



# General Assembly

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## Human Rights Council Fifty-second session

### Summary record (partial)\* of the 57th meeting

Held at the Palais des Nations, Geneva, on Tuesday, 4 April 2023, at 2.15 p.m.

*President:* Mr. Bálek ..... (Czechia)

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

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*The meeting was called to order at 2.15 p.m.*

**Agenda item 4: Human rights situations that require the Council's attention**  
(continued) (A/HRC/52/L.19 as orally revised and A/HRC/52/L.41/Rev.1)

*Draft resolution A/HRC/52/L.19, as orally revised: Situation of human rights in Myanmar*

1. **Ms. Jardfelt** (Observer for Sweden), introducing the draft resolution, as orally revised, on behalf of the European Union, said that the draft took account of recent reports of the United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in Myanmar, which described a country that was in free fall because of the actions of the Myanmar military. The draft included language welcoming the efforts undertaken, including through the Independent Investigative Mechanism for Myanmar, the International Criminal Court and the International Court of Justice, to hold the Myanmar military to account for its innumerable human rights violations. Any good faith assessment of the human rights impact of the export, sale, transfer and diversion of arms, munitions, military equipment, surveillance goods and technologies and less-lethal weapons could lead to no other conclusion than that they must be banned. The European Union remained of the view that a comprehensive embargo was needed to stop the flow of arms to Myanmar.
2. Persons in vulnerable situations, particularly those belonging to ethnic and religious minorities, such as the Rohingya, continued to bear the brunt of the Myanmar military's human rights violations. No concrete steps had been taken to create an environment conducive to the safe, voluntary, dignified and sustainable return of all refugees and forcibly displaced persons. The European Union deplored the lack of progress in the implementation by the Myanmar military of the five-point consensus and wished to express its support for the efforts of the Association of Southeast Asian Nations in that regard.
3. In the interests of efficiency, the European Union had taken the difficult step of reducing the number of interactive dialogues requested in the draft, as compared to previous resolutions on Myanmar. However, it remained steadfast in considering the human rights situation in Myanmar a priority and in supporting the work of the Special Rapporteur, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Independent Mechanism. The Council had a responsibility to send a clear message to the Myanmar military that the brutal attacks against civilians and the continued attacks on medical and humanitarian relief personnel must cease. By adopting the draft resolution by consensus, the Council would send a strong signal of support to those who were working hard for peace, democracy and the rule of law in Myanmar and to the victims and survivors of human rights violations and abuses, who were seeking justice and accountability.
4. **The President** announced that eight States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.
5. **Ms. Taylor** (United States of America), making a general statement before the decision, said that the United States was proud to be a sponsor of the draft resolution, which strongly condemned human rights abuses in Myanmar, recognized the unique abuses committed against the Rohingya and extended the mandate of the Special Rapporteur. Her delegation joined the international community in calling on the Myanmar military, yet again, to cease its brutal war and to respect the will of the people as democratically expressed in the general elections of November 2020. The United States condemned in the strongest terms the Myanmar military's continued repression and violence against the people of Myanmar. The human rights abuses committed by the Myanmar security forces were appalling and showed the depths to which the military would go to consolidate its control, without regard for the country's welfare. Her delegation welcomed the clear identification throughout the draft of the perpetrator of those flagrant abuses. It also welcomed the extension of the Special Rapporteur's mandate and recognized the brave efforts of human rights defenders to document ongoing human rights abuses.
6. Her delegation was, however, dismayed that some countries refused to act upon the Special Rapporteur's call to cease all arms transfers to Myanmar. No Member State should

sell arms to the Myanmar military, since they would be used to commit the very crimes that the Council condemned in the draft resolution. The international community must take strong action to support the people of Myanmar in their growing call for action, prevent further atrocities by the military and advance a democratic Myanmar, including through the enactment of an international arms embargo and targeted economic action to prevent the flow of weapons to the military. She wished to thank the European Union for its efforts to strengthen the draft in line with the worsening human rights situation on the ground.

7. **Mr. Manley** (United Kingdom), making a general statement before the decision, said that the text before the Council rightly detailed the dramatic deterioration in the human rights situation in Myanmar since the military coup. The military junta had consistently shown that it had no respect for the international rule of law, human rights or democracy. Across the country, there were arbitrary arrests, attacks on civilians, including the Rohingya and other minorities, and cases of torture, sexual and gender-based violence and other assaults on rights and freedoms. Only the previous week, the junta had decided to dissolve 40 political parties, including the National League for Democracy. His delegation was appalled by the ongoing and egregious actions of the junta, in the face of which the people of Myanmar, with whom his country continued to stand, had shown immense courage. Accountability was the only means of ending the military's culture of impunity. His delegation therefore strongly supported the elements of the text that would increase accountability, including the call for all United Nations bodies to collaborate fully with the Independent Mechanism.

8. Weapons used to kill civilians should no longer be transferred to Myanmar. The United Kingdom had a long-standing arms embargo on Myanmar, and he encouraged other States to institute similar embargoes. In view of the support of the United Kingdom for the people of Myanmar and their aspirations for a peaceful, democratic and inclusive future, his delegation was a sponsor of the draft resolution and urged fellow members of the Council to support it.

9. **Ms. Li Xiaomei** (China), speaking in explanation of position before the decision, said that China followed the situation in Myanmar very closely and hoped that all political parties would work in the country's best interests so as to find, through dialogue and within the constitutional and legal framework, appropriate solutions that would lead to social stability and trigger political reform as soon as possible. The steps taken by the Council and other multilateral bodies should help all sides in Myanmar to overcome their differences; foreign pressure and sanctions would only exacerbate those differences. The draft lacked balance and contained controversial elements. Instead of contributing to a political settlement in Myanmar, it threatened to complicate the situation further. In line with her Government's consistent position on country-specific draft resolutions, her delegation wished to dissociate itself from the consensus on the draft resolution.

10. *Draft resolution A/HRC/52/L.19, as orally revised, was adopted.*

*Draft resolution A/HRC/52/L.41/Rev.1: Situation of human rights in Ukraine stemming from the Russian aggression*

11. **Ms. Filipenko** (Ukraine), introducing the draft resolution, said that its key objective was to extend the mandate of the Independent International Commission of Inquiry on Ukraine so that it could continue its important work in accordance with the mandate established under Council resolution 49/1. The Russian aggression against Ukraine had been a blatant breach of the Charter of the United Nations and of fundamental principles of international law and had the most serious human rights and humanitarian implications. The Council, as the primary international human rights body, had provided a robust response to that human rights emergency by establishing an independent international commission of inquiry with the mandate of documenting all human rights violations and reporting on them to the Council and the General Assembly. Over the one-year period since its establishment, the Commission had found shocking, irrefutable evidence of gross and systematic human rights violations, war crimes and crimes against humanity committed by Russia in Ukraine, the most appalling being the forcible transfer and deportation of children to Russia for their re-education and adoption.

12. The scope and brutality of the atrocities committed by Russia in Ukraine were simply beyond comprehension. Continued efforts by the Commission to investigate, document and report human rights violations and international crimes committed against the people in Ukraine could help save innocent lives, hold perpetrators to account and achieve justice for victims. While Ukraine and the world wanted peace more than ever, there could be no peace without justice. She called on all members of the Council to support the draft resolution, thereby making a genuine and meaningful contribution to peace in Ukraine and justice for its people.

13. **The President** announced that seven States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

*General statements made before the voting*

14. **Ms. Kauppi** (Finland), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union fully supported the extension of the mandate of the Independent International Commission of Inquiry on Ukraine. The collection, preservation and analysis of evidence were essential for ensuring accountability for the atrocities committed in connection with the Russian aggression against Ukraine. The European Union commended Ukraine for taking ownership of the situation under very difficult circumstances, unlike the Russian Federation, which continued to refuse to grant the Commission needed access, had failed to respond to its request for dialogue and had chosen not to participate in the Council's interactive dialogue and informal consultations. Meanwhile, Russia continued its invasion, even though the consequences of its war of aggression were being felt all over the world.

15. To those who claimed that the draft resolution was polarizing or that it politicized human rights, the European Union wished to emphasize once again that the sole aggressor in the war was Russia, which was blatantly violating the very foundation of the United Nations, namely the principles of sovereignty and territorial integrity and the prohibition of the use of force. By adopting the draft resolution, the Council would be upholding the Charter of the United Nations, not politicizing it. Addressing situations of violations of human rights, including gross and systematic violations, and making recommendations thereon was an integral part of the Council's mandate. The European Union therefore called on the members of the Council to adopt the draft resolution by consensus or, if a vote was requested, to vote in favour of it.

16. **Ms. Duncan Villalobos** (Costa Rica) said that, given the aggression by the Russian Federation against Ukraine and the reports of systematic human rights violations and possible crimes against humanity, the situation required the Council's continued attention. Human rights violations were exacerbated in situations of armed conflict, and women, children, older persons, persons with disabilities and members of other especially vulnerable groups were often those most affected. Her delegation was deeply troubled by the devastating impact of the war on access to health and mental health services, including maternal and child health services and services for the management and treatment of chronic diseases, and by reports of sexual and gender-based violence. It firmly supported the extension of the mandate of the Independent International Commission of Inquiry, which would help to ensure accountability. Her delegation emphatically condemned the forced transfer or deportation of children within Ukraine or to Russia, acts that could constitute war crimes, as well as the findings regarding the adoption of Ukrainian children by Russian families and other human rights violations noted in the draft resolution. Her delegation called on the members of the Council to adopt the draft resolution by consensus or, if a vote was requested, to vote in favour of it.

17. **Mr. Manley** (United Kingdom) said that, over the preceding year, he and others had delivered countless statements before the Council about the harrowing situation in Ukraine. Putin's war – there should be no doubt that the war was of his choice and of his making – was causing untold damage to the lives of millions of people, and not just in Ukraine. Thousands of Ukrainians had lost their lives while bravely defending their homeland or in indiscriminate attacks that had destroyed schools, hospitals and homes. Entire families had been ripped apart. Children's innocence had been torn away from them. Sadly, statements

made in the Council would not end that suffering or the pointless, barbaric acts of the Russian armed forces or their proxy mercenaries, which could amount to war crimes or crimes against humanity. However, the Council could ensure that the Independent International Commission of Inquiry could continue its vital work in documenting human rights violations and identifying perpetrators to prepare for future prosecutions. That work would provide hope to the victims, to the defenders of human rights, and to the millions of Ukrainians and, indeed, many Russians who looked to the Council to do the right thing. The United Kingdom would therefore support the draft resolution, and it encouraged other members of the Council to do so as well.

18. **Ms. Stasch** (Germany) said that the report of the Independent International Commission of Inquiry on Ukraine left no room for doubt: Russia was committing war crimes in Ukraine. For 404 days, daily shelling, attacks on infrastructure, even in the depths of winter, and loss of life and loved ones had been the grim reality for Ukrainians. For 404 days, Ukrainian children had been forcibly transferred and deported by Russia, as documented by the Commission. There could be no doubt that such acts amounted to a war crime.

19. Her delegation welcomed the special attention given in the draft resolution to the violations and abuses committed against children and to the need for the Commission to further document such violations of international humanitarian and international human rights law. The abduction of children was an attempt to steal the future of Ukraine. However, that attempt would fail. Perpetrators would be held accountable, and justice would be served.

20. The Russian war against Ukraine had global implications. The most vulnerable countries in particular were affected by fuel and food crises, and the breach of the Charter and the most fundamental principles of international law concerned everyone. Her delegation therefore called for the draft resolution to be adopted by consensus. It would deeply regret any call for a vote, in view of the vital importance of documenting human rights violations in Ukraine, but if a vote was requested, all members of the Council were urged to vote in favour of the draft.

