In 2013, the General Assembly, the Human Rights Council, the Secretary-General, special rapporteurs and independent experts addressed the human rights situation in Member States.

In Africa, a fact-finding mission dispatched to the Central African Republic found that the non-State armed group, the Séléka coalition, after seizing power on 24 March, had continued to commit gross violations of international human rights law. The Human Rights Council appointed an independent expert to monitor the situation in the country. In Côte d’Ivoire, despite the establishment of the permanent framework for dialogue, the political dialogue was still deadlocked. The situation in the Democratic Republic of the Congo had deteriorated since 2011, especially in the eastern part of the country where armed conflict had caused an increase in human rights law violations. In Eritrea, the situation remained serious with widespread and systematic violations. In Guinea, legislative elections were held and security sector reform efforts continued, while Libya expressed the wish to continue its cooperation with the Office of the High Commissioner for Human Rights. The Council condemned abuses committed in Mali and established a one-year mandate for an independent expert to support Government efforts to promote and protect human rights. After more than 20 years of armed hostilities, the improved security situation in Somalia, particularly in Mogadishu, was reflected by the return of a number of people from the diaspora. The mandate of the independent expert was renewed for two years to assist the country. The Government of the Sudan submitted a mid-term report on the implementation of the recommendations of the universal periodic review and South Sudan made strides in its efforts to lay down the foundations of a new country.

In the Americas, progress was made in Bolivia, Colombia and Guatemala, yet issues remained. The Independent Expert on the situation of human rights in Haiti identified five main problems in the country: social inequality, detainees, the rule of law, previous human rights violations, and the impact of natural disasters on human rights.

In Asia, the human rights agenda in Afghanistan was at a critical crossroads with general elections, the handover of security responsibilities to Afghan forces and the withdrawal of a large portion of the international donor presence expected in 2014. Overall, Cambodia was moving along on the road to democracy, yet the country had some way to go in promoting and protecting human rights. The Council established a commission of inquiry to investigate violations of human rights in the Democratic People’s Republic of Korea. In Iran, the Secretary-General noted the reduced number of offences for which the death penalty might be applied against juveniles, yet expressed concern about the impact of sanctions on human rights. Myanmar witnessed dramatic changes as reform measures continued to be pursued through the building of new institutions and the enactment of new laws. In Yemen, despite the commencement of the National Dialogue Conference in March, the Government did not reach a consensus on the appointment of commissioners for the national commission of inquiry.

In Europe, the human rights situation in Belarus remained systemically and systematically restricted, and in Cyprus, concerns were expressed about factors impeding the implementation of international human rights standards in view of the protracted conflict.

In the Middle East, the independent international commission of inquiry on the Syrian Arab Republic found that the human rights situation had continued to deteriorate, with both the Government forces and affiliated militia and anti-Government armed groups committing violations. The United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic on the alleged use of chemical weapons in the Ghouta area of Damascus on 21 August 2013 concluded in September that chemical weapons had been used resulting in numerous casualties, particularly among civilians and including many children. The Assembly condemned the use of chemical weapons in Syria and demanded that all parties immediately end all violations and abuses of international human rights and humanitarian law. In territories occupied by Israel, settlement activity, including increased settler violence, continued.

**General aspects**

In the annual report on the activities undertaken by the Office of the United Nations High Commissioner for Human Rights (OHCHR) [A/HRC/25/19 & Corr.1], the High Commissioner, Navanethem Pillay (South Africa), reviewed the work of the Office at the country and regional levels, including its efforts to respond to deteriorating human rights situations. At the country level, its work was conducted through human rights field
ties to organize a free and transparent general election.

The Council took note of the decision of the High Commissioner to dispatch a fact-finding mission to the Central African Republic; called for an immediate halt to all such human rights violations and acts of violence and for the strict observance of all human rights and fundamental freedoms; and invited the transitional authorities to organize a free and transparent general election. It requested the High Commissioner to submit to the Council, at its twenty-fourth (2013) session, an interim report of the human rights situation and, at its twenty-fifth (2014) session, a report evaluating the needs for technical assistance and capacity-building in the Central African Republic.

**Report of High Commissioner.** In response to Council resolution 23/18 (see above), the High Commissioner submitted a report [A/HRC/24/99 & Corr.1] on the situation of human rights in the Central African Republic. A fact-finding mission to collect information on human rights violations committed in Bangui and other localities between December 2012 and 11 July 2013 was deployed from 20 June to 11 July. The fact-finding mission collected credible, reliable and corroborated information from victims, their families, witnesses, and various reliable sources in Bangui and several localities in Lobaye, Kémo, Ombella M’Poko and Nana-Gribizi prefectures where human rights violations had been reported. The mission faced considerable challenges and limitations owing not only to the constraints imposed by security requirements and logistics, but also to the reluctance of victims and witnesses to testify due to their fear of reprisals, and was sometimes only able to obtain estimates on the number of violations reported.

The mission examined allegations of violations of international human rights and humanitarian law committed by the former Bozizé regime and the non-State armed group, the Séléka coalition, during the armed conflict from 10 December 2012 to 23 March 2013. It also reviewed allegations of human rights violations committed after the Séléka seized power on 24 March 2013 (see p. 100). The mission concluded that, during the conflict, both parties had engaged in summary executions and extrajudicial killings, enforced disappearances, torture, and looting of private and public property. The Séléka had also engaged in sexual violence and grave violations against children. On the basis of the information collected by the mission, those acts constituted gross human rights violations and might amount to war crimes.

After 24 March, gross violations of international human rights law committed by the Séléka, such as summary executions, sexual violence, recruitment of children, and looting of property, including hospitals, schools and churches, continued unabated. The High Commissioner expressed concern at the gravity and intensity of human rights violations in the country and at the persistent and prevailing legal and security vacuum in which those crimes were committed. She addressed recommendations to the transitional government, the international community and the Human Rights Council to resolve the crises, address insecurity, protect human rights, fight impunity and promote national reconciliation.

**Central African Republic**

**Human Rights Council action.** On 13 June [A/68/53 (res. 23/18)], the Council took note of the decision of the High Commissioner to dispatch a fact-finding mission to the Central African Republic; condemned all the serious human rights violations and acts of violence perpetrated against the civilian population; called for an immediate halt to all such human rights violations and acts of violence, and for the strict observance of all human rights and fundamental freedoms; and invited the transitional authorities to organize a free and transparent general election. It requested the High Commissioner to submit to the Council, at its twenty-fourth (2013) session, an interim report of the human rights situation and, at its twenty-fifth (2014) session, a report evaluating the needs for technical assistance and capacity-building in the Central African Republic.
transitional authorities to take all necessary steps to put an immediate stop, throughout the national territory, to all acts of violence against the civilian population, and to ensure respect for the rights and fundamental freedoms of all population groups and to take all necessary steps to ensure there was no impunity for all the perpetrators of crimes, acts of violence or any other human rights violations. The Council emphasized the need for all parties to the conflict to facilitate humanitarian access for United Nations and other humanitarian organizations for all persons in need of assistance. It decided to appoint an independent expert, for a period of a year, to monitor the situation of human rights in the country and make recommendations concerning technical assistance and capacity-building in the field of human rights; requested the independent expert to present a preliminary report to the Council at its twenty-sixth (2014) session; and requested the High Commissioner to provide the independent expert with the necessary financial and human resources to accomplish the mandate.

