announced that 50 States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$73,800.

General statements made before the decision

38. **Mr. Bonnafont** (France), speaking on behalf of the States members of the European Union that were members of the Council, said that universal participation was essential to reflect the diversity of the United Nations and to ensure the legitimacy of the Council's work and a plurality of perspectives in its discussions. The Trust Fund played a key role in achieving universal participation, and the European Union hoped that the strengthening of the Trust Fund, as called for in the draft resolution, would further advance progress towards that goal. For all those reasons, the European Union fully supported the draft resolution.

39. **Mr. Lanwi** (Marshall Islands) said that, since its creation, the Trust Fund had enabled representatives of 71 countries to take part in the work of the Council, including six representatives and two fellowship recipients from the Marshall Islands, whose participation had strengthened his country's engagement with and contributions to the human rights

discourse. The Marshall Islands was pleased to note that the number of beneficiaries had increased every year, as the unique perspectives of least developed countries and small island developing States enhanced the diversity, inclusivity and universality of the Council's work. The draft resolution provided an opportunity to ensure that the Council remained a place where all States, big and small, could work to uphold the human rights of all. The Marshall Islands looked forward to the draft resolution's adoption by consensus.

40. **Mr. Kah** (Gambia) said that the Trust Fund had proved to be an apt and effective mechanism for supporting, developing and empowering least developed countries and small island developing States. Thanks to the Fund and its donors, four young Gambian lawyers, all of whom were women, had been given the rare opportunity to gain experience of the workings of the Council and see global collaboration and cooperation in action. Such opportunities allowed the beneficiaries to build their capacities, competencies and contacts and made them better informed citizens, better equipped to work for their country and humanity in the future. His delegation appealed for intensified efforts to increase the support, mentoring and exposure that were so valuable to least developed countries and small island developing States and urged all States to continue to support the Trust Fund and the draft resolution.

41. **Mr. Subamanian** (India) said that India was strongly in favour of strengthening the capacities of delegations from least developed countries and small island developing States and thus ensuring universal and meaningful participation in the Human Rights Council. As a long-term supporter and regular donor, India believed that the Trust Fund had gone a long way towards facilitating their participation. His Government had also been assisting six partner nations in their efforts to combat COVID-19, had allocated \$26 million to the Caribbean Community to help to fund high-impact development projects on Pacific small island developing States and, at the recent twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, together with partner countries, had launched a dedicated initiative to promote resilient, sustainable and inclusive infrastructure development in small island developing States, entitled "Infrastructure for Resilient Island States". India remained committed to partnering with least developed countries and small island developing States in a range of priority areas.

42. *Draft resolution A/HRC/49/L.3 was adopted.*

Draft resolution A/HRC/49/L.27: Cooperation with Georgia

43. **Mr. Darsalia** (Observer for Georgia), introducing the draft resolution, said that his delegation wished to express its strong support for and solidarity with the people of Ukraine and to condemn the unjustified and premeditated full-scale military aggression launched by Russia against that country.

44. The recent announcement of a so-called referendum in occupied South Ossetia on unification with the Russian Federation was another demonstration of the latter's aggressive policy towards Georgia. Its pattern of behaviour brazenly undermined the entire rules-based international order and posed a grave threat to regional and global peace and security. Georgia reiterated its call for Russia to comply with its commitments under the ceasefire agreement of 12 August 2008, which had been mediated by the European Union, and withdraw its troops from the occupied regions of Georgia. His Government welcomed the recent application by the Prosecutor of the International Criminal Court to issue arrest warrants for individuals suspected of bearing criminal responsibility for war crimes committed during the Georgia-Russia war.

45. Russia, which exercised effective control over the occupied regions of Georgia, as confirmed by the European Court of Human Rights judgment of 21 January 2021, continued to prevent OHCHR and other international human rights monitoring mechanisms from entering those regions. The High Commissioner's most recent report (A/HRC/48/45) had highlighted flagrant violations of the rights to life, health, residence, property and freedom of movement and their devastating effect on the local population, as well as the prohibition of education in students' native language, ethnic discrimination and the lack of accountability for arbitrary killings of ethnic Georgian citizens between 2014 and 2019. Illegal deprivation of liberty also continued to be practised. There was an urgent need for OHCHR and other

international human rights monitoring mechanisms to be given access to the two occupied regions.