21. **Ms. Lachaussée** (France) said that the Council had lived up to its responsibility in March 2022 when it had decided to establish an independent international commission of inquiry to document human rights violations stemming from the Russian aggression in Ukraine. One year later, the fears behind that decision had been borne out. It had been one year, almost to the day, since a horrified world had discovered the atrocities committed in Bucha. That had been the first in a series of ghastly discoveries that revealed systematic violations of international humanitarian and human rights law committed by the Russian army and its auxiliaries from the Wagner Group. The report of the Commission of Inquiry was damning: the violations documented included killings, torture, rape and sexual violence, targeted attacks on hospitals, schools and maternity wards, and the forced displacement of populations, including children. Violations on such a scale endangered the foundations of the international order.

22. Each member of the Council was now being asked once again to shoulder its responsibility. The Commission's work in collecting and analysing evidence and meticulously verifying information was essential if the perpetrators of the crimes committed in Ukraine were to be held accountable. The Commission must continue to document the forced deportation and adoption of Ukrainian children, as such illegal practices amounted to war crimes. There could be no peace without justice. The Council could not turn a blind eye to such human rights violations by a State that was violating the founding principles of the United Nations. In condemning those violations, the Council would not be neglecting the need to condemn other violations elsewhere; rather, it would be demonstrating its relevance by taking a strong stand when one of the most powerful members of the international community trampled on the very principles that it was bound to defend. Her delegation hoped that the draft resolution would be adopted by consensus. If it was put to a vote, all members of the Council were urged to vote in favour of it.

23. **Mr. Staniulis** (Lithuania) said that, for more than 400 days, Russia had been engaged in an illegal and unprovoked war of aggression against Ukraine. Despite the immense suffering caused to the Ukrainian people and the devastating consequences being felt globally, Russia was choosing to continue to violate international human rights law and

international humanitarian law, commit war crimes and possibly crimes against humanity in Ukraine, and threaten the rules-based international order as a whole. The world must be made aware of what was happening in Ukraine. It was for that reason that the Council had established the Independent International Commission of Inquiry on Ukraine, which provided objective and impartial factual information, as opposed to the disinformation and propaganda deliberately spread by Russia. Ensuring full accountability for the crimes committed by Russia in Ukraine was the top priority. The international community had a moral and legal duty to identify the perpetrators, hold them to account and ensure justice for victims and survivors. Lithuania thus fully supported the extension of the Commission's mandate. As the Council had a mandate to address situations of violations of human rights, strong support for the draft resolution would demonstrate its commitment to following through on that task. His delegation called on members of the Council to adopt the draft resolution by consensus or, if the draft was put to a vote, to vote in favour of it.

24. **Ms. Taylor** (United States of America) said that the unprovoked invasion of Ukraine by Russia was a clear violation of the Charter of the United Nations that had created a human rights tragedy and provoked dire humanitarian consequences in Ukraine, throughout Europe and around the world. The Independent International Commission of Inquiry on Ukraine, which had played a critical role in uncovering the true horrors of the war, had reached concrete conclusions that the Russian authorities had committed a wide range of human rights abuses and violations of international humanitarian law, many of which amounted to war crimes, including wilful killings, attacks on civilians, torture, rape and forced deportations of Ukrainian children.

25. The Commission of Inquiry had identified deeply troubling patterns, finding that actions by Russian forces and authorities could amount to crimes against humanity. Overall, its findings had shown a clear need for further investigations to uncover the full extent of abuses and atrocities, and the Council should act resolutely to ensure that the Commission could continue its important work. She hoped that the draft resolution would be adopted by consensus but, if it came to a vote, her delegation would vote in favour of it and called on all members of the Council to do the same.

*Statements made in explanation of vote before the voting*

26. **Ms. Li Xiaomei** (China) said that her Government was concerned about the crisis in Ukraine. Confrontation and conflict were not in any party's interests, and the current priority was to prevent the situation from escalating or even spiralling out of control. China had always stood for peace, for dialogue and on the right side of history. The international community should support dialogue between Russia and Ukraine, and no side should seek to place obstacles in the way of peace talks or add fuel to the fire. It was important to adhere to the purposes and principles of the Charter of the United Nations and to remember that the peaceful settlement of the crisis required respect for sovereignty and territorial integrity and for the reasonable security concerns of all countries. China had recently issued a document setting forth its position on the political settlement of the crisis.

27. The Council should abide by its founding principles of universality, impartiality, objectivity and non-selectivity and engage in constructive dialogue and cooperation while avoiding any politicization or instrumentalization of human rights issues. Its position on the Ukraine crisis should be conducive to dialogue and negotiation, seeking to ease tensions and to remove the root cause of the conflict. It was regrettable that the draft resolution was not objective and failed to take account of the security concerns of all parties, and was not conducive to a peaceful diplomatic settlement. For that reason, her delegation called for a vote on the draft resolution and would vote against it.

28. **Mr. Villegas** (Argentina) said that his Government had consistently expressed the position, with regard to the situation of human rights in Ukraine stemming from the Russian aggression, that all parties must respect international human rights law and international humanitarian law, all violations must be investigated and all perpetrators must be held to account, through measures for ensuring justice, the right to the truth, reparations and guarantees of non-repetition. His delegation had therefore voted in favour of Council resolution 49/1, under which the Commission of Inquiry had been established. Having undertaken several visits to the conflict zone and collected hundreds of witness statements,

the Commission had found a wide range of violations of international humanitarian and human rights law in many parts of Ukraine and the Russian Federation. Some of those amounted to war crimes, including wilful killings, attacks on civilians, unlawful confinement, rape and deportations of children. He was particularly concerned about the use of torture by the Russian authorities, which could amount to crimes against humanity. For those reasons, it was necessary for the investigations to continue so that perpetrators could be identified and held to account. His delegation would therefore vote in favour of the draft resolution.

29. **Mr. Hagos** (Eritrea) said that he was deeply concerned about the ongoing conflict in Ukraine. His country, which had itself been the victim of several externally imposed wars, stood in solidarity with the innocent victims who suffered as their country was sacrificed for perceived geopolitical interests. It was vital to address the root causes of the conflict, something that the draft resolution signally failed to do. Moreover, his Government was of the view that the text risked setting an unwelcome precedent, because the Human Rights Council should not take a position on matters upon which the Security Council and other United Nations bodies had already failed to agree. His delegation therefore also called for a vote. It would vote against the draft resolution and urged other Council members to do likewise.

30. **Mr. Badhe** (India) said that the global order to which all States subscribed was based on international law, the Charter of the United Nations and respect for territorial integrity and sovereignty. Those principles must be applied without exception. India remained concerned about the conflict in Ukraine, which had resulted in loss of life and countless miseries for its civilian population, particularly women, children and older persons. In accordance with international principles and jurisprudence, the parties to a conflict had a responsibility to ensure that civilians and civilian infrastructure were not targeted. No solution to the crisis could ever be reached at the cost of human lives, and an escalation of hostilities was in no one's interest. The only way forward was to return to the path of dialogue and diplomacy.

31. The conflict in Ukraine had a global impact, exacerbating concerns over supplies of food, fertilizer and fuel, particularly in developing countries. It was important to appreciate the importance of the affordability and availability of those critical commodities for the global South. For its part, India was providing humanitarian assistance to Ukraine and economic support for its economically distressed neighbours in the global South. He called for the human rights of people in Ukraine to be respected and protected and reiterated his country's abiding commitment to the global promotion and protection of human rights.

32. **Mr. Nkosi** (South Africa) said that, as a country that placed human rights at the very centre of its foreign policy, South Africa remained concerned about the situation in Ukraine, where the ongoing war continued to inflict pain and suffering on the most vulnerable. Moreover, the socioeconomic impact of the conflict had a global reach, especially affecting developing countries. His Government stressed the need to abide by international humanitarian and human rights law while upholding the purposes and principles of the Charter of the United Nations, and called for all States to settle international disputes by peaceful means in such a manner that international peace and security, and justice, were not endangered. The use of dialogue to resolve conflict defined the national identity of South Africa, as it had brought the country back from the brink of despair and enabled it to embark on a peaceful transition process, away from its shameful apartheid past, to become the proud democracy it was today.

33. Regrettably, the draft resolution under consideration would not bring the parties closer to such dialogue; rather than contributing to the resolution of the conflict, it would drive a deeper wedge between the two sides. His delegation therefore intended to abstain from voting on the text.

34. **Mr. Quintanilla Román** (Cuba) said that his Government remained firmly committed to the Charter of the United Nations and to international law and was profoundly saddened by the loss of innocent life in Ukraine in a conflict that was being prolonged and exacerbated by the use of bellicose rhetoric, the influx of weapons and the imposition of unilateral sanctions. Cuba upheld the right of States to independence, sovereignty and territorial integrity and the right of peoples to self-determination and peace. It supported the peaceful settlement of disputes and was unequivocally opposed to the threat or use of force.

Double standards, selectivity and the manipulation of human rights for political ends were entirely unacceptable. Resolutions could not simply be imposed against particular nations. There could be no cooperation on human rights issues without the consent of the States concerned.

35. The draft resolution before the Council did not seek to involve all the parties in negotiation with a view to reaching a real and lasting peace. It was a biased text that contradicted the principles of respectful dialogue, non-selectivity and non-politicization that should guide the Council's work. Moreover, it did not meet genuine concerns about human rights in Ukraine or provide solutions to promote the effective exercise of rights without discrimination. Cuba would continue to advocate a serious, constructive and realistic diplomatic solution, using peaceful means and in strict accordance with international law.

36. *At the request of the representatives of China and Eritrea, a recorded vote was taken.*

*In favour:*

Argentina, Belgium, Benin, Chile, Costa Rica, Côte d'Ivoire, Czechia, Finland, France, Gambia, Georgia, Germany, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mexico, Montenegro, Nepal, Paraguay, Qatar, Romania, Somalia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:*

China, Eritrea.

*Abstaining:*

Algeria, Bangladesh, Bolivia (Plurinational State of), Cameroon, Cuba, Gabon, Honduras, India, Kazakhstan, Kyrgyzstan, Morocco, Pakistan, Senegal, South Africa, Sudan, Uzbekistan, Viet Nam.

37. *Draft resolution [A/HRC/52/L.41/Rev.1](#) was adopted by 28 votes to 2, with 17 abstentions.*

38. **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 4.

39. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that her Government reiterated its commitment to the promotion, protection and fulfilment of the human rights to life and peace, as enshrined in the Constitution of the Plurinational State of Bolivia and in international instruments. At the same time, it rejected any attempts to employ human rights as a political tool to attack and destabilize other Governments. In fact, there was a worrying trend in which the noble cause of human rights was being used for geopolitical ends against certain developing countries that did not comply with imperialist interests.

40. Bolivia could not support mandates directed against specific countries, which did not help to create genuine dialogue and which amounted to a violation of the Charter of the United Nations, in particular regarding non-interference in the internal affairs of States. Failing to take account of the State concerned made it difficult to provide effective technical assistance. Moreover, it meant that balanced and reliable information could not be gathered, leading to a distorted picture of reality that could be used in campaigns that sought to isolate certain States. Double standards, selectivity and failure to take account of the devastating impact of unilateral coercive measures merely created mistrust. It was important that the Council should remain a multilateral forum that sought to promote honest and constructive dialogue, taking due account of the progress States had made and the challenges they faced, while strictly abiding by the Charter of the United Nations, without coercion, selectivity, politicization or double standards.

