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Chair: Mr. Braun (Luxembourg)

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The meeting was called to order at 3.10 p.m.

Agenda item 70: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)
(A/C.3/74/L.29 and A/C.3/74/L.30)

Draft resolution A/C.3/74/L.29: Situation of human rights of Rohingya Muslims and other minorities in Myanmar (continued)

1. **Mr. Srivihok** (Thailand) said that his delegation had abstained from voting on the draft resolution. A holistic approach involving close consultations with Myanmar was the most viable way of achieving a long-term and durable solution to the complex challenges in Rakhine State. Thailand supported the ongoing collaboration of Myanmar with Bangladesh in arranging repatriation of displaced persons and encouraged parties to ensure the full implementation of recommendations made by the Advisory Commission on Rakhine State. Given the importance of accountability, his delegation also hoped that the investigations of the Independent Commission of Enquiry established by the Government of Myanmar would result in a credible outcome that could allay the concerns expressed by the international community concerning the rule of law. Although the Government of Myanmar should continue constructive dialogue with all relevant mechanisms, Thailand particularly appreciated the ongoing cooperation with the Special Envoy of the Secretary-General on Myanmar and the extension of the memorandum of understanding signed with the United Nations Development Programme (UNDP) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

2. As Chair of the Association of Southeast Asian Nations (ASEAN), Thailand had worked to strengthen the provision of humanitarian assistance, facilitate the repatriation process and promote sustainable development in Myanmar. At the Association's thirty-fifth summit in November 2019, ASEAN leaders had agreed to establish an ad hoc support team to spearhead the implementation of recommendations made in an ASEAN assessment report on the repatriation process. Addressing such challenges in a balanced and comprehensive way would require regional and international collaboration. Thailand remained committed to working with Myanmar and relevant partners to find durable solutions that benefited all parties.

3. **Ms. Bajracharya** (Nepal) said that Nepal welcomed the ongoing efforts by United Nations agencies to ensure the implementation of bilateral

agreements between Bangladesh and Myanmar on the return of displaced persons. Her delegation appreciated the humanitarian assistance that Bangladesh provided to Rohingya refugees, especially while that State was contending with natural disasters, and hoped that bilateral negotiations between Bangladesh and Myanmar would result in sustainable solutions. She called on all parties to create an environment conducive to the dignified, safe and voluntary return of Rohingya refugees, who had suffered greatly as a result of displacement. Nepal objected to all country-specific resolutions and had therefore abstained from the vote on the draft resolution.

4. **Mr. Khousakoun** (Lao People's Democratic Republic) said that the Lao People's Democratic Republic followed developments in neighbouring Myanmar very closely and welcomed recent steps by the Government of Myanmar and other concerned parties to address human rights issues, especially in Rakhine State. He encouraged the international community to continue its dialogue and cooperation with the Government of Myanmar. Country-specific draft resolutions submitted in the Third Committee did not, however, provide a remedy for human rights situations, since the only appropriate forum for considering such issues was the Human Rights Council, in the context of the universal periodic review. His delegation had therefore voted against the draft resolution.

5. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country maintained its principled position of rejecting country-specific human rights resolutions, as they did not help to build trust among parties. Member States should protect human rights within the framework of domestic legislation and international human rights law, with due respect for sovereignty and non-interference in the affairs of other sovereign States. The only effective way to promote and protect human rights was through dialogue with concerned States, particularly in multilateral forums such as the United Nations, on the basis of objectivity, non-selectivity and impartiality. The Third Committee was not the appropriate forum for considering human rights issues, which should be examined within the context of the universal periodic review and, with the consent of Myanmar, other relevant mechanisms that had been established with neighbouring States and other relevant international actors. The Bolivarian Republic of Venezuela had abstained from the vote.

6. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that his country had unfairly been the subject of many country-specific resolutions in the Third Committee. As his delegation had previously stated, certain unscrupulous Governments were using

the Committee to advance their political aims, even though it was not an appropriate platform for the objective consideration of specific human rights violations. Despite his country's long-standing position on country-specific resolutions, his delegation had voted in favour of the draft resolution because multiple human rights violations had been committed in Myanmar. It was encouraging, however, that the Government of Myanmar had taken measures and made commitments to facilitate the return of Rohingya refugees.