46. **The President** said that seven States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$27,100.

General statements made before the voting

47. **Mr. Bonnafont** (France), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union wished to congratulate Georgia on its continued constructive cooperation with OHCHR. It regretted the fact that calls for OHCHR and regional and international human rights mechanisms to be given immediate and unimpeded access to Abkhazia and South Ossetia in order to conduct an independent evaluation of human rights protection needs had gone unheeded.

48. The European Union was very concerned about ongoing human rights violations, including with regard to education, health, ethnic discrimination and restrictions on freedom of movement. It echoed the High Commissioner's call for accountability and for the prompt investigation of all allegations of torture, ill-treatment and related deaths. The European Union supported the territorial integrity and sovereignty of Georgia as recognized under international law, and did not recognize any constitutional or legal basis for the so-called legislative elections that had been held in the separatist Georgian region of Abkhazia on 12 March 2022. It called on the Council members to support the draft resolution.

49. **Ms. Filipenko** (Ukraine) said that, in 2008, the Russian Federation had attacked the sovereign State of Georgia and occupied its territory in Abkhazia and the Tskhinvali region/South Ossetia, marking the beginning of a long quest for the realization of the Putin regime's imperial ambitions through war, destruction and human suffering. That criminal crusade, accompanied by gross human rights violations, war crimes and crimes against humanity, had now culminated in outright aggression and the full-scale invasion of Ukraine. Had the international community responded more decisively to the Russian invasion of Georgia in 2008, the aggressor might have been restrained, and thousands of lives saved. The draft resolution presented an opportunity to partially compensate for that blunder.

50. Ukraine reaffirmed its staunch support for the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders. It deplored the continuous human rights violations committed by the Russian Federation in the occupied territories of Georgia, including killings, abductions, arbitrary detentions and restrictions on freedom of movement and humanitarian access, all of which were well-known elements of the Kremlin's classic playbook of crimes and abuses, which were now being perpetrated in Ukraine. Her delegation considered it critical for OHCHR to be able to monitor such wrongdoings and called on the Council members to support the draft resolution.

51. **Mr. Moeling** (United States of America) said that his delegation strongly supported the continued provision of technical assistance and capacity-building in the area of human rights in Georgia. Abkhazia and South Ossetia remained under occupation by the Russian Federation and were beyond the control of the Georgian Government. In both regions, ethnic discrimination was continuing, and restrictions on human rights and fundamental freedoms, unjust detentions, kidnappings and restrictions on teaching in students' native language were growing. While the authorities of Georgia continued to grant broad access to OHCHR to provide technical assistance, in the occupied regions the de facto authorities continued to deny entry to OHCHR. Reporting by OHCHR remained important for the unbiased monitoring of the situation. Recent reports had highlighted how the de facto authorities had used the threat of COVID-19 to further their crackdown on freedom of movement. His delegation called on the Council members to support the draft resolution.

52. **Mr. Manley** (United Kingdom) said that his delegation recognized the Georgian Government's ongoing and constructive engagement with the Council and OHCHR, and noted the progress that had been made, including through the adoption of legislation on the rights of persons with disabilities. It remained concerned, however, at persistent restrictions on freedom of movement that had increased the isolation and vulnerability of people living in the Georgian regions of Abkhazia and South Ossetia, exacerbating fears about the human

rights situation there. His delegation encouraged the Council members to support the draft resolution.

Statements made in explanation of vote before the voting

53. **Mr. Chernyakov** (Russian Federation) said that the Russian Federation continued to oppose any politicization of technical assistance for the protection and promotion of human rights or its use for geopolitical purposes. The draft resolution was a clear abuse of agenda item 10, in that it focused exclusively on Abkhazia and South Ossetia and expressed political judgments about the processes in those independent States, without making any mention of the human rights situation in Georgia itself, which did require technical assistance.

54. Although the Council was not authorized to deal with election issues, the draft resolution contained a political assessment of the electoral processes in Abkhazia and South Ossetia, clearly demonstrating the draft's one-sided and biased nature. The sponsors of the draft resolution were once again using the United Nations to promote politicized documents, taking advantage of the absence of representatives of Abkhazia and South Ossetia. The draft acknowledged the importance of the Geneva International Discussions launched following the ceasefire agreement of 12 August 2008, but did not refer to the lack of constructive engagement by Georgia, which was blocking any real examination of the issue of refugees in those discussions and had instead brought the issue before the General Assembly without the participation of Abkhazia or South Ossetia. The Russian Federation called on Georgia to renounce that approach and focus its efforts on restoring trust and cooperating with the authorities of Abkhazia and South Ossetia to improve the situation there. His delegation requested a vote on the one-sided and biased draft resolution, which it would vote against; he called on the other members to do the same.