41. **Ms. Rodzli** (Malaysia) said that her Government was closely following the human rights and humanitarian situation in Ukraine and wished to urge all parties to take steps to de-escalate violence, protect civilians and pursue peaceful solutions in full compliance with their obligations under humanitarian and human rights law. The Commission of Inquiry and OHCHR should fulfil their mandates judiciously so as to facilitate dialogue between the parties concerned. The Council should call on all parties to the conflict to respect



international human rights law. It was important, moreover, that the Council's efforts to address the situation in Ukraine should remain consistent with its mandate as enshrined in General Assembly resolution 60/251 and the institution-building package contained in Council resolution 5/1. She wished to reaffirm her country's long-standing and unwavering commitment to the peaceful settlement of disputes. Malaysia would continue to support all efforts aimed at maintaining regional and international peace and security.

**Agenda item 7: Human rights situation in Palestine and other occupied Arab territories**  
([A/HRC/52/L.31](#), [A/HRC/52/L.32](#) and [A/HRC/52/L.42](#))

*Draft resolution [A/HRC/52/L.31](#): Human rights in the occupied Syrian Golan*

42. **Mr. Hashmi** (Pakistan), introducing the draft resolution on behalf of the main sponsors, namely the States Members of the United Nations that were members of the Organization of Islamic Cooperation (OIC) except Albania and Cameroon, said that the sponsors strongly condemned the illegal occupation of the Syrian Golan on the part of Israel. That decades-long occupation had given rise to numerous grave human rights violations, including the illegal imposition of Israeli citizenship on Syrian citizens, arbitrary arrests, torture, the exploitation of indigenous resources and the alteration of the area's demographic composition. All unlawful actions aimed at perpetuating the illegal occupation, and the entrenched impunity fuelling those actions, were to be rejected.

43. The draft resolution highlighted the international legal principle that the acquisition of territory by force was inadmissible and reaffirmed the illegality of the decision taken by Israel in 1981 to impose its own domestic laws in the occupied Syrian Golan. The text also expressed hope for the resumption of peace talks on the basis of Security Council resolutions 242 (1967) and 338 (1973). Moreover, Israel, the occupying Power, was called upon to comply with the relevant United Nations resolutions, in particular Security Council resolution 497 (1981). The text included language demanding the immediate cessation of all settlement-related plans and activities in the occupied Syrian Golan, including plans to expand such settlements and double the number of settlers in the coming years. It characterized Israeli actions aimed at changing the legal status of the Syrian Golan as a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention). Lastly, Member States were called upon not to recognize the illegal legislative and administrative measures put in place by Israel in the occupied Syrian Golan. He hoped that the draft resolution would be adopted by consensus.

44. **The President** said that seven 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.

45. **Ms. Eilon Shahar** (Observer for Israel) said that her statement addressed all three draft resolutions submitted under agenda item 7. At previous sessions of the Council, OIC and the Palestinian delegation had repeatedly called for an end to double standards, yet the draft resolutions presented under item 7 embodied the very same double standards they claimed to deplore. If the sponsors truly cared about accountability for human rights violations, they would not have actively worked to undermine fact-finding and investigative mechanisms in Yemen, Libya and Syria, where thousands had been killed and human rights violations continued to be committed. They would have supported the independent international fact-finding mission on the Islamic Republic of Iran and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran rather than attempting to deny access to accountability for women and girls, Baha'is, Baluchis and Kurds.

46. The Council had already adopted 100 resolutions against Israel, more than one third of all country-specific resolutions in the Council's history. At the same time, attempts to adopt resolutions on other situations were blocked by the very States now decrying double standards. The sponsors of the draft resolution sought only to target Israel. They did not care about human rights; they did not care about lesbian, gay, bisexual, transgender, queer and intersex persons in their own countries; they did not care about migrants who died building their stadiums; they did not care about the minorities they systematically suppressed; they

did not care about freedom of expression and peaceful assembly as they targeted and killed people who took to the streets to demand change.

47. Agenda item 7 represented an attempt on the part of certain States to prevent the Council from scrutinizing their own domestic human rights violations and to distract their people and prevent them from demanding more respect for their rights. Many of the States in favour of the draft resolution did not even recognize the right of Israel to exist or the right of the Jewish people to self-determination. Item 7 resolutions were not about accountability for human rights situations. They were a tool used by those who had attacked Israel ever since its creation, an embodiment of the organized hatred and discrimination that Israel had felt in the Council since that body's establishment in 2006. OIC members and other States that were outspoken in attacking Israel yet quiet on the situation of human rights in other countries, who sought accountability for some but blocked the same accountability for others, should abandon their double standards, stop the impunity they provided to despots around the world and cease the systematic hate they directed against Israel. Her delegation rejected agenda item 7 and called on all States to vote against all draft resolutions submitted thereunder.

48. **Mr. Ahmad** (Observer for the Syrian Arab Republic) said that his statement addressed draft resolutions [A/HRC/52/L.31](#) and [A/HRC/52/L.42](#). The repeated terrorist attacks on his country were a continuation of the criminal approach of the Israeli entity towards the people and countries of the region. Those attacks would not affect his country's determination to fully recover every grain of the occupied Syrian Golan; that right was not subject to negotiation or to a statute of limitations. The illegal Israeli measures and decision to annex the occupied Syrian Golan had no legal effect, in line with the resolutions of United Nations bodies, including Security Council resolution 497 (1981).

49. Throughout the years of occupation, the Government of Israel had implemented discriminatory and racist policies that affected all the basic rights of the population. They included colonial settlement policies, the theft of land and property and the plunder of natural resources, which changed the character, demographic composition and institutional structure of the occupied Syrian Golan. Noting the long-standing violations of international humanitarian and international human rights law, and their impact on the lives of the population, he encouraged the Council members to assume their responsibility and support the draft resolutions, whose well-established legal foundations revealed that the flimsy allegations put forward by some delegations were nothing more than flagrant double standards that encouraged the occupying Power to continue with its crimes.

50. The escalating scale and seriousness of violations related to the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan underscored the importance of draft resolution [A/HRC/52/L.42](#) as a tool for monitoring those grave violations, highlighting aspects of their illegality and reminding countries of their obligation not to engage in any activity that would prolong them. His delegation reaffirmed its full support for the mandate of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and called for the Committee to be granted access to those territories, including East Jerusalem and the occupied Syrian Golan. It encouraged Council members to adopt draft resolutions [A/HRC/52/L.31](#) and [A/HRC/52/L.42](#) by consensus, in order to send a clear message to the Israeli authorities and put an end to the unprecedented situation of unlimited impunity that enabled them to act as a force above the law.

*Statements made in explanation of vote before the voting*

51. **Ms. Stasch** (Germany) said that, while her Government's position on the illegality of annexation remained unchanged, the draft resolution focused only on Israel and distorted the realities of the situation in Syria, where hundreds of thousands of Syrians were suffering at the hands of the regime. Her delegation therefore called for a vote on draft resolution [A/HRC/52/L.31](#) and would vote against it.

52. **Mr. Jiang Han** (China) said that, in the occupied Syrian Golan, Israel continued to establish settlements, undermine Syrian sovereignty and violate the human rights of the population. The international community should implement the relevant Security Council

and Human Rights Council resolutions and call on Israel to respect the sovereignty and territorial integrity of Syria, abide by the Charter of the United Nations and international law, end its aggression and occupation, stop its violations of the Syrian people's human rights and provide reparation for the victims. His delegation would vote in favour of the draft resolution and called on other Council members to do the same.

53. **Ms. Taylor** (United States of America) said that the United States strongly and unequivocally opposed the Council's biased agenda item 7. No country, including her own, was above scrutiny, but no other States – including those that were the subject of resolutions adopted at the current session or those on which the Council had been unable to agree even to hold a debate – 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.

54. **Ms. Kauppi** (Finland), 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. As in previous years, 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 to 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.

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

*In favour:*

Algeria, Argentina, Bangladesh, Benin, Bolivia (Plurinational State of), Chile, China, Costa Rica, Côte d'Ivoire, Cuba, Eritrea, Gabon, Gambia, India, Kazakhstan, Kyrgyzstan, Malaysia, Maldives, Mexico, Morocco, Nepal, Pakistan, Paraguay, Qatar, Senegal, Somalia, South Africa, Sudan, United Arab Emirates, Uzbekistan, Viet Nam.

*Against:*

Belgium, Czechia, Finland, France, Georgia, Germany, Lithuania, Luxembourg, Malawi, Montenegro, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:*

Cameroon, Honduras.

56. *Draft resolution [A/HRC/52/L.31](#) was adopted by 31 votes to 14, with 2 abstentions.*

*Draft resolution [A/HRC/52/L.32](#): Right of the Palestinian people to self-determination*

57. **Mr. Hashmi** (Pakistan), introducing the draft resolution on behalf of the main sponsors, namely the States Members of the United Nations that were members of OIC except Albania and Cameroon, said that the realization of the right to self-determination was key to upholding human dignity and advancing human rights. Draft resolution [A/HRC/52/L.32](#) 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.

58. **The President** announced that 16 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.

59. **Mr. Khraishi** (Observer for the State of Palestine) said that his statement addressed draft resolutions [A/HRC/52/L.32](#) and [A/HRC/52/L.42](#). He did not understand the logic that could justify not voting in favour of resolutions under agenda item 7, for that would be voting against the Council, and States that did not respect the Council and its programme of work should not present their candidacy to join it. Self-determination was such a fundamental right that he could not understand why anyone would not vote in favour of it.

60. In 2018, the Knesset had adopted the Basic Law: Israel the Nation State of the Jewish People, under which Jewish citizens enjoyed the right to self-determination, a right that had been instrumental in helping many States Members of the United Nations put an end to colonialism and occupation; yet the Palestinian people were being denied that same right. States that claimed to be in favour of the two-State solution should first and foremost recognize the right of Palestinians to self-determination.

61. The Council members had all recognized the settlements in the Occupied Palestinian Territory as illegal under the terms of Article 2 of the Charter of the United Nations, the Hague Conventions and the Fourth Geneva Convention; under article 8 of the Rome Statute of the International Criminal Court, they could be considered as constituting a war crime. Both the Human Rights Council and the Security Council had adopted resolutions condemning the Israeli settlements in the Occupied Palestinian Territory and considering them to be contrary to international law.

62. However, successive Israeli Governments had continued to allow land to be stolen and, just the previous month, a decision had been adopted to overturn the 2005 decision on disengagement and to allow settlers to return to four settlements in the Gaza Strip. Moreover, the current Government had legalized nine new settlements; two weeks previously it had agreed to the building of 10,000 new units for settlers. The Israeli Prime Minister had justified that action by saying that nobody could prevent the Jews from settling on their historic homelands. However, the Palestinian people had been present before the advent of Judaism, Islam and Christianity; they were the Indigenous People of those lands. If the international community did not take action to end the daily theft of Palestinian land, it would kill the two-State solution. He urged all members of the Council to vote in favour of the right to self-determination to ensure the legal integrity of the international community.

63. **Ms. Taylor** (United States of America), speaking in explanation of vote before the voting, said that, while some Council members claimed they could not support country-specific resolutions that were not supported by the country concerned, even in some of the most egregious cases brought before the Council, those same States repeatedly supported each resolution that addressed Israel in that manner. One-sided resolutions submitted under agenda item 7 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. Her delegation called for a vote on draft resolution [A/HRC/52/L.32](#) and urged all Council members to vote against it.

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

*In favour:*

Algeria, Argentina, Bangladesh, Belgium, Benin, Bolivia (Plurinational State of), Chile, China, Costa Rica, Côte d'Ivoire, Cuba, Eritrea, Finland, France, Gabon, Gambia, Georgia, Germany, Honduras, India, Kazakhstan, Kyrgyzstan, Luxembourg, Malawi, Malaysia, Maldives, Mexico, Montenegro, Morocco, Nepal, Pakistan, Paraguay, Qatar, Senegal, Somalia, South Africa, Sudan, Ukraine, United Arab Emirates, Uzbekistan, Viet Nam.

*Against:*

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

*Abstaining:*

Cameroon, Lithuania, Romania.