7. **Ms. Nguyen Lien Huong** (Viet Nam) said that her country was concerned by the situation in Myanmar. It was grateful to Bangladesh for hosting displaced persons from Rakhine State but was aware of the urgent need for durable solutions. It welcomed the ongoing efforts by the Government of Myanmar to improve the situation in Rakhine State, the extension of the memorandum of understanding with UNDP and the Office of UNHCR and the involvement of the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management.

8. It was regrettable that the draft resolution did not reflect the views of all stakeholders, in particular the Government of Myanmar. The pressurized and unconstructive approach taken in the negotiation process had hampered progress and exacerbated the challenges faced by Myanmar during its transition to democracy and in the build-up to its 2020 general elections. Mutual trust was the most important factor in improving human rights situations and could be built only through constructive dialogue. Country-specific resolutions, by contrast, undermined confidence. Her country had voted against the draft resolution but would work closely with ASEAN member States to improve the situation in Myanmar.

9. **Mr. Bin Momen** (Bangladesh) said that his delegation did not view the draft resolution in the same light as the Committee's other country-specific resolutions, but as a symbol of the international community's ownership of the topic under discussion and of its commitment to facilitating the voluntary repatriation of the Rohingya community through a bilateral process. The adoption of the draft resolution demonstrated Member States' solidarity for the Rohingya cause and would contribute to resolving outstanding repatriation issues. As highlighted in the draft resolution, the creation of an environment conducive to the safe return of the Rohingya community was vital. An early and sustainable solution would be in the best interests of all concerned and would relieve Bangladesh of the enormous burden that it faced.

10. The emphasis in the draft resolution on justice and accountability and the inclusion of actions to address crimes committed by the security and armed forces against Rohingya should keep Rohingya hopes high until the adoption by the Security Council of a relevant resolution. His delegation appreciated the filing of an application to the International Court of Justice instituting proceedings against Myanmar and all ongoing efforts by the International Criminal Court and hoped that the draft resolution would lead to the establishment of additional accountability mechanisms. The international community might wish, for example, to follow up on the constructive four-point proposal made by the Prime Minister of Bangladesh during the general debate of the General Assembly at the current session.

11. **Mr. Kawamura** (Japan) said that his country shared the concerns of the international community regarding the humanitarian situation faced by persons who had fled Myanmar. He commended Bangladesh for receiving and supporting many of the displaced persons and for its efforts to resolve the current crisis through dialogue with the Government of Myanmar. The Government must take appropriate measures to facilitate credible and transparent investigations by the Independent Commission of Enquiry into events alleged to have occurred in Rakhine State on 25 August 2017. In October 2019, the Prime Minister of Japan had urged the State Counsellor of Myanmar and the Commander of the Defence Forces to take steps in that regard. The international community should do its utmost to support efforts by Member States and ASEAN to improve the human rights situation in Myanmar. Japan had abstained from the vote but would remain actively involved in discussions on the human rights situation in Myanmar.

12. **Ms. Nyagura** (Zimbabwe) said that her country was concerned at the Committee's use of country-specific resolutions, since constructive dialogue was a more productive way for engaging with Member States and resolving their human rights issues.

13. **Ms. Ali** (Singapore) said that her delegation had always taken a principled approach on country-specific resolutions, which were highly selective and often driven by political rather than human rights considerations, and it had consistently abstained from voting on them. The abstention from voting in such cases should not, however, be interpreted as a position on the substance of the human rights issues raised therein.

14. There were no quick fixes to the complex issues that lay at the heart of the crisis in Rakhine State. Only through reconciliation and dialogue, with due regard for

all parties, would it be possible to restore peace, stability and harmony among all communities. Her Government welcomed the commitment of Myanmar to implementing the recommendations of the Advisory Commission on Rakhine State and hoped that it would continue to work with relevant United Nations bodies, especially UNDP and UNHCR, to create conditions conducive to the safe, voluntary and dignified return of displaced persons. Singapore encouraged Bangladesh and Myanmar to continue working closely during the repatriation process.