55. **Mr. Da Silva Nunes** (Brazil) said that his delegation welcomed the technical assistance provided to Georgia by OHCHR and the Government's continued cooperation with the Office. It was important for international monitors to be granted full and unhindered access to all regions of the country. While acknowledging the merits of the draft resolution, his delegation noted that it contained language that went beyond the scope of agenda item 10 and the Council's mandate. Brazil recognized the legitimate concerns of Georgia in relation to its sovereignty, independence and territorial integrity; however, those issues would be better dealt with in the Security Council and the General Assembly.

56. **The President** said that Finland and Lithuania had withdrawn their sponsorship of the draft resolution.

57. **Mr. Staniulis** (Lithuania) said that Lithuania strongly supported the provision of technical assistance and capacity-building to Georgia for the promotion and protection of human rights. The international community must continue to provide support, which was of the utmost importance for Georgia. His delegation regretted that OHCHR and other United Nations human rights mechanisms still did not have access to Abkhazia and South Ossetia. Persistent restrictions on freedom of movement and a lack of monitoring, reporting mechanisms and effective remedies had widened gaps in human rights protection and increased the vulnerability of people in those regions. The draft resolution was a significant tool that could be used to address any further worsening of the situation on the ground. His delegation would vote in favour of the draft resolution.

58. **Ms. Kauppi** (Finland) said that the efforts of Georgia to seek technical assistance to improve the human rights situation in its territory deserved the Council's full support. Her Government was deeply worried about the pressing humanitarian needs and continuing multiple forms of discrimination in the regions of Abkhazia and South Ossetia. Prolonged restrictions on freedom of movement, access to health care and the rights to education and property also remained serious concerns. Finland reiterated its unwavering support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders. Her delegation would vote in favour of the draft resolution and called on other Council members to do the same.

59. **Mr. Constant Rosales** (Bolivarian Republic of Venezuela) said that pursuant to General Assembly resolution 60/251, the Council was mandated to provide technical assistance and capacity-building in consultation with and with the consent of Member States

concerned. His delegation regretted that the draft resolution's content was almost entirely unrelated to agenda item 10 and was a tool designed to promote geopolitical interests and strategic confrontations without objectivity and without regard to the spirit of General Assembly resolution 60/251. His Government opposed the selectivity of such draft resolutions, which did not reflect the purposes and principles of the Charter of the United Nations, in particular with regard to respect for sovereignty and non-interference in the internal affairs of States. His delegation would vote against the draft resolution.

60. *At the request of the representative of the Russian Federation, a recorded vote was taken.*

In favour:

Finland, France, Gambia, Germany, Honduras, Japan, Libya, Lithuania, Luxembourg, Malawi, Mexico, Montenegro, Netherlands, Paraguay, Poland, Somalia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against:

Bolivia (Plurinational State of), China, Cuba, Eritrea, Russian Federation, Venezuela (Bolivarian Republic of).

Abstaining:

Argentina, Benin, Brazil, Cameroon, Côte d'Ivoire, Gabon, India, Indonesia, Kazakhstan, Malaysia, Mauritania, Namibia, Nepal, Pakistan, Qatar, Republic of Korea, Senegal, Sudan, United Arab Emirates, Uzbekistan.

61. *Draft resolution [A/HRC/49/L.27](#) was adopted by 19 votes to 6, with 20 abstentions.**

Draft resolution [A/HRC/49/L.33](#): Technical assistance and capacity-building for Mali in the field of human rights

62. **Mr. Adjoumani** (Côte d'Ivoire), introducing the draft resolution on behalf of the Group of African States, said that the text was an updated version of Human Rights Council resolution 46/28. It highlighted events on the ground and the challenges that persisted in Mali with regard to human rights, the peace process and the political process in general. The Group reiterated its appreciation for the efforts of Mali and its partners in seeking to resolve the multidimensional crisis, and hoped that the draft resolution would be adopted by consensus.