Côte d’Ivoire

*Report of Independent Expert. In a June report [A/HRC/23/38] on the human rights situation in Côte d’Ivoire for the period 13 October 2012 to 31 May 2013, the Independent Expert, Doudou Diène (Senegal), following his fourth visit to the country (28 April–4 May), evaluated the implementation of the recommendations made to Côte d’Ivoire by the various UN mechanisms, including those made by the 2011 International commission of inquiry [YUN 2011, p. 755]. The Independent Expert’s visit coincided with regional and local elections, which were largely a technical success. Nevertheless, the boycott of the elections by opposition parties, particularly the Front Populaire Ivoirien, weakened the elections’ legitimacy. Opposition parties continued to show mistrust for the Government, despite its calls for dialogue. The Independent Expert called on the Government to continue the dialogue in a frank and sincere manner, including all political parties in the democratic process, in order to encourage more peaceful participation in the next elections in 2015, and to consider the need to reform the Independent Electoral Commission and update the electoral roll.

In terms of security, although the number of attacks originating outside the country had decreased significantly between January and April, the situation remained fragile owing to numerous internal factors, such as the activities of militia in the west of the country and the delays in disarming former fighters. The violence committed by the dozos and the Forces Républicaines de Côte d’Ivoire (FRCI) remained a significant internal security threat. The Independent Expert drew the authorities’ attention to the need to speed up the disarmament, demobilization and reintegration process, carrying it out fairly, dealing with the ex-combatants’ frustrations and guaranteeing them a dignified reintegration into society, without letting it become a cover for impunity for perpetrators of serious human rights violations.

Government efforts to reduce human rights violations, particularly with regard to the violence committed by FRCI and the dozos, were noted. The provisional release of detainees with ties to the old regime had helped the situation, but the various legal proceedings under way still gave an impression of a two-tier justice system. Illegal arrest and detention, bans on opposition rallies and the arrest of journalists for reasons that were sometimes unclear could compromise the ongoing process of democratization. The Independent Expert visited Odienné and Bouna and asked about the detention conditions of high-profile detainees such as Simone Gbagbo, Michel Gbagbo and former Prime Minister Pascal Affi N’Guessan; noted that the transfer of certain detainees to the Sainte Anne-Marie International Polyclinic was an encouraging step towards recognizing their right to health; and stated the same recognition should be extended to their right to be either tried or released.

The Independent Expert emphasized the sensitive role of the Dialogue, Truth and Reconciliation Commission [YUN 2012, p. 131] in repairing the fabric of society, which had been torn apart by ten years of crisis against a backdrop of worsening ethnic divisions. The Commission’s mandate, which was due to expire in September, should be renewed. The Independent Expert also noted that the significant increase in the economic growth rate of the country was not reflected in the daily lives of Ivorians.

*Human Rights Council action. On 14 June [A/68/53 (res. 23/22)], the Council condemned the resurgence of attacks by unidentified armed groups, which were liable to thwart the joint efforts of the Ivorian people and the international community to overcome the effects of the post-election crisis in the country; deplored the attack on the Nahily camp for displaced persons and urged the Ivorian Government to expedite the investigations under way to identify the perpetrators of those acts and to bring them before the competent courts; welcomed the establishment of a political framework for ongoing dialogue aimed at facilitating inclusive political pluralism, the ratifications of the Rome Statute of the International Criminal Court and the adoption of new norms of family law to provide for equality between men and women in marriage.

The Council noted the opening of the trial of some members of the FRCI and the holding in Yamousoukro, from 21 to 23 February, of an international conference on impunity; urged the Ivorian Government and all the actors concerned to support the
effective implementation of the mandate of the Dialogue, Truth and Reconciliation Commission; noted with concern the continued and recurring allegations of violence against women and children; and requested OHCHR to continue to provide the technical assistance requested by the Ivorian Government to identify other areas of assistance that would help the country meet its human rights obligations. It called on the international community to support the new National Human Rights Commission through technical assistance and capacity-building programmes; decided to renew the mandate of the independent expert for a period of one year; and requested the independent expert to submit his report at the twenty-fifth (2014) session and his recommendations at the twenty-sixth (2014) session of the Council.

Report of Independent Expert. In a later report [A/HRC/25/73], the Independent Expert on the human rights situation in Côte d’Ivoire, following his fifth visit to the country (14–23 October), highlighted important developments, including the release of 15 detainees associated with former President Laurent Gbagbo, a presidential amnesty for persons convicted of minor offences and the publication of laws on sensitive topics such as nationality and rural land ownership. The security situation in the country had continued to improve, but remained fragile, with a culture of violence persisting and a large number of former combatants not yet reached by the disarmament, demobilization and reintegration programme. In some regions, dozo groups had continued to replace the State in its sovereign role of providing for security.

Despite the establishment of the permanent framework for dialogue, the political dialogue was still deadlocked. The most worrisome sign of this was the return to the partisan and polarizing verbal invective that had characterized the pre- and post-election crisis. In the run up to the 2015 presidential elections and with the kind of electioneering the country had seen, such trends could leave any progress made in establishing democratic institutions devoid of meaning. A moral resurgence on the part of the country’s political leaders was urgently needed. The Independent Expert concluded that profound and lasting national reconciliation could only be the result of a collective effort on the part not only of the institutions that emerged from the crisis, but also of politicians, civil society organizations and community and religious leaders. He called for the renewal of the mandate of the Dialogue, Truth and Reconciliation Commission and for a better focus of its activities.

The Independent Expert expressed concern regarding the increase in sexual violence in the country, especially the fact that such acts had become trivialized and were only being heard in lesser courts, as the criminal courts had not been holding sessions. Despite the extraordinary rebuilding of institutions in the judiciary and the high quality of judges, justice was still perceived as being asymmetric—a perception fuelled by the fact that so far, persons responsible for human rights violations had only been prosecuted if they were associated with the former regime, both by national courts and by the international criminal justice system.

The Independent Expert requested the authorities to regularize the situation of persons detained at the National Surveillance Directorate; underscored the urgent need to give the highest priority to the situation of the victims of the long crisis in the country; organized a conference to draw attention back to the victims of abuses, to be held in February 2014; and called for economic and social rights to be better taken into consideration, and specifically for them to be effectively realized in the context of the country’s outstanding macroeconomic growth.