15. Given that the most urgent priority was to provide humanitarian assistance to those in need, ASEAN had worked with Myanmar on the repatriation and resettlement process, had conducted a preliminary needs assessment survey in March 2019 on preparedness for receiving refugees and on the identification of relocation sites, and would establish a team to implement the recommendations of the needs assessment survey. Although the international community should support efforts that contributed to long-term solutions and built confidence, ultimately the Government of Myanmar and relevant stakeholders were responsible for finding a viable and durable political solution.

16. **Mr. Sadnovic** (Indonesia) said that his delegation had consistently stated that the draft resolution should be designed to help Myanmar find a lasting solution that contributed to the freedom of movement of refugees from Rakhine State and prevented discrimination against them. It should also address the most pressing issues, such as the voluntary, safe and dignified return of refugees and the need for Member States to work together to tackle the humanitarian crisis and prevent the situation from deteriorating. The success of Myanmar in dealing with the challenges it faced was critical to the maintenance of peace and security in the region. Indonesia, as a member of ASEAN, was committed to working with the Government of Myanmar in bilateral discussions and other formats and fully supported enhancing the meaningful involvement of the Association in the process.

Draft resolution A/C.3/74/L.30/Rev.1: Situation of human rights in the Syrian Arab Republic

17. **The Chair** said that the draft resolution had no programme budget implications.

18. **Ms. Norman-Chalet** (United States of America), introducing the draft resolution, said that her delegation was proud to have drafted the draft resolution with the delegation of Saudi Arabia. The text highlighted the prolonged deterioration of human rights in Syria and

included a paragraph on convening a high-level panel discussion at the seventy-fifth session of the General Assembly to discuss violations of international humanitarian law and of human rights, and to share recommendations on improving civilian protection and accountability measures.

19. Several delegations had repeatedly claimed that consideration of a draft resolution on the situation of human rights in Syria constituted politicization of the Committee's work. It should, however, be recalled that the regime of Mr. Assad had waged a war against the Syrian people that had resulted in over half a million deaths, 11 million displaced persons, 5.6 million refugees and 13 million people in urgent need of humanitarian assistance in Syria.

20. **Mr. Al Khalil** (Syrian Arab Republic), speaking on a point of order, called on the Chair to request Member States to comply with the rules of procedure of the General Assembly and observe necessary diplomatic decorum by referring to his country by its full official name. He hoped that the United States of America did not consider itself above such rules, but if the Secretariat allowed Member States to address others as they pleased, his delegation might in the future feel free to take the same approach.

21. **The Chair** said that delegations should endeavour to use language that facilitated discussion.

22. **Ms. Norman-Chalet** (United States of America) said that a human rights catastrophe was not a political issue. Anyone who stated otherwise was either wilfully ignorant of the facts or apathetic to the plight of millions of innocent citizens. The Assad regime was responsible for innumerable atrocities, some of which were war crimes and crimes against humanity, including the use of chemical weapons, unlawful killings, torture, bombings and other inhumane acts. Those responsible for the atrocities in Syria must be held accountable, including through independent investigations. Her delegation welcomed the work of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic in that regard. It was also ready to support the work of the board of inquiry tasked with investigating attacks on civilian sites in the de-escalation area in north-west Syria and hoped that the board would soon provide information on attribution and make its findings public.

23. The draft resolution reinforced the message that the Committee had sent since the start of the conflict in

2011: that the international community would not remain silent in the face of the atrocities committed by the Assad regime and its allies against the Syrian people. The Committee must be the voice for the millions who continued to suffer, whose calls for justice and accountability remained unanswered and whose hopes for peace diminished as the conflict dragged on. Humanitarian access should also be granted wherever aid was needed in Syria, regardless of political affiliation. The United States called on all delegations to vote in favour of the draft resolution, if a vote was requested.

24. **Mr. Al Khalil** (Syrian Arab Republic), speaking on a point of order, said that, since the delegation of the United States continued to ignore the Chair's request, he called for a suspension of the meeting so that the Secretariat could request the legal opinion of the Office of Legal Affairs on the matter.

25. **The Chair** said that the Office of Legal Affairs had been consulted on the matter and had confirmed that it could not provide any more information than what the Chair had already provided.

26. **Mr. Mahmassani** (Secretary of the Committee) said that the following delegations had become sponsors of the draft resolution: Andorra, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Palau, Poland, Portugal, Qatar, Republic of Korea, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden and Ukraine.