63. **The President** said that six States had joined the sponsors of the draft resolution, which had no programme budget implications.

64. **Mr. Bonnafont** (France), speaking in explanation of position before the decision on behalf of the States members of the European Union that were members of the Council, said that the European Union regretted that the draft resolution did not accurately reflect the political and security situation on the ground in Mali. In particular, it regretted that the text simply "noted" the "disruption of the constitutional order", despite the fact that two successive coups d'état had destabilized and isolated the country and had given rise to serious and growing human rights violations, such as restrictions on civic space, including media and press freedoms.

65. The European Union also regretted that its proposals concerning the Montreux Document on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict had not been taken into account. The growing involvement of Russian mercenaries from a private military company, the Wagner Group, was of great concern, as they had committed serious and well-documented human rights violations.

66. While the European Union appreciated the sponsors' inclusion of language on sexual and gender-based violence, it regretted that the text did not deal adequately with the full, equal and meaningful participation of women in the peace process. It did, however, welcome

* The delegation of the Marshall Islands subsequently informed the Council that it had intended to vote in favour of the draft resolution, and the delegation of Somalia that it had intended to abstain from voting.

the renewal of the mandate of the Independent Expert on the situation of human rights in Mali. The States members of the European Union that were members of the Council were willing to join the consensus on the draft resolution.

67. *Draft resolution A/HRC/49/L.33 was adopted.*

Draft resolution A/HRC/49/L.34: Technical assistance and capacity-building for South Sudan

68. **Mr. Adjoumani** (Côte d'Ivoire), introducing the draft resolution on behalf of the Group of African States, said that the text underlined the crucial role of technical assistance and capacity-building in empowering the national institutions of South Sudan to address the challenges facing the country. It built on the commitment and willingness of the Government to fully implement the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan and address all alleged violations of international humanitarian and human rights law, including sexual and gender-based violence.

69. **The President** said that two States had joined the sponsors of the draft resolution, which had programme budget implications amounting to \$617,300. He invited the State concerned by the draft resolution to make a statement.

70. **Mr. Ariik** (Observer for South Sudan) said that since the adoption of Human Rights Council resolution 46/29, little had been done to put in place the assistance required in the identified areas of need. Despite the environmental challenges facing South Sudan, the Government had taken action on the outstanding provisions of the Revitalized Agreement. Its recent announcement of the command structure of the unified forces represented a positive step towards the full implementation of the Agreement's provisions on transitional security arrangements, which had involved the training of more than 50,000 troops. In 2021, the smooth operation of humanitarian aid efforts had been well documented. In addition, a committee had been formed to manage public finances and address financial loopholes, and revenue collection was improving. Meaningful progress was being made towards the establishment of transitional justice mechanisms, including through the holding of an open forum for dialogue between State and non-State actors to identify strategies for enhancing restorative justice and accountability.

71. In November 2021, the Government had established a joint technical committee to implement the armed forces' plans in the area of conflict-related sexual and gender-based violence. The Government was grateful for the support of its partners in the committee that had been set up to oversee the proposed amendments to legislation on political parties and national elections. It was aware of the need to leave room for differing views as the country prepared for elections in 2023. It called for the full implementation of the draft resolution and was committed to upholding the Revitalized Agreement as the only way to achieve stability in South Sudan.

72. **Mr. Bonnafont** (France), speaking in explanation of position before the decision on behalf of the States members of the European Union that were members of the Council, said that the European Union recognized the importance of technical assistance and capacity-building for the promotion and protection of human rights in South Sudan and welcomed the Government's past cooperation with OHCHR and the Commission on Human Rights in South Sudan.

73. However, most of the language pertaining to human rights that had been included in Human Rights Council resolution 46/29 had been removed from the current text. The mandate set out in the draft resolution was incomplete, as there was no reference to human rights monitoring or the submission of reports, and technical assistance was requested only in specific areas. Such assistance was important, but it must also be credible. The European Union called on the Government of South Sudan and OHCHR to work together to implement the mandate in the best interests of the South Sudanese people. The States members of the European Union that were members of the Council were willing to join the consensus on the draft resolution.

74. *Draft resolution A/HRC/49/L.34 was adopted.*

75. **The President** invited delegations to make statements in explanation of vote or position or general statements on any of the draft resolutions considered under agenda item 10.