Democratic Republic of the Congo

Report of High Commissioner. In a July report on the human rights situation in the Democratic Republic of the Congo (DRC) [A/HRC/24/33], covering the period from November 2011 to May 2013, the High Commissioner assessed the progress made by the authorities in the implementation of recommendations made by the High Commissioner and UN human rights mechanisms in recent years. She commended the efforts made by the Congolese authorities to address such recommendations, which resulted in important developments in the field of human rights, including the promulgation of a law on the establishment of a national human rights commission; noted with satisfaction the improvements in holding State agents accountable for human rights violations, including sexual violence, such as elements of the Armed Forces of the Democratic Republic of the Congo (FARDC) and of the Congolese National Police, many of whom were convicted during the period under review; and highlighted the surrender, in March, to the International Criminal Court of General Bosco Ntaganda (see p. 1300), accused of war crimes and crimes against humanity.

Despite those efforts, the High Commissioner noted that the situation of human rights had significantly deteriorated since her previous report to the Council [YUN 2011, p. 757], especially in the eastern part of the country, where the United Nations Joint Human Rights Office documented an important increase in the number of human rights violations and serious violations of international humanitarian law that could amount to war crimes, committed by national security and defence forces, as well as by foreign and national armed groups. The increase in gross human rights violations during the period under review was attributed to various armed groups, including Mouvement du 23 mars (M23), and to the security and defence forces, in relation to M23 activities. M23 combatants were re-
sponsible for gross human rights violations and serious violations of international humanitarian law, including summary executions, rape and child recruitment. Other armed groups, which took advantage of the security vacuum that followed the redeployment since May 2012 of FARDC units to combat M23, were also responsible for gross human rights violations and serious violations of international humanitarian law. Such groups had sought to extend their influence and control over areas rich in natural resources in the eastern part of the country, committing attacks against civilians, often on ethnic grounds. In addition, in the context of operations against M23, members of the Congolese defence and security forces allegedly committed gross human rights violations and serious violations of international humanitarian law, including mass rape.

The High Commissioner encouraged the Government to implement all the recommendations made in the report and reiterated the engagement of her Office in the State to support its efforts to protect and promote human rights.

**Human Rights Council action.** On 27 September [A/68/53/Add.1 (res. 24/27)], the Council congratulated the DRC on the establishment of the National Human Rights Commission in accordance with the Paris Principles, and encouraged the DRC to make the Commission operational in the near future; urged the Government to redouble its efforts to put an end to impunity, primarily of sexual violence, and to bring the perpetrators to justice and ensure the victims receive compensation; encouraged the Government to implement the national action plan, signed on 4 October 2012, to prevent and put an end to the recruitment and use of children, as well as to sexual violence committed against children; expressed serious concern at the very high number of cases of sexual violence, which was also used as a weapon of war in the provinces in conflict in the east of the country; and decided to hold, at its twenty-fifth (2014) session, a high-level dialogue on the lessons learned and the continuing challenges in combating sexual violence in the country and to allow countries in conflict and post-conflict situations to share their experiences in the area.

**Eritrea**

**Report of Special Rapporteur.** In a May report [A/HRC/23/53] submitted pursuant to Council resolution 20/20 [YUN 2012, p. 737] on the situation of human rights in Eritrea, the Special Rapporteur, Sheila B. Keetharuth (Mauritius), provided an overview of the most serious human rights concerns in the country, including cases of extrajudicial killing, enforced disappearance and incommunicado detention, arbitrary arrest and detention, torture, inhumane prison conditions, indefinite national service, and lack of freedom of expression and opinion, assembly, association, religious beliefs and movement. She recommended that the Government respect all obligations under the international human rights treaties to which it was a party, and ratify and implement other international human rights instruments; implement the Constitution ratified in 1997; allow the creation of political parties and hold free, fair and transparent democratic elections; cease the shoot-to-kill policy implemented at the borders with immediate effect, as well as all other forms of extrajudicial executions; set up an effective mechanism to establish the whereabouts of those who had reportedly disappeared and provide information thereon to their families; investigate and prosecute all allegations of extrajudicial, summary or arbitrary killings and bring perpetrators to justice; and put an immediate end to State-sponsored violence. The Government should immediately release, or charge and bring before a court of law, the members of the “G-15” and the journalists arrested in 2001; put an immediate end to the practice of incommunicado detention, close all unofficial and secret places of detention and allow access to prisoners by family members, lawyers and judges; guarantee the physical integrity of all prisoners; stop the use of torture, establish an adequate complaints mechanism, and ensure that prompt and effective investigations were conducted into all allegations; end the practice of indefinite national service and initiate demobilizations for those who had completed 18 months of service; stop the use of national service conscripts as forced labour, and the recruitment of children under the age of 18 years into military training; and ensure accountability for past human rights violations.

The Government also should fully respect the freedoms of expression and opinion, of peaceful assembly and association as critical foundations for any democracy; put an end to harassment and intimidation of journalists; allow the creation of private media; and provide licenses to private radio and television stations. It should respect the religious freedoms of all faiths; put an end to restrictions to the freedom of movement; address the alarming living conditions; ensure access to education; cooperate with the international community to allow those providing international humanitarian assistance unhindered access throughout the country; cooperate with the Special Rapporteur; collaborate with other international human rights mechanisms; and seek technical assistance from OHCHR.

The Special Rapporteur recommended that the international community keep Eritrea under close scrutiny; strengthen efforts to ensure the protection of those fleeing from Eritrea; promote channels of migration from Eritrea to reduce clandestine channels and promote intercountry cooperation to counter human smuggling and trafficking; and provide space for long-term solutions to help refugees.
**Human Rights Council action.** On 14 June [A/68/53 (res. 23/21)], the Council condemned the continued widespread and systematic violations of human rights and fundamental freedoms committed by the Eritrean authorities; the severe restrictions on freedom of opinion and expression, information, thought, conscience and religion, and peaceful assembly and association; the forced conscription of citizens for indefinite periods of national service; the severe restrictions on freedom of movement; the violations of the rights of the child; the widespread use of torture; the shoot-to-kill practice employed on the borders of Eritrea to stop Eritrean citizens seeking to flee their country; any violations by the Government of its international human rights obligations in connection with the collection of taxes outside Eritrea from its nationals; and the lack of cooperation with international and regional human rights mechanisms.

The Council called on the Government to end its use of arbitrary detention; account for and release all political prisoners; ensure free and fair access to an independent judicial system for those detained, and improve prison conditions; end indefinite national service; allow human rights and humanitarian organizations to operate in Eritrea without fear or intimidation; respect everyone’s right to freedom of expression and to freedom of thought, conscience, and religion or belief, and the rights to freedom of peaceful assembly and of association; enhance the promotion and protection of women’s rights; implement the recommendations accepted during its universal periodic review; end “guilt-by-association” policies that targeted family members of those who evaded national service or sought to flee; cooperate fully with OHCHR; provide OHCHR with all relevant information on the identity, safety, well-being and whereabouts of all detained persons and persons missing in action, including journalists and Djiboutian combatants; and implement fully the Constitution of Eritrea adopted in 1997.