27. **Mr. Al Khalil** (Syrian Arab Republic) said that the Chair, at the Committee's 43rd meeting, had committed grave violations of the rules of procedure and of the Committee's programme of work by allowing consideration of a draft resolution on the situation of human rights in the Syrian Arab Republic even though it had been submitted by the delegations of Saudi Arabia and the United States three and a half hours after the deadline. His delegation, which had continued to abide by the rules of procedure, had wished to invoke article 123 of the rules, which stipulated that when a proposal had been adopted or rejected, it could not be reconsidered at the same session. During the same meeting, sponsors of the draft resolution had repeatedly ignored requests by the Chair not to defame other Member States.

28. His delegation categorically rejected the draft resolution both in substance and form and reaffirmed that the sponsors had neither the legal nor the ethical

grounds to submit draft resolutions on the human rights situation in any country. There was irrefutable evidence that the submission of country-specific resolutions amounted to politicization of the Committee's work. The blatant application of double standards in respect of certain Member States was a policy increasingly applied by a number of United Nations bodies.

29. **Mr. Al-Mouallimi** (Saudi Arabia) said that even though the situation in the Syrian Arab Republic had been condemned in previous draft resolutions, Syrians continued to suffer, including some 6 million who lived as refugees and 7 million as internally displaced persons. Although the current wording of the draft resolution condemned human rights violations by any party, United Nations reports indicated that the national Government was the main culprit. The Secretary-General and the United Nations High Commissioner for Human Rights had also both spoken of the continued war crimes and crimes against humanity committed in the country.

30. While the establishment of the Constitutional Committee had brought hope that a political solution could be found to enable the safe, voluntary and dignified return of the displaced persons, recent developments in the north-east of the country had eroded progress. His delegation called on the international community to take all necessary steps to prevent foreign terrorist fighters from fleeing Syria or building capacity within the country. Saudi Arabia also strongly condemned attempts to forcefully impose demographic changes through the use of a so-called buffer zone, in violation of international law. His delegation had sponsored the draft resolution out of concern for the suffering of the Syrian people and hoped that it could help them to achieve justice, prosperity and freedom.

31. **Mr. Al Khalil** (Syrian Arab Republic) said that in Geneva, in line with the principles guiding the establishment of the Human Rights Council, human rights issues were assessed in a spirit of equality and non-discrimination. New York, on the other hand, was not an appropriate place for addressing human rights issues equitably and comprehensively. Each year the promotion and protection of human rights, which should be a topic of consensus and not a pretext for discrimination, was reduced to a mere spectacle. Some States were exploiting human rights issues to justify their sponsorship of terrorism and divert attention from their own failing policies. Indeed, most of the sponsors of the draft resolution were involved in the terrorist war that had been waged in the Syrian Arab Republic over the previous eight years. The exploitation of United Nations mechanisms by the United States, in particular,

in violation of international law and the Charter of the United Nations, could lead to the shattering of the very basis of the United Nations, as had happened with the League of Nations. Saudi Arabia, for its part, was known to have an extremist Government and to be the origin of some of the most dangerous terrorists in groups such as Al-Qaida and Boko Haram.

32. His delegation would not address the substance of the draft resolution since it was a non-consensual country-specific resolution based on the biased views of States that intended to intensify the crisis and obstruct the political process in his country in order to launch their own military attacks against it. Moreover, the text did not focus on the promotion and protection of human rights but encroached on topics covered by the other five main General Assembly Committees, the Security Council and the Special Envoy of the Secretary-General for Syria.

33. His delegation congratulated Saudi Arabia and other Arab countries that had joined Israel as sponsors, a coalition that revealed the true nature of the draft resolution. Political and diplomatic terrorism targeting a country was no less dangerous than armed terrorism. He called for a recorded vote on the draft resolution.

Statements made in explanation of vote before the voting

34. **Ms. Ndayishimiye** (Burundi) said that her delegation would vote against the draft resolution, in line with its consistent principle with regard to all country-specific resolutions. Some United Nations bodies were currently being used to exert political pressure on certain developing countries, which undermined the rationale for establishing the Human Rights Council. Politicization that divided the world into good and bad students should be replaced by dialogue, mutual benefit and respectful cooperation.