65. Draft resolution [A/HRC/52/L.32](#) was adopted by 41 votes to 3, with 3 abstentions.

*Draft resolution [A/HRC/52/L.42](#): Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan*

66. **Mr. Hashmi** (Pakistan), introducing the draft resolution on behalf of the main sponsors, namely the States Members of the United Nations that were members of OIC except Albania and Cameroon, said that the text affirmed that any action taken 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 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.

67. The operative part of the draft resolution called for the full implementation of all relevant Security Council resolutions; demanded that Israel should immediately cease all actions causing the alteration of the character, status and demographic composition of the occupied territories; and urged States and international organizations to avoid taking actions that recognized, aided or assisted the expansion of settlements or the construction of the wall in the Occupied Palestinian Territory, including East Jerusalem. It was universally acknowledged that the illegal settlement policy was fuelling a human rights catastrophe. He hoped that the Council members would unanimously reject the Israeli Government's illegal settlement policy and adopt draft resolution [A/HRC/52/L.42](#) by consensus.

68. **The President** announced that 14 States had joined the sponsors of the draft resolution, which had no programme budget implications.

*Statements made in explanation of vote before the voting*

69. **Mr. Manley** (United Kingdom) said that the United Kingdom was committed to working with both Israel and the Palestinian Authority to advance towards a peaceful two-State solution, with Jerusalem as the two countries' shared capital. However, as other delegations had already noted, item 7 was the only item on the Council's standing agenda that singled out one individual country, namely Israel, for scrutiny. Such disproportionate scrutiny undermined efforts to promote dialogue, stability and mutual trust and understanding between the Israeli and Palestinian peoples, thereby damaging the prospects for a two-State solution. For that reason, the United Kingdom could not support any of the draft resolutions submitted under item 7.

70. Nevertheless, his delegation's position in that regard should not be misconstrued as an indication of support for illegal settlement activity or as being inconsistent with his country's support for Palestinian self-determination. The clear position of the United Kingdom was that settlements in the occupied territories were against international law. The approval of such settlements, including in East Jerusalem, constituted unilateral action that risked escalating the situation, threatened the two-State solution and undermined the commitments made at Aqaba and Sharm el-Sheikh. Israel must cease the approval of settlements, the legalization of outposts and evictions from and the demolition of Palestinian property in the occupied territory, particularly in East Jerusalem. His Government was also concerned about incidents of settler violence, such as those that had recently taken place in Huwara, which had gone unchecked for too long. Israeli security forces must provide protection to the Palestinian civilian population, as they were obliged to do under international law, investigate and bring the perpetrators of settler violence to justice and end the culture of impunity. The United Kingdom also condemned, in the strongest possible terms, indiscriminate rocket fire from Gaza and called on the Palestinian Authority to resume security cooperation with Israel. While the United Kingdom supported justified and proportionate scrutiny of the situation in Israel and the Occupied Palestinian Territory, the retention of item 7 on the Council's agenda was not the appropriate manner in which to ensure



such scrutiny. His delegation called for a vote on draft resolution [A/HRC/52/L.42](#) and would vote against it.

71. **Mr. Jiang Han** (China) said that his delegation welcomed the submission of draft resolution [A/HRC/52/L.42](#). In recent years, settlements in the occupied territory had continued to expand, seriously undermining the basic human rights of the Palestinian people. China had always firmly supported the just cause of the Palestinian people, efforts to restore their legitimate national rights and the establishment of a fully sovereign independent Palestinian State within the 1967 borders, with East Jerusalem as its capital. China called on all parties concerned to scrupulously implement all relevant United Nations resolutions, including those of the Human Rights Council, and urged Israel to stop expanding settlements, put an end to the expulsion of the Palestinian people and lift the blockade of the Gaza Strip as soon as possible. The Chinese delegation would vote in favour of the draft resolution and called on all members of the Council to do the same.

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

*In favour:*

Algeria, Argentina, Bangladesh, Belgium, Benin, Bolivia (Plurinational State of), Chile, China, Costa Rica, Côte d'Ivoire, Cuba, Eritrea, Finland, France, Gabon, Gambia, Germany, Honduras, India, Kazakhstan, Kyrgyzstan, Luxembourg, Malaysia, Maldives, Mexico, Montenegro, Morocco, Nepal, Pakistan, Paraguay, Qatar, Senegal, Somalia, South Africa, Sudan, United Arab Emirates, Uzbekistan, Viet Nam.

*Against:*

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

*Abstaining:*

Cameroon, Georgia, Lithuania, Romania, Ukraine.

73. *Draft resolution [A/HRC/52/L.42](#) was adopted by 38 votes to 4, with 5 abstentions.*

74. **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.

75. **Mr. Jiang Han** (China) said that the situation between Palestine and Israel had recently begun to escalate once again. His Government called on all parties concerned to maintain calm and show restraint in order to prevent the conflict from spiralling out of control. China had always supported the just cause of the Palestinian people and efforts to restore their legitimate national rights. The fundamental solution to the Palestinian issue was the two-State solution. The international community should take urgent action to advance towards that goal, with a view to the achievement of peaceful coexistence. China was ready to work with the international community to promote an early, comprehensive, just and lasting solution to the Palestinian issue and uphold international justice and equity. For those reasons, his delegation had voted in favour of the resolutions submitted under item 7 on the human rights situation in Palestine and other occupied Arab territories.

**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/52/L.12](#), [A/HRC/52/L.13](#) and [A/HRC/52/L.30](#))**

*Draft resolution [A/HRC/52/L.12](#): Mandate of Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*

76. **Mr. Kouame** (Côte d'Ivoire), introducing the draft resolution on behalf of the main sponsors, namely the Group of African States, said that the text was essentially a technical update that reflected all the suggestions made during the informal consultations. His delegation was pleased that a consensus had been reached on the renewal of the mandate of Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance for a further three years, and urged all States to work closely with the mandate holder.

77. **The President** said that 22 States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

*General statements made before the decision*

78. **Ms. Duncan Villalobos** (Costa Rica) said that her country was committed to actively combating racism and racial discrimination in all contexts, in accordance with the Universal Declaration of Human Rights. Much remained to be done to put an end to the cultural and social consequences of colonialism and the transatlantic slave trade, which continued to cause widespread poverty in many parts of the world. The renewal of the mandate of Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance was fundamental to that end. Her delegation welcomed the inclusion in the draft resolution of language on the opportunity presented by the seventy-fifth anniversary of the Universal Declaration and the thirtieth anniversary of the Vienna Declaration and Programme of Action to stress the important role played by the struggle against racial discrimination in the development of United Nations human rights norms and practices. Costa Rica called on all members of the Council to adopt the draft resolution by consensus.

79. **Ms. Taylor** (United States of America) said that her Government was dedicated to addressing racial injustice and inequities at home and abroad. The United States had issued a standing invitation to all United Nations experts who reported and advised on thematic human rights issues and was particularly committed to working with the mandate holders of special procedures on issues related to racial justice. In 2022, her country had been visited by the Special Rapporteur on minority issues; it looked forward to forthcoming visits by the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. As the President of the United States had repeatedly emphasized, great nations did not hide their shortcomings; rather, they acknowledged them and openly strove to improve. Her delegation was therefore proud to be a sponsor of draft resolution [A/HRC/52/L.12](#).

80. **Mr. Manley** (United Kingdom) said that his delegation was pleased to be one of the sponsors of the draft resolution. The United Kingdom remained staunchly committed to tackling all forms of racism, xenophobia and related intolerance, including through its Inclusive Britain Action Plan, adopted in 2022. Racism had the power to hamper opportunity and painfully disrupt lives in all societies. His delegation was convinced that the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance had an important role to play in collective efforts to combat the scourge of racism and therefore strongly supported the draft resolution.

81. **Mr. Staniulis** (Lithuania) said that the support shown for the mandate of Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance demonstrated the determination of States to guarantee equality before the law for all and eliminate all forms of systematic oppression. The Special Rapporteur played an important role in advising government institutions and officials on how to ensure that all persons were fully included in cultural, social and economic life and public affairs without discrimination. His Government remained fully committed to that goal and to cooperating with the Special Rapporteur.

82. *Draft resolution [A/HRC/52/L.12](#) was adopted.*

*Draft resolution [A/HRC/52/L.13](#): Mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action*

83. **Mr. Kouame** (Côte d'Ivoire), introducing the draft resolution on behalf of the main sponsors, namely the Group of African States, said that the text consisted of a technical update that would extend the mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action for a further three years and would allow the annual two-week session of the Working Group to be split into two full one-week sessions, one of which would be devoted exclusively to the elaboration and finalization of the draft United Nations declaration on the promotion of and full respect for the human rights of people of African descent. Through the draft resolution,

the Council would also allow the Chair of the Working Group to convene full-day informal intersessional consultations to advance efforts in that regard. The importance of the Durban Declaration and Programme of Action to the fight against racism, racial discrimination, xenophobia and related intolerance should not be underestimated. The Group of African States therefore called on all members of the Council to support the renewal of the mandate of the Working Group by consensus and to actively participate in its sessions.

84. **The President** said that three States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

85. **Ms. Duncan Villalobos** (Costa Rica), making a general statement before the voting, said that the Durban Declaration and Programme of Action was a comprehensive framework and solid basis for United Nations efforts to combat racism, discrimination, xenophobia and related intolerance. In their efforts to implement the Durban Declaration, States must engage in inclusive and honest dialogue in order to achieve structural, social and cultural change. Her delegation therefore welcomed the renewal of the Working Group's mandate and looked forward to continuing to discuss, among other things, the draft declaration on the promotion of and full respect for the human rights of people of African descent. Her delegation called on the members of the Council to adopt the draft resolution by consensus.

*Statements made in explanation of vote before the voting*

86. **Ms. Taylor** (United States of America) said that the United States was firmly committed to countering all forms of racism and hate, including through its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and its engagement with various United Nations mechanisms and special procedures whose mandates related to racial justice. At the same time, it remained focused on addressing antisemitism. One priority should not be pursued at the expense of the other. Her delegation regretted that draft resolution [A/HRC/52/L.13](#), which focused entirely on the implementation of the Durban Declaration and Programme of Action, did not allow the Council to tackle both issues. It was important to acknowledge that the Jewish community continued to experience real pain as a result of the overt antisemitism that had been expressed in and around parts of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and its preparatory conference. Racism and antisemitism could not be effectively addressed separately. She hoped that the international community would one day be able to work together to find a way to embrace the spirit of anti-racism expressed in the Durban Declaration and Programme of Action, collectively acknowledge the divisive aspects of it and move forward jointly to combat all forms of hate. As that time had not yet come, however, her delegation called for a vote on the draft resolution and would vote against it.

87. **Ms. Kauppi** (Finland), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union was fully committed to the promotion and protection of human rights for all without discrimination of any kind. Universal adherence to and the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination were core priorities for the European Union, as the Convention was the cornerstone of the international community's joint efforts to combat racism. While the European Union had a long-standing tradition of engaging actively and constructively with the work of the Intergovernmental Working Group, she wished to reiterate that the Union would welcome a discussion on how to enhance the effectiveness of the different mechanisms established under the Durban Declaration and Programme of Action, with a view to enhancing their complementarity. Despite the absence of such a discussion, the European Union supported the draft resolution and the States members of the European Union that were members of the Council would vote in favour of it.

88. **Mr. Manley** (United Kingdom) said that there was no place in society for discrimination of any kind; his Government continued to treat all forms of discrimination with equal seriousness. His delegation understood the importance that many members of the Council attached to the Durban Declaration and Programme of Action and remained in agreement with the vast majority of its contents. However, the United Kingdom was also unequivocal in its condemnation of antisemitism, wherever and whenever it occurred. The



association of the Durban process with antisemitism meant, therefore, that his delegation was unable to support draft resolution [A/HRC/52/L.13](#).