The Council decided to extend the mandate of the Special Rapporteur for a period of one year, requested her to present a report to the Council at its twenty-sixth (2014) session and to address and engage in an interactive dialogue with the General Assembly at its sixty-eighth (2013) session. It called on the Government of Eritrea to cooperate fully with the Special Rapporteur, permit her access to visit the country and give due consideration to the recommendations contained in her first report.

**Guinea**

**Human Rights Council action.** On 14 June [A/68/53 (res. 23/21)], the Council recognized the efforts made by the Government of Guinea to strengthen the rule of law and improve the human rights situation in the country in line with the recommendations of the international commission of enquiry [YUN 2009, p. 230], and welcomed the creation of the new Ministry of Human Rights and Civil Liberties and the mainstreaming of human rights in the reform of the security sector.

It took note of the change in the composition of the Independent National Electoral Commission and the establishment of a national commission for the study and prevention of the problem of violence and of the creation of a permanent framework for dialogue and consultation among stakeholders with a view to leading the country to free, democratic, transparent and peaceful elections. The Council called on the Guinean authorities to guarantee freedom of opinion and expression and freedom of peaceful assembly and association; urged all political stakeholders to take an active part in good faith in the political dialogue; reiterated its commitment to accession to power by democratic means and condemned all incitement to ethnic or racial hatred; urged the Government to pursue reforms in the security and defence sectors that incorporated respect for human rights and guaranteed the enjoyment of civil and political rights; and encouraged the Government to draw up and implement a comprehensive programme to strengthen the justice system.

The Council noted that measures had been taken by the panel of judges appointed to investigate the events of 28 September 2009 [YUN 2009, p. 229], and encouraged the Government to support the work of the panel and expedite judicial proceedings against those responsible; guarantee the protection of the survivors of those acts of violence, including the victims of sexual violence; and compensate the families of victims who had lost their lives as a result of the events of 28 September 2009 and provide redress for the physical and psychological suffering inflicted upon those who were wounded. It also invited the High Commissioner to report to the Council at its twenty-fifth (2014) session on the situation of human rights and the work of OHCHR in Guinea.

**Report of High Commissioner.** Pursuant to Council resolution 23/23 (see above), the High Commissioner submitted a report [A/HRC/25/44 & Corr.1] on the situation of human rights in Guinea in 2013, made recommendations to address diverse human rights problems, and provided information on the activities of OHCHR in Guinea and on the results achieved through the technical assistance provided. Long delayed legislative elections were held during the year and efforts to reform the security sector continued with the adoption of the national security policy and relevant sectoral policies, following a participatory process. Certain measures to improve conditions of detention were adopted, in particular better food and the building or renovation of certain prisons and infrastructure for the judiciary, the police and the gendarmerie. However, numerous challenges remained, including impunity and weakness in the administration of jus-
tice; the persistence of violence against women and an increase in acts of violence, in particular intercommunal violence; and youth unemployment, illiteracy, lack of education, a culture of impunity and discrimination on the basis of ethnicity.

The High Commissioner recommended the Government step up efforts to combat impunity, accelerate reform in the justice sector, continue strengthening the resources of the security forces, strengthen the fight against all forms of discrimination, organize participatory national consultations, and establish an interministerial committee for the drafting of reports to the UN treaty bodies. The international community should continue to support the reform process in the security and justice sectors and provide the necessary assistance to the Government to reduce poverty and unemployment.

Libya

Human Rights Council action. On 21 March [A/68/53 (res. 22/19)], the Council welcomed the wish by the Government of Libya to continue its cooperation with OHCHR; the election of the members of the General National Congress on 7 July 2012 [YUN 2012, p. 256] in a democratic and transparent atmosphere; the commitment of Libya to the rule of law and the establishment of legislative, executive and judicial branches of government; the launch of the process for drawing up a national action plan on enhancing the protection of human rights in partnership with the High Commissioner; the formation of a standing ministerial committee to receive complaints regarding human rights violations and to take the necessary action; the establishment of the National Council for Fundamental Freedoms and Human Rights on 28 December 2011; the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol; the issuance of new rules and regulations to guarantee freedom of speech, peaceful protest and assembly, as well as the formation of political parties; the continued cooperation with the International Criminal Court; the efforts made to stabilize the security situation; the commitment to bring all detainees and detention camps under government control; the efforts made to empower women and girls, particularly in relation to the Constitution, the electoral system, the police and the judiciary; and the outcome of the International Ministerial Conference (Paris, 12 February).

The Council urged the Government to continue to investigate all violations of human rights and to guarantee fair trials for the accused, take further steps to protect freedom of religion and belief, and expedite the return of all persons displaced by the conflict since 2011. It requested OHCHR to prepare a written report to the Council’s twenty-fifth (2014) session reflecting human rights regarding the technical support and capacity-building needs of Libya, with a view to strengthening the promotion and protection of, and respect for, human rights and fundamental freedoms and exploring ways of cooperation to overcome the challenges in the areas of security, respect for the rule of law, transitional justice and human rights.

Mali

Human Rights Council action. On 21 March [A/68/53 (res. 22/18)], the Council condemned the excesses and abuses committed in Mali, particularly in the north of the country, by, among others, the rebels, terrorist groups and other organized transnational crime networks; repeated its call for an immediate halt to all human rights violations and acts of violence; and called on the Government to guarantee freedom of expression and invited it to organize free, transparent elections as soon as possible. It commended the Government on the steps it had taken to bring all perpetrators of human rights abuses and violence before impartial courts, took note of the signature of an agreement on judicial cooperation between Mali and the International Criminal Court on 13 February, and welcomed the establishment of a commissioner for dialogue and reconciliation and the deployment of the African-led International Support Mission to Mali.

The Council decided to establish a one-year mandate for an Independent Expert on the situation of human rights in Mali with a view to assisting the Government in its efforts to promote and protect human rights; requested the Independent Expert, within the bounds of the mandate, to work closely with all entities of the United Nations, the African Union, the Economic Community of West African States, and all other international organizations concerned with Malian civil society and to report to the Council at its twenty-fifth (2014) session; and requested the High Commissioner to provide the Council with an updated report on the human rights situation for consideration at its twenty-third (2013) session.