76. **Mr. Da Silva Nunes** (Brazil) said that his Government remained concerned about the situation of human rights in South Sudan. Reports of hostilities and violence across the country, including against women and girls, were a reminder of the need for the Council to keep the matter under scrutiny. It was imperative to continue to address the killings targeting civilians, arbitrary detention, sexual violence and other human rights violations that were still taking place. Brazil welcomed the steps recently taken in South Sudan towards the implementation of the Revitalized Agreement and noted with appreciation that the re-established national legislature was led by a woman.

77. Unfortunately, the Council had been unable yet again to adopt a unified resolution on South Sudan at the current session. The submission of multiple draft resolutions weakened the key role that should be played by the Council. He understood the main sponsors' concerns regarding the extension of the mandate of the Commission on Human Rights in South Sudan. As it was still necessary to monitor the situation on the ground, his Government supported the extension of that mandate and encouraged the South Sudanese authorities to maintain close cooperation with the Commission. Draft resolution [A/HRC/49/L.34](#) provided for relevant measures to monitor the situation in the country while emphasizing the critical role that cooperation and technical assistance could play in promoting human rights. Accordingly, his delegation had decided to join the consensus on that draft resolution and to abstain from voting on draft resolution [A/HRC/49/L.15/Rev.1](#). He reiterated his appeal to the Council to seek a unified approach to South Sudan at the next session, in line with its practice between 2012 and 2020.

78. **Ms. Taylor** (United States of America), referring to draft resolution [A/HRC/49/L.33](#), said that the United States welcomed the fact that the human rights situation in Mali had been made a priority at the Council. It should be borne in mind that gender-based violence was perpetrated against people of all genders. The United States joined others in voicing concern over the destabilizing activities of the Russia-backed Wagner Group, which had undermined human rights in Mali. With the Group's deployment in Mali, abusive military operations were likely to increase and civilians would suffer. The United States supported Mali in achieving its goals of peace and stability and recognized that progress required the full implementation of the Agreement on Peace and Reconciliation in Mali.

79. Turning to draft resolution [A/HRC/49/L.34](#), she said that the United States appreciated the cooperation of the Government of South Sudan with OHCHR and the Commission on Human Rights in South Sudan. It also appreciated the steps taken by the Government to reconstitute the Transitional National Legislative Assembly in accordance with the Revitalized Agreement. However, her delegation noted that paragraph 5 of the resolution inaccurately characterized the responsibility to protect, which referred to a State's responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. It should be noted that international human rights law and international humanitarian law were distinct bodies of law and that violations of international humanitarian law were not necessarily violations of international human rights law. The United States was deeply concerned about the continued rampant violations of a wide range of human rights in South Sudan, which the resolution did not acknowledge. More technical assistance and political will were required to fulfil the Government's promise to establish the transitional justice mechanisms mandated in the Revitalized Agreement, including the Hybrid Court for South Sudan, the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority. The United States remained a steadfast partner in the peace process in South Sudan.

80. Her delegation appreciated the value of the resolutions adopted under agenda item 10 for countries that were making sincere efforts to address human rights challenges. The technical assistance and capacity-building provided by OHCHR, when accompanied by independent OHCHR reporting and genuine political will to make meaningful reforms, were instrumental in improving human rights conditions for all. The United States appreciated the efforts of OHCHR, in collaboration with Governments around the world, to improve the situation of human rights for people everywhere.

Agenda item 1: Organizational and procedural matters (A/HRC/49/2)*Selection and appointment of mandate holders*

81. **The President** said that, on the basis of the recommendations of the Consultative Group and following broad consultations, he wished to propose the appointment of the candidates whose names were indicated in the letter circulated to delegations on 8 February 2022. He took it that the Council wished to endorse those candidates and appoint them as special procedure mandate holders.

82. *It was so decided.*

Report on the forty-ninth session

83. **The President** said that an advance unedited version of the draft report of the Human Rights Council on its forty-ninth session (A/HRC/49/2) had been circulated. The structure of the report reflected the 10 items on the Council's agenda. The secretariat would finalize the report after the session and circulate it for comments. He took it that the Council wished to adopt the report ad referendum, on the understanding that the Vice-President and Rapporteur would finalize it with the assistance of the secretariat.