89. **Ms. Lachaussée** (France) said that the political, economic and social development of France, as well as its arts and culture, had been built on diversity. France was aware of the importance of colonialism and slavery in its history. In 2001, it had adopted a law recognizing the slave trade and slavery as crimes against humanity. It had proclaimed 10 May as a national day to commemorate the women and men who had experienced and fought against slavery. Racism, antisemitism, all forms of racial discrimination and incitement to hatred ran counter to the country's republican values, the foremost of which was equality. Her Government's approach to eradicating racism, antisemitism and xenophobia was rooted in respect for the dignity of every human being.

90. Her delegation regretted that draft resolution [A/HRC/52/L.13](#) made no reference to the International Convention on the Elimination of All Forms of Racial Discrimination. The reference in the draft resolution to the preparation of a draft United Nations declaration on the promotion of and full respect for the human rights of people of African descent was not compatible with the principle that human rights were indivisible and universal, as enshrined in the Universal Declaration of Human Rights. All persons must be able to fully enjoy their rights by virtue of their humanity, not their origin or situation. Nevertheless, because France fully assumed its responsibility to fight racism, antisemitism and all forms of discrimination, it would vote in favour of the draft resolution.

91. **Mr. Jiang Han** (China) said that racial discrimination, xenophobia and related intolerance trampled upon equality, freedom and justice. They were serious violations of human rights and a major threat to peace, stability and development in the world. The Durban Declaration and Programme of Action was a cornerstone of the world's anti-racist efforts. China called upon all countries to work together with the Intergovernmental Working Group to promote dialogue among different races and civilizations, enhance international cooperation and seek equality for all. For those reasons, his delegation would vote in favour of the draft resolution.

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

*In favour:*

Algeria, Argentina, Bangladesh, Belgium, Benin, Bolivia (Plurinational State of), Cameroon, Chile, China, Costa Rica, Côte d'Ivoire, Cuba, Czechia, Eritrea, Finland, France, Gabon, Gambia, Georgia, Germany, Honduras, India, Kazakhstan, Kyrgyzstan, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mexico, Montenegro, Morocco, Nepal, Pakistan, Paraguay, Qatar, Romania, Senegal, Somalia, South Africa, Sudan, Ukraine, United Arab Emirates, Uzbekistan, Viet Nam.

*Against:*

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

*Abstaining:*

None.

93. *Draft resolution [A/HRC/52/L.13](#) was adopted by 45 votes to 2.*

*Draft resolution [A/HRC/52/L.30](#): Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief*

94. **Mr. Hashmi** (Pakistan), introducing the draft resolution on behalf of the main sponsors, namely the States Members of the United Nations that were members of OIC, said that the Council's consistent adoption by consensus of previous resolutions on the same subject demonstrated its common resolve to combat intolerance, discrimination and violence against persons based on religion or belief.

95. Draft resolution [A/HRC/52/L.30](#) reiterated the Council's deep concern over the rising instances of intolerance, discrimination, xenophobia and violence against individuals and communities because of their religious beliefs. To address that issue directly and effectively, the draft included language calling upon States to implement the action plan outlined in paragraphs 7 and 8 for the implementation of Council resolution 16/18, including steps to speak out against any advocacy of religious hatred, criminalize hate speech, stamp out discrimination and foster interfaith dialogue and harmony. The draft also referred to the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, which had served as a useful platform for the exchange of views and best practices among States, civil society, faith communities, the private sector and other relevant stakeholders.

96. While the political consensus on the issue had endured, there had been an upsurge in religious intolerance, discrimination, negative stereotyping and Islamophobia worldwide. The highly offensive public desecration of the Qur'an in some countries that had made a commitment to the implementation of the action plan reflected a growing gap between rhetoric and reality. The Istanbul Process should not be limited to annual statements that clearly lacked credibility.

97. The tendency to pit one fundamental freedom against another as a pretext for silence and inaction must be stopped. OIC wished to underscore that respecting each other's religions, revered personalities and holy scriptures was essential for promoting peace and harmony among and within societies. OIC therefore hoped that the adoption of the draft resolution by consensus, coupled with its meaningful implementation, would help advance the realization of those shared objectives.

98. **The President** said that four States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

99. **Ms. Kauppi** (Finland), making a general statement before the decision on behalf of the States members of the European Union that were members of the Council, said that freedom of thought, conscience and religion or belief was a universal human right. Everyone had the right to manifest his or her religion or belief without fear of intimidation, discrimination, violence or attacks. As the United Nations High Commissioner for Human Rights had recently recalled in an open letter, free speech was not a free pass to spread harmful disinformation. Nevertheless, the international community was witnessing a rise in hate speech on social media and elsewhere. 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 would join the consensus on the draft resolution.

100. **Mr. Jiang Han** (China), speaking in explanation of position before the decision, said that his Government was concerned about the current rise in intolerance, negative stereotypes, stigmatization and discrimination on the basis of religion or belief in various parts of the world. The recent burning of the Qur'an showed the utter hypocrisy of some Western officials' claims to respect freedom of religion and the importance of intensifying efforts to combat religious intolerance. China would continue to work with other countries to promote dialogue among civilizations in a common effort to safeguard the freedom of religious belief of all groups. It would join the consensus on the draft resolution.

101. *Draft resolution [A/HRC/52/L.30](#) was adopted.*

102. **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 9.

103. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia) said that her Government reaffirmed its commitment to combating racism and all forms of discrimination. All countries should step up their efforts to combat structural racism, which perpetuated a system of domination, exploitation and exclusion, and implement the Durban Declaration and Programme of Action. Discrimination adversely affected the individual and collective rights of vulnerable groups, Indigenous Peoples, people of African descent and others. The

Plurinational State of Bolivia was proud of its diversity and was building a just and harmonious society. The resolutions adopted under agenda item 9 thus represented an important contribution to the international community's joint efforts to combat racism and all forms of discrimination.

104. **Mr. Nkosi** (South Africa) said that his delegation appreciated the adoption by consensus of draft resolution [A/HRC/52/L.12](#) on the mandate of Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. It urged all States to give the Special Rapporteur their full support for that crucial mandate. It was also grateful for the overwhelming support for draft resolution [A/HRC/52/L.13](#) on the mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. Almost on a daily basis, gruesome events demonstrated that the scourge of racism, racial discrimination, xenophobia and related intolerance persisted in all parts of the world. It was disconcerting to note the unrelenting efforts to end the mandate of the Working Group. The call for a vote and the votes against the renewal of the existing mandate were contrary to public declarations of commitment to the fight against racism. Some members' indifference to the resolution was a betrayal of those who were subjected on a daily basis to the indignity of racism, racial discrimination, xenophobia and related intolerance. Delegations should remain undeterred by that opposition and should actively participate in the Working Group and other relevant mechanisms in support of accelerated action for racial equality.

**Agenda item 10: Technical assistance and capacity-building** ([A/HRC/52/L.17/Rev.1](#) as orally revised, [A/HRC/52/L.28](#), [A/HRC/52/L.33](#) as orally revised, [A/HRC/52/L.35](#) and [A/HRC/52/L.36](#))

*Draft resolution [A/HRC/52/L.17/Rev.1](#), as orally revised: Technical assistance and capacity-building to improve the human rights situation in Haiti, in connection with a request from the authorities of Haiti for coordinated and targeted international action*

105. **Mr. Viard** (Observer for Haiti), introducing the draft resolution, as orally revised, said that his Government was seriously concerned about the inhuman situation that the Haitian people were experiencing. The barbarity of armed gangs had reached its highest level. They kidnapped, burned alive and executed people, including older persons, children and pregnant women. No one escaped such atrocities. Rape was often collective and used as a means of pressure to negotiate ransoms. Some hospitals had been forced to close because they could no longer be supplied with medicines and often their staff were kidnapped. Food was becoming increasingly scarce and the humanitarian crisis was worsening. The country's security forces were underequipped, but armed gangs were well supplied on the informal market. The fact that they controlled most of Port-au-Prince and several other cities was resulting in a shortage of basic necessities and medical care, undermining the efforts of the Haitian Government and hindering the realization of human rights.

106. Life had come to a halt in Haiti. The few businesses that remained were closing their doors. High unemployment had created fertile ground for the recruitment of new gang members. Haiti had neither the technical capacity nor the resources to effectively combat armed gangs in its territory and consolidate its progress on human rights. According to the United Nations Integrated Office in Haiti, more than 530 people had been murdered between January and mid-March 2023. His Government welcomed the recent visit to Haiti of the High Commissioner for Human Rights and reiterated its request for the appointment of an independent human rights expert without delay for a renewable period of one year.

107. Haiti needed technical assistance and capacity-building, as well as coordinated and targeted international action, to effectively combat armed gang violence and to contribute to the re-establishment of security and the effectiveness of the humanitarian response, the organization of democratic elections and the restoration of democratic institutions. He called on members, therefore, to adopt the draft resolution by consensus.

108. **The President** said that 26 States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

*General statements made before the decision*

109. **Ms. Duncan Villalobos** (Costa Rica) said that the human rights situation in Haiti was alarming. Armed criminal gangs sowed terror and committed atrocities against the civilian population, including kidnappings, torture, beheadings and other mutilations, massacres and systematic sexual and gender-based violence. The situation in Haiti was unlike any other in the Latin American and Caribbean region. The international community could not sit back and do nothing. Thousands of people had been forced to flee the country for their lives and their families' future.

110. The Council must ensure that the Haitian Government's requests for assistance were met, in particular the appointment of a human rights expert who would work closely with the High Commissioner. Costa Rica joined the Haitian Government's appeal to States, human rights mechanisms, civil society organizations, humanitarian organizations and all actors of the international community to coordinate their actions, with the support of OHCHR, so that aid to Haiti was directed to the human rights needs and priorities defined by the Haitian State. By adopting the draft resolution without a vote, Council members would show that they stood with Haiti, its people and its Government.

111. **Ms. Kauppi** (Finland), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union welcomed the initiative taken by Haiti to introduce the draft resolution. The draft had evolved since it had first been introduced and was currently well in line with the mandate of the Council. The human rights situation in Haiti continued to deteriorate significantly. In the first two weeks of March 2023 alone, clashes between gangs had left at least 208 killed, 164 injured and 101 kidnapped. Sexual violence was used by gangs against women and children. As of mid-March 2023, at least 160,000 people had been displaced. Chronic instability and gang violence had contributed to surging prices and food insecurity.

112. The magnitude of the problems was such that the attention and support of the international community were required. The draft resolution would allow OHCHR to strengthen its cooperation with Haiti. Through the designation of an independent expert, the High Commissioner would be able to keep the Council informed and make recommendations to both Haiti and the international community. The multidimensional crisis faced by Haiti required coordinated international action, and targeted action against armed gangs. Her delegation called on the High Commissioner to ensure that OHCHR and the designated expert acted in close cooperation with the United Nations Integrated Office in Haiti. It called on the Government of Haiti to make the most of the current opportunity to do its part with respect to the re-establishment of the rule of law, including the fight against corruption, and fully cooperate with OHCHR and the future designated expert. The European Union was pleased to join the consensus on the draft resolution.

113. **Mr. Manley** (United Kingdom) said that the representative of Haiti had presented a horrifying account of how gangs used sexual violence, including rape, as a strategy to instil fear into communities across the country. Women and children clearly continued to be the most seriously affected by the escalating insecurity. The United Kingdom supported the High Commissioner's call for action by the international community to assist the Haitian authorities in tackling the underlying causes of gang violence. It also strongly supported the appointment of a human rights expert to monitor the situation in the country, as well as the Council's renewed focus on the issue. His Government encouraged Haitians to collaborate in seeking a solution to the political impasse by tackling the deep-rooted economic, humanitarian and security challenges that blighted the daily lives of the people. It welcomed the recent moves towards a broader dialogue in the effort to reach a consensus. Lastly, the United Kingdom, which was a sponsor of the draft resolution, encouraged the Council to adopt it by consensus.