35. **Ms. Marin Sevilla** (Bolivarian Republic of Venezuela) said that her country maintained its principled position of rejecting country-specific human rights resolutions, which were selective and violated the Charter. Her delegation had voted in the 43rd meeting against consideration of the draft resolution on the human rights situation in the Syrian Arab Republic in order to prevent the Committee from contravening its rules and undermining its credibility. Human rights issues should be examined within the context of the universal periodic review with the full consent of the country concerned. The Bolivarian Republic of Venezuela would vote against the draft resolution.

36. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that his country opposed all

country-specific resolutions and would therefore vote against the draft resolution. Human rights issues should be discussed in a context of cooperation and constructive dialogue, with due respect for peace and security, rather than through a confrontational and politicized approach.

37. **Mr. Gennady Kuzmin** (Russian Federation) said that his delegation would vote against the draft resolution. The Committee should not be used to rubber-stamp country-specific resolutions for the sole purpose of exerting political pressure on individual Member States. Each year the text of the draft resolution had grown more detached from reality and had now become a toxic mixture of all the ideas and initiatives that detractors of the Syrian Government had been unable to push through in other forums. It was entirely based on unproven accusations, lies and speculation and was essentially a tool for settling geopolitical scores.

38. To achieve their political ambitions, certain Member States had sacrificed not only the purposes and principles of the Charter, including non-interference in the internal affairs of sovereign States, but also the established working methods of the General Assembly. For example, the draft resolution continued to refer to the so-called mechanism for the investigation of crimes in Syria, the establishment and operation of which was clearly illegitimate in the eyes of all right-minded delegations. The authors of the draft resolution were not only pressurizing the Third Committee to consider issues that had absolutely nothing to do with human rights, but they were also trying to interfere in the administration of that mechanism, thereby overstepping the terms of reference defined by the General Assembly in the allocation of agenda items.

39. The adoption of the draft resolution would destabilize the situation in Syria and undermine international efforts that promoted a resolution to be achieved among Syrians themselves. Furthermore, the draft resolution had been submitted at the current session in gross violation of the rules of procedure of the General Assembly and the Committee's programme of work, which had been adopted by consensus by all Member States. The circumstances were deplorable and utterly inconsistent with the principle of international cooperation in the promotion and protection of human rights. The Russian Federation called on all States that were not only in word, but also in deed, interested in achieving stability in Syria and improving the lot of the Syrian population to vote against the draft resolution.

40. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the submission of the draft resolution had laid bare serious procedural problems in the Third

Committee as well as the exploitation of United Nations human rights mechanisms as a result of political rivalries. Billions of dollars had been spent on funding and arming terrorists to destabilize a legitimate Government. The draft resolution was an attempt to create a smokescreen, but it would not exonerate countries such as the United States of their crimes, which had contributed to the establishment of groups such as the Islamic State in Iraq and the Levant (ISIL), or relieve those countries of accountability for the crimes committed by their fellow terrorists in Syria.

41. The draft resolution also contained references to topics that were outside the Committee's mandate, but did not contain any reference to the outstanding efforts of the Government and people of Syria to restore security, protect citizens and facilitate the return of internally displaced persons and refugees. The Government's cooperation with the Organisation for the Prohibition of Chemical Weapons (OPCW) under the framework of Security Council resolution [2118 \(2013\)](#), its collaboration with the United Nations on demining activities, its role in exchanging detainees under the Astana process and establishing the Constitutional Committee and its relentless efforts against waves of terrorism and unilateral coercive measures were also not reflected in the final text. The United States deliberately neglected to mention those achievements because they did not serve its political interests. His delegation was saddened by the abuse of human rights issues in the Third Committee and, with a view to preserving the Committee's credibility, would vote against the draft resolution.

42. **Ms. Wagner** (Switzerland) said that the perpetrators of the systematic and repeated violations of human rights in Syria must be held to account so that justice could be done for the victims. Switzerland therefore supported the work of the International, Impartial and Independent Mechanism and the efforts of Syrian civil society organizations to establish criminal accountability. Switzerland was particularly concerned by the humanitarian situation in the north-west of the country and in Afrin and Rukban, and called on all parties to the conflict to respect their obligations under international law and ensure the rapid and unimpeded access of humanitarian services to those in need.