84. *It was so decided.*

Statements by observer delegations on the resolutions and decisions considered at the session

85. **Ms. Uyav Gültekin** (Observer for Turkey) said that Turkey valued all efforts aimed at preventing genocide, which was an obligation of the international community. Genocide was a serious and distinct category of crime clearly defined by international law. The Convention on the Prevention and Punishment of the Crime of Genocide, to which Turkey was a party, defined the crime of genocide and the means of establishing whether it had been committed. Accordingly, the crime of genocide could only be established by a competent tribunal. Her delegation wished to underline that the provisions of draft resolution A/HRC/49/L.11 on prevention of genocide should not be interpreted in a manner that was contrary to the Convention, especially with respect to jurisdictional limitations involving the venue, time, subject matter and persons concerned.

86. **Mr. Taranda** (Observer for Belarus), speaking via video link, said that Belarus did not support any resolutions that extended mandates of the Council to monitor situations in specific countries without the express consent of the States concerned. Such resolutions were political initiatives, and such mandates were puppet mechanisms in the hands of the Group of Western European and Other States. Belarus was not bound in any way by obligations under the resolutions adopted under agenda item 4 or draft resolutions A/HRC/49/L.15/Rev.1 and A/HRC/49/L.20 under agenda item 2. The Council should rethink its approach to country-specific mandates and consider ways of cooperating with the countries concerned.

87. Belarus welcomed the adoption of draft resolution A/HRC/49/L.6 on the negative impact of unilateral coercive measures on the enjoyment of human rights. His delegation did not accept the explanations of certain States that continued to use such measures as an instrument of political pressure. It called on the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights to continue her work towards eradicating unilateral coercive measures.

88. **Mr. Soliman** (Observer for Egypt) said that the main sponsors of draft resolution A/HRC/49/L.29 on the rights of the child were to be commended on the way in which they had accommodated different views and cultural backgrounds. They had set an example that should be followed by other delegations. In that regard, he was convinced that the family, as the fundamental group unit of society and the natural environment for the growth and well-being of all its members, particularly children, should be afforded the necessary protection and assistance so that it could fully assume its responsibilities within the community.

89. In the same vein, Egypt extended its appreciation to the main sponsors of draft resolution A/HRC/49/L.8, on cultural rights and the protection of cultural heritage. The restitution of cultural heritage to the countries of origin should always be a priority. His

delegation joined the resolution's call for enhanced international cooperation in preventing and combating the organized looting, smuggling and theft of and illicit trafficking in cultural objects.

90. Regarding the resolutions that dealt with the role of civil society, his delegation wished to reaffirm that Egypt highly valued the vital contribution that civil society actors made to the promotion and protection of human rights. Their role should be consistent with the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

91. **Ms. Marks** (Observer for Israel) said that Israel welcomed the adoption of draft resolution [A/HRC/49/L.11](#) on prevention of genocide. However, it regretted that the resolution failed to condemn unequivocally any form of genocide denial or distortion. In future, stronger language in that regard should be included, in the spirit of General Assembly resolution 76/250.

92. Regarding draft resolution [A/HRC/49/L.16](#), on the right to work, although her delegation appreciated the specific focus of the resolution, it regretted that the term "gender" was not mentioned and that "sex" had been used in its place. Israel rejected the use of a binary approach. It noted an increasing tendency to attack agreed language related to gender and human rights at the current session, as had been the case with draft resolutions [A/HRC/49/L.21](#), [A/HRC/49/L.23/Rev.1](#) and [A/HRC/49/L.29](#), in respect of which proposals had been submitted that undermined clear concepts such as gender-responsive and human-rights-based approaches, which should guide the work of the Council.

93. Israel was committed to the struggle against racism and racial discrimination. However, the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Durban Declaration and Programme of Action adopted at that Conference, as well as the 2009 Durban Review Conference, had regrettably been hijacked by dictators and Holocaust deniers who had diverted the discussion away from the important topic of racism. The Durban Review Conference had turned into a horrific display of antisemitism and hatred towards Israel, the only Jewish State.