114. **Mr. Bonnafont** (France) said that Haiti and the Haitian people were suffering from a major deterioration in the security, humanitarian, political and human rights situation. The armed gangs' grip on the country had reached alarming proportions. France was taking all possible steps, together with its European and other partners, to assist the Haitian people and Government. Its bilateral action included support for the Haitian National Police and humanitarian aid, which had totalled €8.5 million in 2022, including €5 million in food aid.

The High Commissioner's visit to Haiti in February 2023 had highlighted one of the worst situations in the world in terms of poverty and terror. Predatory armed gangs had taken over many parts of the capital city, controlling access to water, food, health care and fuel. Kidnappings were commonplace and children were prevented from attending school, recruited to perpetrate violence or subjected to violence themselves.

115. Notwithstanding the terrible state of affairs, France was convinced that the situation was not insurmountable and could be gradually improved. The multiple crises affecting the human rights situation must be addressed primarily by the Haitian people and their Government. However, the scale of the problems demanded the attention and support of the international community. The draft resolution called for enhanced United Nations support for the country through the appointment of a human rights expert to provide advice and technical assistance to the Government. The text's adoption should also generate further action by the international community to address the critical situation in Haiti. His delegation sincerely hoped that it would be adopted by consensus.

*Statements made in explanation of position before the decision*

116. **Mr. Villegas** (Argentina) expressed concern about the multidimensional crisis in Haiti, especially the resurgence in violence perpetrated by armed gangs and its impact on human rights. The High Commissioner's recent visit to Haiti demonstrated that the United Nations system recognized the urgent need to support action by State institutions to reduce such violence. The international response should focus, as a matter of priority, on the human rights of Haitians.

117. Argentina expressed its solidarity with the Haitian Government and people and its willingness to support initiatives aimed at building the capacity of institutions to promote and protect human rights in Haiti. The fact that the draft resolution had been submitted by the country concerned demonstrated the Haitian authorities' political will to improve the situation on the ground by means of a human rights-based approach. His delegation therefore trusted that the draft resolution would be adopted by consensus. However, it considered that references to security issues should be avoided in draft resolutions submitted to the Council, since they did not fall within the mandate of either the Human Rights Council or OHCHR, but rather constituted the fundamental mandate of the Security Council. Proposals under agenda item 10 should focus on technical assistance and capacity-building in the area of human rights.

118. **Mr. Quintanilla Román** (Cuba) said that Haiti deserved the respect and support of the international community, which had a moral obligation to provide it with unconditional cooperation and support with full respect for its sovereignty. Haiti had carried out the first major social revolution in the hemisphere. It had been punished and victimized for its abolition of slavery and defence of its independence through foreign interventions and the theft of its resources for almost 200 years.

119. Cuba reiterated its solidarity with Haiti during the current complex crisis and would continue to provide the aid that it had been donating since 1998. All international aid should be based on the principles of international assistance and cooperation and on the consent and leadership of the Haitian people and Government. His delegation appreciated the constructive spirit and flexibility demonstrated by the sponsors of the draft resolution, which had resulted in a more balanced text and the removal of content that was inconsistent with the mandate of the Human Rights Council and OHCHR. Accordingly, Cuba would join the consensus in support of the draft resolution.

120. *Draft resolution [A/HRC/52/L.17/Rev.1](#), as orally revised, was adopted.*

*Draft resolution [A/HRC/52/L.28](#): Cooperation with Georgia*

121. **Mr. Darsalia** (Georgia), introducing the draft resolution, said that the Council had adopted resolutions on cooperation with Georgia each year since 2017. The current draft resolution addressed the grave situation in the Abkhazia and Tskhinvali regions of Georgia that were occupied by Russia. Notwithstanding the Council's requests and the repeated efforts of the High Commissioner for Human Rights, the Russian Federation, the occupying

Power, continued to prevent OHCHR and other international human rights monitoring mechanisms from entering the two Georgian regions.

122. The humanitarian situation in the occupied regions had regrettably been worsening on a daily basis. The population continued to suffer from illegal militarization, installation of artificial barriers and ever-increasing human rights violations, including kidnapping, arbitrary detention, torture and ill-treatment, deprivation of life, infringements of the right to property and the right to health, restrictions on education in one's native language, and ethnic discrimination. The violations affecting ethnic Georgians were clearly depicted in the latest report of the High Commissioner for Human Rights (A/HRC/51/64). Georgian citizens remained in lengthy illegal detention in both occupied regions. The lack of accountability for the deaths of David Basharuli, Giga Otkhozoria, Archil Tatunashvili and Irakli Kvaratskhelia continued to contribute to the climate of impunity and rendered the recurrence of such heinous crimes even more predictable.

123. Multiple waves of ethnic cleansing by Russia continued to deprive hundreds of thousands of internally displaced persons and refugees of their fundamental right to return to their homes in safety and dignity. Moreover, the deliberate policy of driving ethnic Georgians out of the Abkhazia and Tskhinvali regions continued to be implemented. The negative impact of the occupation was being felt even more painfully by vulnerable groups such as women and children, older persons and persons with disabilities. The pattern of behaviour displayed by Russia, its ongoing illegal occupation of both Georgian regions, and the steps being taken towards their annexation brazenly undermined the fundamental principles of international law and posed a grave threat to peace and security in the region and beyond.

124. The effective control exercised by Russia and its full responsibility for human rights in the occupied Abkhazia and Tskhinvali regions of Georgia had been confirmed by the European Court of Human Rights judgment of 21 January 2021 and the findings of the investigation by the International Criminal Court. In addition, the European Court of Human Rights judgment of 7 March 2023 confirmed that the Abkhazia region had been under the effective control of the Russian Federation even before the Russian aggression against Georgia in August 2008 and that Russia bore full responsibility for grave human rights violations committed against ethnic Georgians in the region.

125. The draft resolution reflected the urgent need for OHCHR and other international human rights monitoring mechanisms to be given access to both regions of Georgia. His delegation hoped that the draft would be adopted by consensus.

126. **The President** said that 12 States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

*General statements made before the voting*

127. **Ms. Duncan Villalobos** (Costa Rica) said that the human rights and humanitarian situation of the inhabitants of Abkhazia and South Ossetia was extremely worrying and continued to deteriorate. OHCHR continued to receive reports of human rights violations within and around the regions, including discriminatory restrictions on the access of ethnic Georgians to education in their mother tongue and to personal documents required for the enjoyment of human rights. Freedom of movement and access to livelihoods and an adequate standard of living, pensions, markets, health care, liberty and security of person, family life and property continued to be restricted.

128. The European Court of Human Rights had confirmed that the Russian Federation was responsible for human rights violations in Abkhazia and South Ossetia. The authorities who exercised effective control over those regions, in contravention of the sovereignty, independence and internationally recognized borders of Georgia, had repeatedly denied access to OHCHR. Her delegation supported the demand to provide immediate and unimpeded access to OHCHR and international and regional human rights mechanisms to Abkhazia and South Ossetia in order to secure adequate respect for the human rights of the population. Technical assistance should continue to be provided to Georgia in the area of human rights, paying particular attention to women and children, older persons and vulnerable groups. Her delegation called on Council members to adopt the draft resolution by consensus.



129. **Ms. Kauppi** (Finland), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union welcomed the continuing constructive cooperation of Georgia with OHCHR in implementing its obligations under international human rights law. The European Union urged Georgia to continue that dialogue and to uphold its commitment to the promotion of democracy, the rule of law and human rights. Its request for technical assistance in those areas deserved the Council's full support.

130. Under the draft resolution, the Council would demand that OHCHR and international and regional human rights mechanisms should be given immediate and unimpeded access to the Georgian regions of Abkhazia and Tskhinvali, South Ossetia, for the purpose of conducting an independent assessment of the population's human rights protection needs. The European Union remained seriously concerned about the human rights violations reported by OHCHR, including violations of the rights to education, health and property, discrimination based on ethnicity, and restrictions on freedom of movement. It echoed the calls of OHCHR for accountability and prompt and thorough investigations of all allegations of torture and ill-treatment. The European Union reiterated its firm support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders. It hoped that the draft resolution would be adopted by consensus.

131. **Mr. Manley** (United Kingdom) said that his Government reaffirmed its full support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders. It also commended Georgia for its ongoing and constructive cooperation with OHCHR. However, OHCHR staff were systematically denied access to the Georgian regions of Abkhazia and South Ossetia, and it had thus not been possible to conduct a baseline assessment of the human rights situation in those regions. There were persistent allegations of human rights violations, including arbitrary deprivation of liberty, all forms of discrimination and restrictions on freedom of movement. The current draft resolution responded to those concerns by calling for OHCHR to be given access to the regions and for the High Commissioner to submit a report to the Human Rights Council. His delegation therefore encouraged all members of the Council to support the draft resolution.

132. **Ms. Taylor** (United States of America) said that her Government condemned the Russian occupation of the regions of Abkhazia and South Ossetia. The citizens of those regions had lived for years under Russian occupation. Tens of thousands had been displaced, persecuted and impoverished; many had been deprived of their lives and livelihoods. The United States stressed its unwavering support for the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders. The work of OHCHR in Georgia was critical and must continue. The United States therefore urged all Council members to support the draft resolution.

133. **Ms. Filipenko** (Ukraine) condemned in the strongest possible terms the attack by Russia on the sovereign State of Georgia and its occupation of Abkhazia and the Tskhinvali region of South Ossetia. The Putin regime had shown its real face for the first time 15 years previously when it had launched its criminal crusade in Georgia involving gross human rights violations, war crimes and crimes against humanity. In Ukraine, the whole world was currently witnessing the culmination of the decade-long quest by Russia to fulfil its imperial ambitions. Killings, abductions, arbitrary detentions, and restrictions on movement and access to humanitarian aid were well-known hallmarks of the Kremlin's playbook of crimes and abuses. Ukraine deplored the continuous violations of human rights by Russia in the occupied territories of Georgia and reaffirmed its unwavering support for the sovereignty, independence and territorial integrity of Georgia within internationally recognized borders. Given the critical importance of enabling OHCHR to monitor all those violations, Ukraine would vote in favour of the draft resolution and called on other Council members to do likewise.

*Statements made in explanation of vote before the voting*

134. **Mr. Idris** (Eritrea) underscored the importance of technical cooperation and capacity-building and their role in helping countries to address human rights challenges. Eritrea encouraged the Council to continue fulfilling its technical assistance mandate and enhancing

its technical advisory role in order to reduce inequalities among States in the promotion and protection of human rights.

135. His Government supported in principle the request of Georgia for technical assistance. However, it opposed any attempt to link technical assistance to strategic and other matters that were unrelated to human rights. Such unwarranted linkages would not only distract the Council from its primary focus, but might also motivate it to address issues that were far removed from its mandate. As the draft resolution was highly politicized and raised controversial issues relating to border disputes, his delegation requested a vote and would vote against it, and encouraged other Council members to do likewise.

136. **The President** said that Lithuania had withdrawn its sponsorship of the draft resolution.

137. **Mr. Staniulis** (Lithuania) said that the draft resolution was a balanced text that included a request to OHCHR to continue providing technical assistance through its field office in Tbilisi and a request for OHCHR and other human rights mechanisms to be granted immediate and unimpeded access to the occupied Georgian regions of Abkhazia and Tskhinvali/South Ossetia. The draft also included a request for subsequent reporting by OHCHR to the Council. His delegation strongly encouraged the Council to provide technical assistance and capacity-building as an appropriate and effective tool for the promotion and protection of human rights. It appreciated the assistance currently provided by the OHCHR field office and commended Georgia for its constructive cooperation. Continuous support for Georgia by the international community was of the utmost importance.