43. Her delegation would vote in favour of the draft resolution and was satisfied by the inclusion of references to the funding of the International, Impartial and Independent Mechanism in the regular budget, the role of the International Criminal Court in fighting against impunity and the importance of protecting medical missions. It was regrettable, however, that the eleventh preambular paragraph did not adequately

reflect international humanitarian law and that paragraphs 2, 11, 12, 13 and 28 weakened the overall applicability of the text. The negotiations on the draft resolution had also not been transparent and inclusive enough. Switzerland called on all parties to the conflict, as well as all powers with influence in Syria, to continue the dialogue under the auspices of the United Nations to find a viable and durable solution to the conflict.

44. **Ms. Rodríguez Abascal** (Cuba) said that her country would vote against the draft resolution, which fostered a punitive approach rather than considering the interests of the Syrian Arab Republic. A political solution to the conflict, taking into account the interests and aspirations of the Syrian people, could not be achieved through resolutions that undermined the country's sovereignty and territorial integrity. A peaceful and negotiated solution was required, and the Committee should foster cooperation with full respect for the sovereignty of the country. Politicized and selective practices only hindered the prospect of a peaceful solution.

45. **Mr. Yarkovich** (Belarus) said that his delegation had always opposed the consideration of country-specific topics at the United Nations, as they undermined the principles of objectivity and increased confrontation. Country-specific resolutions were of no use and served only to create artificial barriers to equal and constructive dialogue. Human rights issues should not be used as a pretext for interfering in the affairs of other sovereign States or exerting pressure. The universal periodic review provided a means for balanced consideration of the human rights situation in every country and was the most effective way to encourage Governments to address human rights issues. Belarus would vote against the draft resolution.

46. **Ms. Wang Yi** (China) said that her country opposed country-specific resolutions and would therefore vote against the draft resolution. China had consistently expressed its opposition to human rights issues being used for politicization or for exerting pressure on other Member States. In the interest of equality and mutual benefit, differences of opinion on human rights issues should be addressed through dialogue and cooperation.

47. *A recorded vote was taken on draft resolution [A/C.3/74/L.30/Rev.1](#).*

In favour:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Botswana, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cameroon, Canada, Chile, Colombia, Comoros, Costa Rica,

Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

Against:

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

Abstaining:

Afghanistan, Angola, Armenia, Bangladesh, Belize, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Dominica, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guinea-Bissau, India, Indonesia, Iraq, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Madagascar, Malaysia, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Rwanda, Saint Vincent and the Grenadines, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Tajikistan, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Viet Nam, Zambia.

48. *Draft resolution A/C.3/74/L.30/Rev.1 was adopted by 106 votes to 15, with 58 abstentions.*

49. **Mr. Sandoval Mendiola** (Mexico) said that all parties to the conflict in Syria had a duty to comply with their obligations under international law, especially the norms and principles of international human rights law,

humanitarian law and refugee law. They should negotiate in good faith to find the best solution possible for ending violence and instilling respect for civilians and victims of human rights violations. By the same token, the international community must act decisively to put an end to the arms trade that was exacerbating the situation in Syria. His delegation reiterated its firm opposition to the use of weapons of mass destruction by any party and under any circumstances.

50. **Ms. González** (Argentina) said that her country supported the sovereignty, independence and territorial integrity of the Syrian Arab Republic and appreciated the negotiations that had been held in Geneva and Astana, since they complemented each other and had yielded tangible benefits, such as the establishment of the Constitutional Committee. Political dialogue among the parties involved was the most realistic and legitimate way to achieve peace and prevent further violence.

51. **Ms. Nyagura** (Zimbabwe) said that country-specific resolutions promoted confrontation between parties instead of fostering dialogue, partnership and cooperation. Constructive engagement by all parties was a more viable way to assuage concerns about human rights.