Report of High Commissioner. Pursuant to Council resolution 22/18 (see above), the High Commissioner submitted a June report [A/HRC/23/57] on the human rights situation in Mali, which was the result of research carried out by a mission deployed in Mali by OHCHR between 18 February and 22 March 2013 and supplemented by the Human Rights Division of the recently established United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) (see p. 202). According to the report, the human rights situation in the north of the country remained precarious, being marked by violations of the right to life, enforced disappearances, torture, unlawful arrests, arbitrary detentions and destruction of property. Those violations were attributed to armed groups, particularly the National Movement for the Liberation
of Azawad, Anser Dine and the Movement for Unity and Jihad in West Africa, and also to officers of the Malian army. Internally displaced persons and refugees had stated that they fled their region of origin for fear of reprisals on the part of both the Malian army and the armed groups. The numerous grave violations of human rights and international humanitarian law committed since January 2012 [YUN 2012, p. 739] were consequences of a cycle of impunity that was part of a long tradition of violence and crime committed during successive periods of conflict in the country extending over more than 20 years.

The High Commissioner noted that the Malian authorities had taken a number of steps to combat impunity and to bring legal proceedings against the alleged perpetrators of violations of human rights and international humanitarian law. It was important that those efforts were supported by the international community if the country was to address the numerous challenges it faced in relation to security, restoration of the rule of law, democratic and economic reconstruction and respect for human rights.

She made a series of recommendations to the Government, including to ensure the effective return of the Malian administration to the northern region; dismantle the various militias and other parallel armed forces whose activities continued to jeopardize the safety of people and property; continue, in conjunction with MINUSMA and the European Union Training Mission, to provide training for the Malian Defence and Security Forces in the principles of international human rights law and international humanitarian law; establish a transitional justice mechanism; ensure that the needs and opinions of internally displaced persons and refugees were taken into account in the ongoing reconciliation process; and adopt urgent measures to create conditions conducive to the return of refugees and the participation of all Malians in political processes.

Report of Independent Expert. Pursuant to Council resolution 22/18 (see above), the Independent Expert, Suliman Baldo (Sudan), submitted a report [A/HRC/25/72] on the human rights situation in Mali covering the period from 1 July to 30 December. The report stated that the events of January and March 2012 [YUN 2012, p. 739] highlighted the vulnerability of Mali—a developing country with weakened State structures—in the face of an alliance of convenience between Malian rebels and armed jihadi groups from outside the country. Although routed in early 2013 through the intervention of France and African forces, those groups were still in a position to conduct terrorist and guerrilla operations in the north against military and civilian targets. The major challenges which Mali had to address in 2014 were the consolidation of security in the north and the strengthening of constitutional order, which the country had restored with the help of presidential and legislative elections. Mali also had to reinforce the rule of law and the fight against impunity and make major efforts to reform the judicial system and the security sector. A frank dialogue with the armed groups that had agreed to support the Malian State and recognized its sovereignty, secular nature and the indivisibility of its territory, as well as with the communities in northern Mali, was the only way to promote national unity and create favourable conditions for an effective introduction of State services throughout the country. In establishing the Truth, Justice and Reconciliation Commission, Mali had set out on the path to transitional justice by seeking to obtain redress for the victims of the massive violations of human rights and international humanitarian law committed in the north of the country since independence.

Somalia

Human Rights Council action. On 14 June [A/68/53 (dec. 23/114)], the Council reaffirmed the importance of the Government of Somalia adopting a human rights road map before the end of 2013, and decided to hold a stand-alone high-level interactive dialogue, at its twenty-fourth (2013) session, with the aim of exploring how all stakeholders could work effectively towards the finalization and implementation of the road map and the realization of human rights in Somalia. The Council requested OHCHR to provide a summary of the key conclusions of the high-level dialogue pertaining to how to ensure maximum effectiveness of technical and other assistance to Somalia and to ensuring implementation of the road map at the national and subnational levels in the country.

Report of Independent Expert. In an August report on the situation of human rights in Somalia [A/HRC/24/40 & Corr.1], the Independent Expert, Sham sul Bari (Bangladesh), focused his visit to Somalia and Kenya from 18 to 22 March on preparing the ground for the post-transition human rights road map for the country. The visit was limited primarily to Mogadishu, where he met with the President and his cabinet as well as with the African Union Mission in Somalia (see p. 266), UN agencies and members of civil society. After more than 20 years of armed hostilities, which still continued in some areas, Somalia had reached a turning point. The improvements in the security situation in Mogadishu and in an increasing number of areas in the country was reflected in the return of an impressive number of people from the diaspora. Business activities and the construction of buildings were on the rise. Though serious concerns remained about the security situation as a result, for example, of clan infighting in Kismayo and Jubaland, there were clear signs of hope.

An important priority of the Government should be the establishment of cohesive security architecture to consolidate the fragile security in Mogadishu, the coastal areas and the south-central region. As sexual vi-
violence was a subject of national and international concern, the Government should adopt, in cooperation with the United Nations, a preventative and responsive strategy on the matter; and the adoption of the proposed law on the establishment of a human rights commission should benefit from wide-ranging consultations with civil society organizations, including associations of victims and minority groups, and their views on issues pertaining to the principles relating to the status of national institutions for the promotion and protection of human rights should be fully taken into account. The Independent Expert urged the Government to take into serious consideration the most useful recommendations made by the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination with respect to the activities of private military and security companies.

The Independent Expert urged the authorities to reconsider their position on the application of the death penalty and to treat all alleged perpetrators of terrorist acts in accordance with international human rights standards relating to due process and fair trial. He expressed concern about the arrests for treason of politicians, businessmen and community leaders who had visited Mogadishu. He urged the authorities of Somaliland to refrain from imposing such limitations on citizens' rights to free movement, expression and political participation. He also urged the authorities of Somaliland and the self-proclaimed Khatumo state to refrain from any escalation of violence and to settle their disputes through peaceful means, including dialogue, mediation and arbitration.

In addition to the many positive measures it had already taken, the African Union Mission in Somalia should initiate further practical measures to prevent sexual violence and exploitation of civilians, which reportedly continued to occur. The Security Council should reaffirm its call for the establishment of a civilian casualty tracking, analysis and response cell, as no concrete progress appeared to have been taken.

**Human Rights Council action.** On 27 September [A/68/53/Add.1 (res. 24/30)], the Council expressed concern at reports of violations of human rights in Somalia; and at the abuses and violations perpetrated against women, children and journalists in Somalia. It underscored the importance of coordinated international assistance to the country in the field of human rights, and called on the Government, among others, to finalize and adopt a federal Constitution by December 2015; prepare for and hold credible elections in 2016; establish independent, accountable and efficient judicial institutions; and increase awareness and training on human rights among the Somali security forces at the national and subnational levels. The Government should also guarantee a minimum level of protection for children; implement, in a clear and accessible manner, a zero-tolerance policy on gender-based violence, particularly sexual violence; ensure that individuals found to be responsible for and complicit in sexual violence, regardless of status or rank, were held to account; initiate effective and impartial investigations into the killings of journalists; ensure the protection and well-being of all internally displaced persons, including from sexual violence and exploitation; and facilitate full humanitarian access to people in need throughout Somalia.