138. His Government remained deeply concerned about the continuous human rights violations in the regions of Abkhazia and Tskhinvali/South Ossetia that were occupied by Russia. The alleged violations included restrictions on freedom of movement and on the rights to health, property and education, as well as discrimination against Georgians on grounds of ethnicity. The testimonies indicating that Georgian citizens in the occupied regions had been victims of torture, ill-treatment and deprivation of life were extremely alarming. The draft resolution was therefore a significant tool for addressing the worsening situation on the ground. His delegation would vote in favour of the draft resolution and urged all Council members to do likewise.

139. *At the request of the representative of Eritrea, a recorded vote was taken.*

*In favour:*

Belgium, Chile, Costa Rica, Czechia, Finland, France, Gambia, Georgia, Germany, Honduras, Lithuania, Luxembourg, Malawi, Maldives, Mexico, Montenegro, Paraguay, Romania, Senegal, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:*

Bolivia (Plurinational State of), China, Cuba, Eritrea.

*Abstaining:*

Algeria, Argentina, Bangladesh, Benin, Cameroon, Côte d'Ivoire, Gabon, India, Kazakhstan, Kyrgyzstan, Malaysia, Morocco, Nepal, Pakistan, Qatar, Somalia, South Africa, Sudan, United Arab Emirates, Uzbekistan, Viet Nam.

140. *Draft resolution [A/HRC/52/L.28](#) was adopted by 22 votes to 4, with 21 abstentions.*

*Draft resolution [A/HRC/52/L.33](#), as orally revised: Technical assistance and capacity-building to improve human rights in Libya*

141. **Mr. Kouame** (Côte d'Ivoire), introducing the draft resolution, as orally revised, on behalf of the main sponsors, namely the Group of African States, said that it had been drafted with the full participation of the country concerned. In addition to calling for the provision of technical assistance and capacity-building, it also sent a clear message to the State concerned to respect its international obligations and to improve the human rights situation of its citizens and others in the country. He called upon the Council to adopt the draft resolution by consensus.



142. **The President** said that 56 States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

143. **Ms. Kauppi** (Finland), making a general statement before the decision on behalf of the States members of the European Union that were members of the Council, said that, while welcoming the Libyan Government's efforts and cooperation, the European Union remained concerned about ongoing human rights violations, including sexual and gender-based violence, extrajudicial killings, enforced disappearance, arbitrary detention and torture, as well as the shrinking of civic space. Impunity must be brought to an end and accountability strengthened in order to pave the way for reconciliation and transitional justice. In that regard, the final report and recommendations of the Independent Fact-Finding Mission on Libya (A/HRC/52/83) would provide guidance on the way forward. The European Union welcomed the technical assistance provided by OHCHR, which would strengthen the country's capacity to follow up on the work of the Fact-Finding Mission. The European Union supported the draft resolution and was pleased to join the consensus.

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

145. **Ms. Abusedra** (Observer for Libya) said that the draft resolution had evolved naturally out of the Council's previous resolutions on the subject. Against the backdrop of the ending of the Fact-Finding Mission's mandate, it clearly stated her Government's commitment to respecting human rights and dealing with the challenges related to the transitional period. Her delegation was grateful to the States that had taken part in the consultations and commented on the draft resolution, and hoped that Council members would adopt it by consensus.

146. *Draft resolution A/HRC/52/L.33, as orally revised, was adopted.*

*Draft resolution A/HRC/52/L.35: Technical assistance and capacity-building for Mali in the field of human rights*

147. **Mr. Kouame** (Côte d'Ivoire), introducing the draft resolution on behalf of the main sponsors, namely the Group of African States, said that it was an update to Council resolution 49/34 adopted in April 2022. It highlighted the developments on the ground, underlined the remaining challenges and addressed the prospects in relation to the human rights situation, the peace process and the political process in general.

148. The Group of African States reiterated its appreciation for the efforts made by Mali and its various partners to resolve the multidimensional crisis that the country had been experiencing since 2012. It also commended all participating delegations for their constructive contributions to the draft resolution and once again requested Council members' goodwill in adopting it by consensus.

149. **The President** said that four States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

*General statements made before the decision*

150. **Ms. Kauppi** (Finland), speaking on behalf of the States members of the European Union that were members of the Council, said that the European Union commended the commitment of the Group of African States, and of Mali in particular, to the renewal of the mandate of the Independent Expert on the situation of human rights in Mali. The draft resolution reflected the middle ground that had been found in respect of certain legislative developments. It noted the agreement reached on a consensual timetable for the restoration of the constitutional order and the increase in the number of women participating in the work of the Monitoring Committee for the Agreement on Peace and Reconciliation in Mali.

151. The European Union regretted, however, that the text's portrayal of the current reality in Mali was at times less than accurate, notably in respect of the geographical extent of security problems, the status of implementation of the Agreement, the disarmament, demobilization and reintegration process and the National Strategy for the Stabilization of the Central Regions of Mali. In addition, the European Union would have preferred to include language calling on the authorities to bring all perpetrators of human rights abuses before impartial and independent courts, instead of merely "the competent courts", and referring to

the necessary involvement of civil society in developing measures to promote national harmony. The draft resolution also failed to mention the presence on the ground of private foreign militias and security forces and their attacks on Malian citizens. The European Union would nevertheless join the consensus on the draft resolution.

152. **Mr. Manley** (United Kingdom) said that, while his delegation welcomed the proposal to renew the mandate of the Independent Expert, it also wished to express its concern that the draft resolution failed to accurately reflect the worsening situation on the ground and the restrictions increasingly being placed on civil society and the political opposition. The text also failed to mention a key factor in the human rights situation, namely the Kremlin-backed Wagner Group, whose presence alongside Malian security forces and whose role in some of the worst human rights abuses reported to date were well documented. The United Kingdom condemned the Wagner Group's role in Mali, as well as its role in Ukraine and other countries, where it increased suffering and contributed to instability.

153. His delegation also noted with regret the disruption that the Independent Expert had encountered from security forces during his regular visit to Mali and the decision of the transitional authorities to prevent the United Nations Multidimensional Integrated Stabilization Mission in Mali from accessing areas where human rights violations and abuses had been reported. The United Kingdom therefore called on the transitional authorities to ensure full and unhindered access for all mandated activities of the United Nations without exception.

154. His delegation nevertheless strongly supported the renewal of the mandate of the Independent Expert and would join the consensus on the draft resolution. It hoped that the Independent Expert would continue to report on the human rights situation in Mali as a whole, notwithstanding the emphasis in the text on the issue of descent-based slavery, and that future versions of the text would more accurately reflect the human rights situation in the country.

155. **Ms. Taylor** (United States of America) said that the United States welcomed the Council's prioritization of the human rights situation in Mali. It was important to note that gender-based violence could be perpetrated against individuals of any gender and could be a violation or abuse of human rights. The United States echoed concerns over the destabilizing activities of the Kremlin-based Wagner Group. With its deployment in that country, abuses in connection with military operations had continued to mount. Civilian casualties in Mali had more than doubled in 2022, and she drew particular attention to the Moura massacre, in which the victims had reportedly died at the hands of Malian soldiers and their Wagner Group partners. The United States called on the Transitional Government to end its partnership with the Wagner Group and to make progress in restoring democratic governance and implementing the Agreement on Peace and Reconciliation in Mali.

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

157. **Mr. Coulibaly** (Observer for Mali) said that his delegation wished to thank the members of the Group of African States, the other sponsors and the Group of Western European and Other States for their support in the preparation of the draft resolution. His Government remained committed to the implementation of the draft resolution and to the continuation of efforts to protect human rights.

158. *Draft resolution [A/HRC/52/L.35](#) was adopted.*

*Draft resolution [A/HRC/52/L.36](#): Technical assistance and capacity-building for South Sudan*

159. **Mr. Kouame** (Côte d'Ivoire), introducing the draft resolution on behalf of the main sponsors, namely the Group of African States, said that the text was based on the pillars of the United Nations system: international peace and security, sustainable development and human rights. It also built on the commitment and will of the Government of South Sudan to fully implement the Revitalized Agreement of 2018 and the road map agreed in August 2022 and to address the issue of gender-based abuse and sexual violations.

160. The Group had expressed the need to meet with partners to reach a consensus on a unified resolution that would place more emphasis on technical assistance and capacity-building as the Government of South Sudan made progress in implementing the peace

agreement. His delegation hoped that the Council would once again support the draft resolution by consensus, as it had in previous years.

161. **The President** said that two States had joined the sponsors of the draft resolution, the programme budget implications of which had been published on the Council's extranet.

*General statements made before the decision*

162. **Ms. Taylor** (United States of America) said that the United States appreciated the cooperation of the Transitional Government of South Sudan with OHCHR and the Commission on Human Rights in South Sudan. While supporting the objectives of the draft resolution, her delegation noted that it did not acknowledge the scale of human rights violations and abuses in that country. The United States was deeply concerned at the overall trajectory of human rights in South Sudan; constant violence, combined with widespread impunity and a lack of accountability, and the Transitional Government's lack of progress in implementing long-overdue commitments continued to cause misery. For technical assistance to be effective, the Government needed to demonstrate the political will to fulfil its promise to strengthen accountability and 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 of the South Sudanese people in their desire for a peaceful future with full respect for their human rights.

163. **Mr. Jiang Han** (China) said that China consistently advocated constructive dialogue and cooperation among all parties on human rights issues and opposed politicization and public pressure in that regard. China appreciated the efforts of the Government of South Sudan to promote and protect human rights. It called on the international community to fully understand the challenges the country faced, provide technical assistance based on the needs of its Government and people and support it by helping its people to reap the dividends of peaceful development and fully enjoy all human rights as soon as possible. His delegation supported the draft resolution submitted by the Group of African States under agenda item 10 and would join the consensus.

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

165. **Mr. Waja** (Observer for South Sudan) said that South Sudan considered the draft resolution on technical assistance and capacity-building submitted under agenda item 10 to be the only way to promote the rule of law and enhance the implementation of the peace agreement and the road map of August 2022. His delegation therefore asked the Council to adopt the draft resolution by consensus.

166. *Draft resolution [A/HRC/52/L.36](#) was adopted.*

**Agenda item 1: Organizational and procedural matters ([A/HRC/52/2](#))**

*Selection and appointment of mandate holders*

167. **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 13 February 2023. He took it that the Council wished to endorse those candidates and appoint them as special procedure mandate holders.

168. *It was so decided.*

*Report on the fifty-second session*

169. **Ms. Macdonal Alvarez** (Plurinational State of Bolivia), Vice-President and Rapporteur, said that an advance unedited version of the draft report of the Human Rights Council on its fifty-second session ([A/HRC/52/2](#)) 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. During the session, the Council had completed its extensive programme of work, holding a high-level segment with a record number of participants, 22 interactive dialogues with special procedure mandate holders and

expert mechanisms, 9 interactive dialogues with the High Commissioner, 4 enhanced interactive dialogues and 9 general debates, as well as adopting 14 outcome documents under the universal periodic review process and resolutions and decisions covering a wide range of issues.

170. **The President** said he took it that the Council wished to adopt the report ad referendum, on the understanding that it would be finalized with the assistance of the secretariat.

171. *It was so decided.*

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

172. **Mr. Bhatia** (Observer for Singapore) said that, with regard to draft resolution [A/HRC/52/L.22/Rev.1](#), as orally revised, his delegation was gravely concerned to note that a group of States had once again decided to bring the issue of the world drug problem before the Council, even though neither the Council nor OHCHR had a mandate to address drug-related matters. Those issues should be left to bodies with relevant expertise, such as the Commission on Narcotic Drugs and the United Nations Office on Drugs and Crime. Such moves cannibalized existing mandates to push selective agendas, undermining the basis of the entire United Nations structure. However, his delegation welcomed the adoption of amendments whereby, inter alia, a reference to State sovereignty had been added to the preamble, bringing sorely needed balance to the text.