52. **Ms. Kocyigit Grba** (Turkey) said that the crisis in Syria had begun when Syrians had seen their democratic aspirations and legitimate demands crushed, innocent civilians killed by chemical weapons and nationals subjected to arbitrary detention, torture, starvation and siege. Turkey had supported and actively contributed to draft resolutions on the topic under discussion each year since 2011. Unfortunately, the drafting process at the current session had been inadequate and impartial and had brought into question the competence of the delegation introducing the draft resolution. While the text was supposed to concentrate on widespread violations of international human rights and humanitarian law at the hands of the Government of President Assad, paragraph 49 on developments in north-east Syria contained deliberate distortions of facts. The language used was motivated by the political calculations of certain Member States known for their frequent use of double standards and hypocrisy and whose best interests were not served by the limited cross-border counter-terrorism operations of Turkey. For the first time in nine years, Turkey would therefore vote against the draft resolution because of its selective reflection of events.

53. The draft resolution disregarded the demographic changes that had occurred in the north-east of Syria. The People's Protection Units (YPG), the Syrian offshoot of the Kurdistan Workers' Party (PKK) terrorist

organization, had inflicted violence in that region on the strength of its political and material support from those Member States that had professed the greatest concern about the recent escalation of violence. In violation of the territorial integrity and unity of Syria, PKK and YPG had attempted to establish a totalitarian State and had oppressed and forcibly displaced local opponents to their rule, especially Arabs and Kurds. The group had even released ISIL terrorists so that they could spread terror in north-west Syria. Given that Turkey, the only country involved in close combat with ISIL, had recaptured hundreds of the released combatants, it was disingenuous to claim that its operations undermined the fight against ISIL, especially when its actions had resulted in the recent elimination of an ISIL leader.

54. The draft resolution also misrepresented the humanitarian situation. Turkey was one of the main humanitarian donors and ensured the safe passage of convoys to millions of Syrians via the cross-border mechanism. Some 365,000 Syrians had voluntarily returned home in areas liberated from terrorism in the north-west and Turkey continued to seek the same objective in the north-east, in cooperation with the United Nations and humanitarian organizations. By contrast, some European countries continued to suspend their humanitarian aid to Syrians on false pretexts.

55. In the political sphere, Turkey had played a pivotal role in the launch of the Constitutional Committee. The political process was therefore not being undermined by Turkey but by those supporting PKK and YPG, which were seriously undermining the stability and security of the region. Her delegation was disappointed that its calls to include issues such as the repatriation of ISIL fighters, ethnic cleansing, demographic engineering by PKK and YPG, and the pledges to Syrian refugees by the European Union had all been ignored.

56. **Mr. Terva** (Finland), speaking on behalf of the European Union and its member States, said that it was regrettable that a draft resolution on Syria must again be submitted to the Committee, but the situation on the ground was appalling. The European Union condemned the escalation of violence across the country, especially in the north-east, Idlib Governorate and the north of Aleppo Governorate, as highlighted in the conclusions adopted by the Foreign Affairs Council of the European Union on 14 October 2019. It also deplored the continued, systematic, widespread and gross violations of human rights and of international humanitarian law by all parties to the conflict, particularly the Syrian regime and its allies.

57. **Mr. Al Khalil** (Syrian Arab Republic), speaking on a point of order, asked the representatives of the

European Union to respect United Nations rules and the request by the Chair for all Member States to be referred to by their official names.

58. **The Chair** reminded all delegations to ensure that the discussion continued smoothly.

59. **Mr. Terva** (Finland), speaking on behalf of the European Union and its member States, said that the European Union condemned in the strongest terms all attacks, both deliberate and indiscriminate, against civilian populations and civilian infrastructure; the repeated use of chemical weapons by the Syrian regime and ISIL, as had been confirmed by the OPCW-United Nations Joint Investigative Mechanism; and the continued use of such weapons, as had been mentioned in recent reports of the OPCW fact-finding mission in the Syrian Arab Republic. Those responsible for the violations of international law, some of which might be war crimes or crimes against humanity, must be brought to justice.

60. **Mr. Terva** (Finland), speaking on behalf of the European Union and its member States, said that the European Union reiterated its call for the Security Council to refer the situation in Syria to the International Criminal Court. Its member States strongly supported the efforts of the various mechanisms established to ensure accountability for crimes committed in Syria, particularly the Independent International Commission of Inquiry on the Syrian Arab Republic and the International, Impartial Independent Mechanism, and for the ongoing work to investigate and preserve evidence of grave human rights violations and abuses for possible future criminal prosecutions or a future judicial process. He urged the Syrian regime to cooperate with such mechanisms and grant them unhindered access to the country.