The Council decided to renew the mandate of the Independent Expert on the situation of human rights in Somalia for a period of two years. It requested the Independent Expert to continue his engagement with the Government of Somalia at the national and subnational levels, civil society and the United Nations Assistance Mission in Somalia (UNSOM) (see p. 266) to assisting the country in the implementation of its domestic and international human rights obligations; the Human Rights Council resolutions; accepted universal periodic review recommendations; and other human rights commitments, including the Post-Transition Human Rights Road Map and the process to establish an independent human rights commission. The Council requested the Independent Expert to report at its twenty-seventh (2014) session.

**Report of High Commissioner.** In a report submitted pursuant to Council decision 23/114 (see p. 739) on assistance to Somalia in the field of human rights [A/HRC/25/45], the High Commissioner provided a summary of the key conclusions of the standalone high-level interactive dialogue that was held on 24 September, and included recommendations on finalizing and implementing the post-transition human rights road map at the national and subnational levels in the country and on the realization of human rights in Somalia. The High Commissioner recommended that the Government of Somalia define a strategy and specific actions to address the human rights concerns spelled out in the road map; establish a national human rights institution; and foster the exercise of alternative political views, especially in light of the 2016 elections. Recommendations to the United Nations included ensuring that monitoring and regular public reporting by the human rights component of UNSOM was prioritized and that qualified staff were recruited without delay; and establishing a commission of inquiry to document serious crimes committed in Somalia in violation of international human rights law and humanitarian law and recommending measures to improve accountability. The High Commissioner recommended that the international community provide support to the Government of Somalia to ensure that the road map's substantial human- and financial-resource requirements were met, and support the establishment of the independent commission of inquiry to document serious crimes.
**Sudan**

**Report of Independent Expert.** In response to Council resolution 21/27 [YUN 2012, p. 742], the Independent Expert on the situation of human rights in the Sudan, Mashood A. Baderin (Nigeria), submitted a September report [A/HRC/24/31] covering the period from October 2012 to July 2013, during which he undertook two missions to the Sudan. The report reviewed the human rights situation in the country, outlined the major human rights challenges faced by the Government, and described the progress made in meeting these challenges. The Government of the Sudan had made some progress in developing policies and legislative and institutional mechanisms necessary for improving the human rights situation in the country. However, it needed to concentrate on implementing those policies through the adoption of a results-oriented culture. He recommended that the Government continue with the implementation of the universal periodic review (UPR) recommendations; publish at the end of the year a report on the practical results achieved from the implementation of the UPR recommendations; and establish a high-level committee to oversee implementation of the adopted national action plan for the protection of human rights in the country. The armed movement in the Sudan should respect human rights and humanitarian rules in their engagements and avoid indiscriminate attacks on the lives and properties of civilians and UN peacekeepers; cooperate fully with the international community to find a permanent peaceful solution to armed conflict in the country; support the Doha Document for Peace in Darfur [YUN 2011, p. 220]; and cooperate with the Government of the Sudan and the international community to make its implementation successful.

**Human Rights Council action.** On 27 September [A/68/53/Add.1 (res. 24/28)], the Council noted the submission by the Government of its midterm report on the implementation of the accepted recommendations of the UPR; decided to renew the mandate of the Independent Expert for a period of one year, and requested the Independent Expert to submit a report to the Council at its twenty-seventh (2014) session. It also requested OHCHR to provide the Sudan with the necessary technical support and training; urged the Government of the Sudan to continue its cooperation with the Independent Expert, including by giving him access to the entire country, in particular the States of Darfur, South Kordofan and Blue Nile, in order to assess and verify the situation of human rights, to determine the technical assistance needs and to report on his findings; and requested the Independent Expert to also assist the Government in its strategy to implement the remaining accepted UPR recommendations.

**South Sudan**

**Report of High Commissioner.** In a June report [A/HRC/23/31], the High Commissioner, pursuant to Council resolution 21/28 [YUN 2012, p. 742], outlined the human rights challenges faced by South Sudan as a new State emerging from decades of war, identified priority areas of engagement in technical assistance and capacity-building, and stressed the importance of supporting the efforts of the Government to build the capacity of rule of law and human rights institutions. In the two years since independence, South Sudan had made strides towards establishing the foundations of a new country and the institutions necessary to respond to the needs of its population. Some progress had been made at the institutional and legislative levels, but the actual implementation of measures remained extremely weak. The High Commissioner recommended that the Government implement the human rights strategy contained in the national human rights agenda by the Human Rights Commission upon its endorsement by the National Assembly; strengthen the presence of State institutions throughout the national territory; and take all measures necessary to develop a robust legal framework for the promotion and protection of human rights.

The Government should ensure that the fight against impunity was addressed as a matter of priority; prohibit the detention of women and children for acts of adultery; strengthen advocacy efforts to increase the representation and participation of women in decision-making at all levels; and impose a moratorium on the death penalty, particularly in the light of the inability of the judiciary to guarantee fair trials and due process.

**Communication.** In a May note [A/HRC/23/G/4], South Sudan transmitted to the Council its comments on the High Commissioner’s report.

**Human Rights Council action.** On 14 June [A/68/53 (res. 23/24)], the Council called on the Government to implement legally binding international and regional human rights instruments to which it was a party and to strengthen cooperation with the United Nations Mission in South Sudan (UNMISS) (see p. 244) on issues pertaining to the promotion and protection of human rights and to ensure the security of its members. The Council requested the Government to take steps to tackle impunity and improve the justice system, including through improvements in the training of government officials to foster a culture of accountability; requested Member States, relevant UN agencies and stakeholders to support, as a matter of urgency, the national efforts of the Government on technical assistance and capacity-building to include training and workshops in human rights education to overcome challenges in the area of security and to promote respect for human rights; and requested the Government to take steps to strengthen further the independence of the South Sudan Human Rights Commission. It
requested the High Commissioner to work with the Government to provide it with technical assistance, identify additional areas of assistance and submit an interim report on the situation at its twenty-sixth (2014) session and a final report at its twenty-eighth (2015) session on progress in technical assistance and capacity-building in the field of human rights.

**Americas**

**Bolivia**

*Report of High Commissioner.* In her annual report [A/HRC/25/19/Add.2], the High Commissioner reviewed the human rights situation in Bolivia and the work undertaken by OHCHR in the country during 2013. Levels of poverty and extreme poverty were reduced; the country surpassed the Millennium Development Goal on the right to safe drinking water two years before the deadline; and the school dropout rate at the primary level had continued to decrease. The country continued to develop measures to combat persistent racism and all forms of discrimination; Comprehensive Law No. 348 on guaranteeing women a life free from violence was promulgated, representing an important step towards the elimination of gender violence, which was increasing; and there was a reduction in complaints concerning the excessive use of force by the police in the context of social conflict. However, in the police and the military, cases of abuse by officials against subordinates during training exercises were registered, some serious enough to affect the right to life; and critical overcrowding in prisons and the excessive use of pretrial detention continued. Protecting the rights of indigenous peoples continued to present a challenge. The elaboration of a consensus draft legal framework on the right to consultation in line with international standards was noteworthy; nevertheless, the lack of consultation on mining was a cause for concern. Many measures were taken to respond to the profound crisis in the administration of justice, including the analysis of structural problems with a view to improving access to justice, judicial independence and transparency, and institutional management. Delays, corruption, impunity and lack of resources in the judicial system persisted, and the Office continued to monitor emblematic criminal proceedings, where progress was slow. The High Commissioner concluded with recommendations on improving the human rights situation in Bolivia.