94. **Mr. Chandraprema** (Observer for Sri Lanka), speaking via video link, said that his Government wished to express serious concerns regarding the Council's continuing practice of adopting country-specific resolutions, which contravened the fundamental principles of non-selectivity and cooperation. Without the consent of the country concerned, such initiatives only served to polarize societies and minimize any chances of genuine dialogue. His delegation noted that several such resolutions had been adopted at the current session, including against Belarus, the Democratic People's Republic of Korea, Nicaragua, Iran, South Sudan and the Syrian Arab Republic. The Council, its mechanisms and associated entities should act in accordance with the relevant General Assembly resolutions in carrying out their work. His delegation noted with regret the excessive funds requested for confrontational country-specific resolutions when resources were urgently required for pressing humanitarian situations elsewhere. In all its actions, the Council should be guided by cooperation and genuine dialogue while respecting the principles of sovereignty and non-intervention enshrined in the Charter of the United Nations.

95. **Ms. Al Abtan** (Observer for Iraq) said that her delegation would like to thank the main sponsors of draft resolution [A/HRC/49/L.29](#) for reflecting its concerns. Her Government wished to express its reservations regarding paragraphs 20 and 21 (g), as they were inconsistent with the national legislation of Iraq. Parents played an important role in ensuring the best interests of the child. Her delegation also believed that there was no need for the references to "consultations with children themselves".

96. Iraq called on all countries to strive to achieve the goals set out in draft resolution [A/HRC/49/L.32](#), on ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the COVID-19 pandemic. However, certain paragraphs were also at variance with the culture of Iraq.

97. **Mr. Lauber** (Observer for Switzerland) said that, as one of the main sponsors of draft resolutions [A/HRC/49/L.3](#) and [A/HRC/49/L.8](#), his delegation wished to thank all delegations for their cooperation even though views had differed at times. Switzerland welcomed the

adoption of draft resolution [A/HRC/49/L.1](#), as orally revised, on the situation of human rights in Ukraine stemming from the Russian aggression and the establishment of an international commission of inquiry. It condemned the military aggression of the Russian Federation in the strongest terms and called on the Russian Federation to withdraw its troops from Ukraine; it also called on all parties to respect human rights and international humanitarian law.

98. With regard to draft resolution [A/HRC/49/L.30](#), Switzerland welcomed the decision to extend the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic and reaffirmed the importance of the overall applicability of the resolution in addressing the violations of international law committed by all parties to the conflict. Concerning draft resolution [A/HRC/49/L.15/Rev.1](#), Switzerland supported the decision to extend the mandate of the Commission on Human Rights in South Sudan. It was convinced that the provision of technical assistance and efforts to combat impunity must complement each other to improve the human rights situation on the ground in the long term. Lastly, Switzerland welcomed the adoption of draft resolution [A/HRC/49/L.9](#) and thanked Norway for having submitted such a substantive document on the protection of human rights defenders in conflict and post-conflict situations. However, it regretted the lack of any reference to child human rights defenders or to the transitional justice process.

99. **Ms. Szűcs** (Observer for Hungary) said that her delegation had taken note of the important resolutions adopted under agenda item 3. Hungary was strongly committed to the promotion and protection of human rights, without discrimination, including the rights of women, children and persons with disabilities. With that in mind, her delegation wished to point out that the term “gender” was understood within the meaning of the fundamental law of Hungary. Furthermore, Hungary agreed on the need for coordinated assistance for persons in vulnerable situations. However, it was not in favour of singling out subgroups from among vulnerable groups, as that approach risked the omission of one group or another. Moreover, with respect to migration, there was a need to make a clear distinction between refugees fleeing from wars, persecution and other forms of violence and seeking shelter in the first safe country of arrival, on the one hand, and migrants who illegally crossed several borders seeking a better life, on the other. In her delegation’s view, migration was not a fundamental human right, and States had the right to control their borders and decide whom to admit to their territories, subject to international law.

100. **Ms. Rochina Guzman** (Observer for Ecuador) said that her delegation welcomed the adoption of draft resolution [A/HRC/49/L.21](#), as orally revised, on the participation of persons with disabilities in sport, and statistics and data collection. Ecuador reiterated its commitment to the principles enshrined in the Convention on the Rights of Persons with Disabilities, including respect for and acceptance of persons with disabilities as a part of diversity and the human condition.

The discussion covered in the summary record was suspended at 6.15 p.m. and resumed at 6.20 p.m.

Closure of the session

101. After the customary exchange of courtesies, **the President** declared the forty-ninth session of the Human Rights Council closed.

The meeting rose at 6.30 p.m.