61. **Mr. Al Khalil** (Syrian Arab Republic), speaking on a point of order, said reminded representative that the official name of his country was the Syrian Arab Republic.

62. **Mr. Terva** (Finland), speaking on behalf of the European Union and its member States, said that the current hostilities demonstrated once more that there could be no military solution to the conflict in Syria, which was why the European Union continued to press for an inclusive, genuine and comprehensive political transition in line with Security Council resolution [2254 \(2015\)](#) and the 2012 Action Group for Syria Final Communiqué. It welcomed the holding of the first meeting of the Constitutional Committee and hoped that the Committee would begin discussions in good faith and deliver outcomes that were in the interests of Syria and its people. It must remain a Syrian-owned and

Syrian-led process. Under the aegis of the Special Envoy of the Secretary-General for Syria, other tangible steps on all aspects of resolution 2254 (2015) were required in order to find a political solution. The European Union was ready to help the development of the peace process in Syria in any way that it could, in close coordination with the United Nations.

63. **Ms. Suzuki** (Japan) said that her country had serious concerns about the human rights situation in Syria and hoped that all parties to the armed conflict would respect international human rights law and humanitarian law. Her delegation had voted in favour of the draft resolution.

64. **Mr. Wenaweser** (Liechtenstein) said that his delegation remained troubled by serious violations of international law in Syria that often amounted to crimes against humanity. It was also concerned by statements made by some parties to the conflict that an imminent threat justified the use of force. Liechtenstein welcomed recognition in the draft resolution that there had recently been an escalation of violence in the north-east of the country.

65. The reference in the draft resolution to the need for accountability for the most serious crimes was important, since a political solution to the conflict could be achieved only if underpinned by genuine efforts to pursue accountability. In that vein, the Security Council should refer the situation in the Syrian Arab Republic to the International Criminal Court to ensure comprehensive due process. Given that the establishment of the International, Impartial and Independent Mechanism by the General Assembly was an immense step forward in addressing the immunity gap, his delegation also appreciated the reference in the draft resolution to the need for that body to be fully funded through the regular budget, as mandated in Assembly resolution 72/191.

66. **Mr. Caverhill-Godkewitsch** (Canada) said that the draft resolution condemned the Syrian authorities and other parties for the commission of illegal acts of war and violations of international human rights law and international humanitarian law. Perpetrators of crimes committed during the conflict, including the use of chemical weapons, must be held accountable for their actions. His delegation was particularly concerned by recent renewed attacks on health facilities in Idlib and its surrounding provinces and an escalation of violence in the north-east of the country. Canada continued to firmly support the International, Impartial and Independent Mechanism and the complementary transitional justice mechanisms, which were critical to ensuring accountability in Syria in the absence of a

referral by the Security Council to the International Criminal Court. The emphasis in the draft resolution on the meaningful participation of women and girls in the political process was also laudable.

Statements made in exercise of the right of reply

67. **Mr. Al Khalil** (Syrian Arab Republic), in reply to the representative of the European Union, said that the European Union had sent over 30,000 foreign terrorist fighters to his country. He called on the European group of countries to withdraw from their illegal international coalition and take some responsibility for the crimes that had been committed against Syrian civilians.

68. **Ms. Suzuki** (Japan) said that the claims about Japan made by the representative of the Democratic People's Republic of Korea at the Committee's 45th meeting were groundless and based on factual errors. In the 70 years since the end of the Second World War, Japan had consistently looked on its past with humility, maintained respect for human rights and contributed to peace and prosperity in the Asia-Pacific region. Japan and the Democratic People's Republic of Korea should overcome their mutual distrust and deepen cooperation, for the sake of peace in north-east Asia. If similar claims about the history of Japan were repeated during the current session, his delegation's restraint from exercising its right of reply would not imply its acceptance of them.

69. **Mr. Kim** Nam Hyok (Democratic People's Republic of Korea) said that Japan could not shirk responsibility for the cruel offences that it had committed in the past, because crimes against humanity were not subject to a statute of limitations. He urged Japan to recognize its crimes, officially apologize for them and compensate all victims worldwide.

The meeting rose at 5 p.m.