**Colombia**

*Report of High Commissioner.* In her annual report [A/HRC/25/19/Add.3], the High Commissioner reviewed the human rights situation in Colombia and illustrated the difficulties of moving from a counter-insurgency culture to one where rights-holders and duty-bearers worked to address human rights challenges together; analysed and offered lessons learned with regard to the mass demonstrations that had characterized 2013; welcomed the positive developments in the area of victims’ rights, while identifying remaining shortcomings and challenges; and emphasized serious human rights concerns, including the attempt to expand military criminal jurisdiction and the situation of human rights defenders and of land restitution claimants.

The High Commissioner’s recommendations covered matters relating to the recruitment and use of children in armed conflict; public monitoring and reporting mechanisms; the integration of progressive targets into municipal, departmental and national budget cycle management; the fight against impunity; and public oversight to ensure increased diversity at all levels of public institutions based on ethnic, gender and other criteria.

**Guatemala**

*Report of High Commissioner.* In her annual report [A/HRC/25/19/Add.1], the High Commissioner described the work undertaken by OHCHR in Guatemala during the year, including the conducting of monitoring activities to provide technical assistance and advice to State institutions and civil society in the implementation of international human rights obligations and the recommendations of human rights mechanisms, and the concluding of the first phase of the Maya Programme, which contributed to building judicial precedents related to indigenous peoples. Effective coordination among State institutions enabled Guatemala to take unprecedented steps to combat impunity. Despite the fact that the Constitutional Court overturned, in May, the verdict against Efraín Ríos Montt, Guatemala made history by becoming the first country in the world to convict a former Head of State for genocide, in line with international standards. Proceedings were set to resume in 2015. High levels of violence, including against women, continued to affect the enjoyment of human rights. Indigenous peoples continued their struggle for collective rights; and energy and extractive projects, particularly in indigenous territories, were one of the main sources of unrest and, occasionally, violence. The High Commissioner noted some positive steps in the promotion of rural development and the fight against malnutrition, and welcomed the establishment of a Global Compact Local Network and encouraged companies and other stakeholders to adhere to the Compact’s principles. The High Commissioner’s recommendations covered justice and security, human rights defenders, indigenous peoples, women and girls, persons with disabilities, economic and social rights, and business and human rights.
Haiti

Human Rights Council action. In a 22 March statement [A/68/55 (PRST/22/2)] on technical assistance and capacity-building in human rights in Haiti, the Council took note of the report of the Independent Expert on the situation of human rights in Haiti [YUN 2012, p. 744], and welcomed the commitment of the Haitian authorities to set up a structure to organize the next legislative and municipal elections and the decision by the Government to pursue the strengthening of the rule of law, notably by combating impunity, crime and the causes of crime. The Council invited the Government to adopt the political and legal measures necessary to safeguard the rights of members of vulnerable groups, including the victims of child trafficking, and to increase women’s participation in political affairs and continue to combat gender-based violence and discrimination. The Council approved the request of the Haitian authorities for a one-year extension of the mandate of the Independent Expert; encouraged the Independent Expert to assist the Government in acting upon the recommendations made in the course of the universal periodic review and by special procedures; and invited him to undertake a mission to Haiti and to report to the Council at its twenty-fifth (2014) session.

Report of Independent Expert. In a report on the situation of human rights in Haiti [A/HRC/25/41], the Independent Expert, Gustavo Gallón (Colombia), identified five main problems that contributed to human rights violations in Haiti and required urgent action: social inequality, as a result of which much of the population lacked resources and had no access to economic, social and cultural rights; the plight of detainees, particularly the problem of prolonged pretrial detention; the weakness of the rule of law; human rights violations committed in the past; and the impact on human rights of the disasters that had hit Haiti. The Independent Expert addressed the situation of internally displaced persons in camps, mainly as a result of the 2010 earthquake [YUN 2010, p. 916], the cholera epidemic and the situation of people of Haitian origin who could end up being stateless. He recommended that the Haitian authorities establish a reasonably short time frame for eradicating illiteracy, which affected about half of the adult population; reduce prison overcrowding and set up hygienic sanitation services in prisons; strengthen the rule of law; put in place a programme to protect population groups at risk; and establish a reparations commission for cholera victims. The Human Rights Council should launch an appeal to the States hosting Haitian immigrants to join UNHCR in its efforts to ensure that those people had decent living conditions and were granted nationality under the conditions laid down in the Convention on the Reduction of Statelessness [YUN 1961, p. 533].

Asia

Afghanistan

Report of High Commissioner. In a report on the situation of human rights in Afghanistan [A/HRC/25/41], submitted pursuant to a Human Rights Council decision [YUN 2006, p. 948] and resolution 14/15 [YUN 2010, p. 772], the High Commissioner, on her first visit to Kabul (15–17 September), found that the protection of civilians in the armed conflict continued to be a serious concern. Civilian deaths and injuries from conflict-related violence increased by 10 per cent compared to 2012, marking a return to the high numbers of civilian deaths and injuries recorded in 2011. Casualties were 36 per cent higher than those recorded in 2012, with at least nine children killed or injured every two days in Afghanistan during the first 11 months of the year. July and August were the worst months on record for children, with 214 injured and 196 killed.

Violence, discrimination and harmful practices against women remained systemic and entrenched; landmark protections for women, including the 2009 Law on the Elimination of Violence against Women (Evaw) [YUN 2009, p. 341], had been questioned; and while the Afghan authorities registered more reports of violence against women under evaw in 2013, the number of prosecutions and convictions remained low. OHCHR documented Afghan forces’ continued use of torture against conflict-related detainees in a number of detention facilities and the denial of detainees’ access to legal counsel.

The work of the Afghanistan Independent Human Rights Commission was undermined during the year. The process for appointing new commissioners was not inclusive, transparent or participatory and therefore threatened the independence and effectiveness of the Commission’s work.

The High Commissioner concluded that the human rights agenda in Afghanistan was at a critical crossroads. In April 2014, President Karzai’s two terms in office would expire and presidential elections would be held. During 2014, international military forces were due to finalize their handover of security responsibilities to Afghan forces and a large portion of the international donor presence was expected to withdraw from Afghanistan.