173. His delegation had engaged with the main sponsors in good faith and with the utmost flexibility but was disappointed by their unconstructive approach of focusing on controversial issues that lacked intergovernmental consensus and abusing the Council to advance their narrow agenda, thus deepening divides and heightening the already polarized atmosphere. The close link between the discussion of policies in informal conclaves such as the Brandenburg Forum and their subsequent emergence in the Council, with facilitation by OHCHR, was a problem. Even more worryingly, the Council's adoption of the resolution would create a parallel track of political pressure that would detract from the sound technical work being undertaken by the Vienna-based bodies, particularly ahead of the 2024 midterm review of the 2019 Ministerial Declaration of the Commission on Narcotic Drugs. All Member States should be keenly aware of cynical attempts to abuse the Council's mechanisms to coerce other United Nations bodies into accepting their agenda.

174. **Mr. Louati** (Observer for Tunisia) said that his delegation was grateful to the sponsors and supporters of draft resolution [A/HRC/52/L.37](#) on the negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation. Affected populations had an inalienable and imprescriptible right to recover stolen assets to which they were entitled under relevant international instruments. The speedy return of such funds was crucial to allow countries of origin to ensure stability, address economic challenges and uphold their citizens' rights without recourse to debt, particularly in view of the successive crises of recent years. In line with the United Nations Convention against Corruption, States had the moral and legal responsibility to cooperate to facilitate the return of such funds and combat impunity. That principle was reiterated in the resolution, which had been on the Council's agenda since 2011. His delegation regretted that some States had persisted in voting against it, despite the flexibility shown by the main sponsors in accommodating as many proposals as possible to achieve a text that would enjoy consensus. There was a need for political will to address the issue constructively. His Government intended to continue its reform process to prosecute the perpetrators of corruption-related offences and had established a criminal conciliation commission to recover assets from persons involved in economic and financial crimes.

175. **Ms. Gorely** (Observer for Australia) said that her delegation welcomed the opportunity to address the relationship between human rights and a clean, healthy and sustainable environment. Climate change was an urgent global challenge and the single greatest threat to the Pacific. It was undeniable that current environmental challenges had a detrimental impact on human rights and must continue to be discussed by the Council. However, the international legal basis, scope and content of a human right to a clean, healthy

and sustainable environment remained unsettled and required further consideration, as noted in the explanations of position made before the adoption of draft resolution [A/HRC/52/L.7](#) and the explanations of vote made before the adoption of General Assembly resolution 76/300. Her delegation shared concerns about the manner in which the proposed new right had emerged in the United Nations system. However, that would not deter Australia, and should not stop other States, from taking urgent action to address environmental and climate change-related challenges. Her Government was committed to working with the international community to determine relevant human rights obligations related to a clean, healthy and sustainable environment.

176. **Mr. Peruch Viana** (Observer for Brazil) said that his delegation welcomed the fact that, at recent Council sessions, the sponsors of initiatives on the human rights situation in Palestine and other occupied Arab territories had been willing to address the concerns of Council members, including by reducing the number of draft resolutions submitted under agenda item 7, thus helping to streamline the Council's work and ensure focused and meaningful discussions. The flexibility and openness of the Palestinian delegation had allowed draft resolution [A/HRC/52/L.43](#), on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice, to be submitted under item 2 rather than item 7; that demonstrated the sponsors' commitment to dialogue and reconciliation. Brazil reaffirmed its long-standing commitment to a two-State solution, with Palestine and Israel living side by side in peace and security within mutually agreed and internationally recognized borders. His delegation supported the resolutions on the issue that had been adopted under items 2 and 7.

177. **Mr. Waja** (Observer for South Sudan) said that his Government had cooperated in a spirit of constructive dialogue with the Commission on Human Rights in South Sudan since the establishment of the mandate. It had expected the Council to respect the country's dignity and sovereignty and considered the imposed extension of the mandate to be an injustice directly affecting the enjoyment of human rights by the people of South Sudan. The decision to submit draft resolution [A/HRC/52/L.27](#) under agenda item 2 was highly politicized. His delegation rejected the resolution, which was intended to restrict the mandate of the African Union in the implementation of the peace agreement. However, it welcomed the adoption of draft resolution [A/HRC/52/L.36](#) on technical assistance and capacity-building for South Sudan and would work closely with OHCHR on its implementation.

178. **Ms. Sukacheva** (Observer for the Russian Federation) said that her delegation attached great importance to the issues raised during the session but could not support all the resolutions adopted. It was categorically opposed to the one-sided and politicized resolutions on Ukraine, Georgia, Belarus, Syria, Iran, the Democratic People's Republic of Korea, South Sudan and Nicaragua, which constituted attempts to use human rights for geopolitical ends. Her delegation understood the references to "human rights defenders" in draft resolutions [A/HRC/52/L.1](#), [A/HRC/52/L.7](#) and [A/HRC/52/L.39](#) in accordance 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, adopted by the General Assembly. It dissociated itself from the references, in draft resolutions [A/HRC/52/L.7](#), [A/HRC/52/L.11](#), [A/HRC/52/L.15](#), [A/HRC/52/L.23](#) and [A/HRC/52/L.39](#), to a so-called "human rights-based approach", which was not supported by the majority of States. Her delegation did not necessarily agree with the content of the general comments of the Committee on Economic, Social and Cultural Rights mentioned in draft resolution [A/HRC/52/L.11](#). It could not support a number of the initiatives that were welcomed in the preamble of draft resolution [A/HRC/52/L.15](#) on mental health and human rights or the positive assessment of the work of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment in draft resolution [A/HRC/52/L.5/Rev.1](#).

179. The sponsors of resolutions on social issues should not impose their views on all States. Her delegation understood "gender" to refer to biological sex and the provisions on "gender-based violence" and "gender-based discrimination" in draft resolutions [A/HRC/52/L.11](#) and [A/HRC/52/L.23](#) to refer to negative phenomena faced by women. It dissociated itself from the ambiguous term "gender-responsive" used in draft resolutions [A/HRC/52/L.7](#), [A/HRC/52/L.11](#), [A/HRC/52/L.20](#) and [A/HRC/52/L.40](#). It did not support the choice of theme for a workshop called for in draft resolution [A/HRC/52/L.21](#), nor did it



support the expressions of approval of the High Commissioner's personal initiative in that draft resolution, of the Secretary-General's Call to Action for Human Rights in draft resolutions [A/HRC/52/L.20](#) and [A/HRC/52/L.39](#) or of the report of the Secretary-General entitled "Our Common Agenda" in draft resolution [A/HRC/52/L.20](#). The full text of her statement would be published on the Council's extranet.

180. **Mr. Pike** (Observer for Israel) said that his delegation welcomed many of the resolutions adopted at the current session, including draft resolutions [A/HRC/52/L.3](#), [A/HRC/52/L.4](#), [A/HRC/52/L.6](#), [A/HRC/52/L.15](#), [A/HRC/52/L.16](#), [A/HRC/52/L.20](#), [A/HRC/52/L.22/Rev.1](#) and [A/HRC/52/L.40](#). However, it rejected the one-sided and biased draft resolutions [A/HRC/52/L.31](#), [A/HRC/52/L.32](#), [A/HRC/52/L.42](#) and [A/HRC/52/L.43](#). It understood the words "in accordance with their age and maturity" in the eighth preambular paragraph of draft resolution [A/HRC/52/L.29](#) to refer only to girls, since women's participation could not be limited by those criteria. Having noted multiple and increased efforts to attack language related to gender during the session, his delegation invited all Member States to move forward and engage in a constructive dialogue to further the human rights of all. In relation to draft resolution [A/HRC/52/L.13](#), he wished to clarify that Israel was committed to the struggle against all forms of 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 been tarnished by antisemitism, Holocaust denial and anti-Israel bias, diverting the discussion away from addressing racism. The fight against racism and antisemitism should be undertaken as something that united rather than divided countries. His delegation looked forward to the Council's efforts to fight racism and antisemitism side by side.

181. **Mr. Lauber** (Observer for Switzerland) said that his delegation had been a main sponsor of draft resolutions [A/HRC/52/L.7](#) and [A/HRC/52/L.22/Rev.1](#); their adoption by consensus was a success for all concerned. His delegation had also sponsored draft resolution [A/HRC/52/L.16](#), thereby reiterating its support for the Independent International Commission of Inquiry on the Syrian Arab Republic. It welcomed the resolution's provisions on missing and disappeared persons and strongly supported the implementation of the recommendations set out in the Secretary-General's report on missing people in the Syrian Arab Republic ([A/76/890](#)). His Government stressed the importance of unhindered humanitarian access to the entire country and supported all modalities of access. While remaining concerned about the humanitarian situation in Syria, which had been made still worse by the earthquake, his delegation wished to reiterate the importance of strengthening the resolution by condemning violations of international law, including international humanitarian law, committed by all parties to the conflict and calling on them to respect their obligations. The mandate of the Investigation and Identification Team of the Organisation for the Prohibition of Chemical Weapons was to identify the perpetrators of specific chemical weapons attacks in the Syrian Arab Republic and not to determine the criminal responsibility of individuals, organizations or States.

182. His delegation regretted that draft resolution [A/HRC/52/L.33](#) did not reflect the gravity of the human rights situation in Libya, as documented in the report of the Independent Fact-Finding Mission on Libya. Lastly, although his delegation generally welcomed the adoption of draft resolution [A/HRC/52/L.29](#) on the commemoration of the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action, it could not support certain formulations, specifically the language of paragraph 4.

183. **Mr. Różycki** (Observer for Poland) said that his delegation reiterated its position that the legally binding recognition and comprehensive definition of the human right to a clean, healthy and sustainable environment had not yet been agreed upon by all States. It welcomed the adoption of draft resolution [A/HRC/52/L.41/Rev.1](#) on the situation of human rights in Ukraine stemming from the Russian aggression and draft resolution [A/HRC/52/L.14](#) on the situation of human rights in Belarus in the run-up to the 2020 presidential elections and its aftermath. His Government, which remained committed to all human rights mechanisms and instruments, urged Russia to end its unprovoked and unjustified aggression against Ukraine and to withdraw all forces and military equipment from the entire territory of Ukraine.

immediately and unconditionally, and called on Belarus to fully respect all human rights and fundamental freedoms, including the rights of members of national minorities, and to immediately release all political prisoners.

184. **Mr. García** (Observer for the Bolivarian Republic of Venezuela) said that his delegation welcomed the adoption of draft resolution [A/HRC/52/L.18](#) on the negative impact of unilateral coercive measures on the enjoyment of human rights, which had been submitted on behalf of the Movement of Non-Aligned Countries. The resolution enjoyed the support of the majority of countries of the global South that were members of the Council but had been predictably rejected by certain States that imposed such harsh measures. In the resolution, the Council recognized the negative impact on human rights of overcompliance with unilateral coercive measures among financial institutions, transport companies and other entities whose goods and services were necessary in the provision of humanitarian aid to populations in vulnerable situations and reiterated that such measures and secondary sanctions were contrary to international law, international humanitarian law, international human rights law, the Charter of the United Nations and the norms and principles governing peaceful relations among States. His delegation hoped that the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights would propose concrete measures to States for the final elimination of such measures and analyse their impact on human rights. Venezuela would stand firm in monitoring progress on the issue and denouncing the scourge of unilateral coercive measures.

*The discussion covered in the summary record was suspended at 6 p.m. and resumed at 6.05 p.m.*

#### **Closure of the session**

185. After the customary exchange of courtesies, **the President** declared the fifty-second session of the Human Rights Council closed.

*The meeting rose at 6.10 p.m.*