The High Commissioner recommended that the Government prioritize efforts to strengthen civilian protection; strengthen structures in the Government that track, mitigate and provide accountability for civilian casualties by pro-Government forces; strengthen the national and provincial commissions on evaw; and fully implement the Attorney General’s 2012 directive requiring prosecutors to ensure that women were not
prosecuted for leaving their houses, and review any new cases of women who were imprisoned for "running away" or "attempting zina". Recommendations to the international community included increasing support to the Government in implementing the EVAW law; undertaking countrywide verification of the 700 international military bases and firing ranges that had closed to ensure they were cleared of unexploded and abandoned ordnance; and put plans in place to continue engagement on detention issues post-2014.

Cambodia

Report of Special Rapporteur. In an August report [A/HRC/24/36] submitted in response to Human Rights Council resolution 18/25 [YUN 2011, p. 764] on the situation of human rights in Cambodia, the Special Rapporteur, Surya Subedi (Nepal), stated that his last two missions to the country, in December 2012 and May 2013, focused on the follow-up to his previous recommendations on judiciary, parliamentary and electoral reform and on the human rights impact of economic and other land concessions. Overall, Cambodia seemed to be moving along on the road to democracy. However, the country had some way to go in promoting and protecting human rights, strengthening good governance, and enhancing the independence and capacity of State institutions responsible for upholding people’s rights. The process of judicial, parliamentary and electoral reform had been slow, and the Government had yet to act on most of the recommendations relating to the granting and management of economic and other land concessions. The Special Rapporteur urged the Government to speed up the process of reform of State institutions responsible for protecting and promoting human rights and to accelerate the process of the democratization of the country to ensure the benefits of economic growth could be shared equitably by all in the country.

Communication. In a September note [A/HRC/24/G/10] to the High Commissioner, Cambodia transmitted its comments on the report of the Special Rapporteur.

Report of Secretary-General. In a September report [A/HRC/24/32] on the role and achievement of OHCHR in assisting the Government and people of Cambodia in the promotion and protection of human rights, submitted pursuant to Council resolution 18/25 [YUN 2011, p. 764], the Secretary-General stated that OHCHR continued to provide assistance in five key areas: prison reform; fundamental freedoms; land and housing rights; rule of law; and promoting the legacy of the Extraordinary Chambers in the Courts of Cambodia. Work also expanded on the issue of business and human rights. The Secretary-General hoped the two-year memorandum of understanding governing technical assistance between OHCHR and the Government would be renewed beyond December, and expressed concern regarding a number of personal attacks made on the integrity of the Special Rapporteur, including by Government representatives, and urged the Government and all stakeholders to cooperate with him fully in his work. OHCHR was able to support the Government to clear its backlog of overdue periodic reports to the treaty bodies, and continued to support the drafting of the next report due under the International Covenant on Economic, Social and Cultural Rights. Support was also provided in follow-up to the 91 recommendations accepted by Cambodia at its initial universal periodic review [YUN 2009, p. 625], as well as in preparation for the second review in early 2014.

The Office’s individual casework continued to be focused on disputes relating to land, limitations on freedom of expression, the right to a fair trial, and arbitrary detention and conditions of detention, including ill-treatment. Disputes relating to land continued to pose a significant challenge to the country. While a major Government initiative launched in 2012 resulted in the distribution of land titles to many rural families, a number of chronic land disputes persisted. The Office monitored and intervened in demonstrations, protests, acts of intimidation, cases of detention and court proceedings arising from those disputes; advocated the right to freedom of expression of all Cambodians, including journalists, human rights defenders and trade unionists; raised with the authorities allegations of impermissible restrictions of freedom of expression; monitored a number of court proceedings, including high-profile cases and, in some cases, secured legal representation for defendants; and systematically brought to the attention of the authorities instances of arbitrary detention and ill-treatment, which had led to largely favourable outcomes, including release.

Human Rights Council action. On 27 September [A/68/53/Add.1 (res. 24/29)], the Council reaffirmed the importance of the Extraordinary Chambers in the Courts of Cambodia, welcomed the progress made with regard to the Chambers, expressed grave concern over the financial situation of the Extraordinary Chambers, and urged the Government to work with the United Nations and the State providing assistance to ensure the highest standards of their administration. It welcomed the positive engagement of the Government in the UPR process; the progress achieved by the Government to implement its obligations under international human rights treaties and conventions; and the fact that the elections for the National Assembly, on 28 July, were held in a generally smooth and peaceful manner. The Council stressed the need for the Government to continue to enhance its efforts to investigate urgently and to prosecute all those who had perpetrated serious crimes, including violations of human rights; the need for further progress and efforts by the Government to promote a pluralistic
and democratic process in Cambodia through parliamentary debate; and the need for the Government to continue to take action to promote the rights and dignity of all Cambodians. The Council decided to extend by two years the mandate of the Special Rapporteur and requested him to report to the Council at its twenty-seventh (2014) and thirtieth (2015) sessions. It also requested the Secretary-General to report to the Council at those sessions on the role and achievement of OHCHR in assisting the Government and the people of Cambodia in the promotion and protection of human rights.

Democratic People’s Republic of Korea


Report of Special Rapporteur. In a February report [A/HRC/22/57] on the situation of human rights in the DPRK, the Special Rapporteur provided a comprehensive review of UN documentation and resolutions on the situation in the country since 2004. The review identified nine underlying patterns of violations, and included suggestions on some possible next steps and areas of focus for UN action. The report called for the establishment of an inquiry mechanism with adequate resources to investigate and document grave, systematic and widespread violations of human rights in the DPRK, to report to the Human Rights Council and the General Assembly, and to examine the issue of accountability for such violations as well as crimes against humanity.

Human Rights Council action. On 21 March [A/68/53 (res. 22/13)], the Council decided to extend the mandate of the Special Rapporteur for a period of one year, and to establish, for a period of one year, a commission of inquiry comprising three members, including the Special Rapporteur, with the other two members appointed by the President of the Council, to investigate the systematic, widespread and grave violations of human rights in the DPRK. It urged the Government to cooperate fully with the Special Rapporteur and the commission of inquiry, and to ensure full, rapid and unimpeded access to humanitarian assistance.

The Council invited the Special Rapporteur to submit regular reports on the implementation of his mandate to the Council and the General Assembly; and requested the commission of inquiry to present an oral update to the Council at its twenty-fourth (2013) session and to the Assembly at its sixty-eighth (2013) session, and a written report to the Council at its twenty-fifth (2014) session.

Report of Special Rapporteur. In an August report [A/68/319] submitted pursuant to Assembly resolution 67/181 [YUN 2012, p. 747], the Special Rapporteur noted that although the commission of inquiry began its operation in the first week of July, it needed the international community to demonstrate its determination to follow up on its findings and recommendations. He called on the Government to cooperate fully with the mandates of the Special Rapporteur and the commission of inquiry, and called on all countries where people of the DPRK were seeking refuge, or through which they were transiting, to protect such people, to treat them humanely and to adhere to the principles of non-refoulement by abstaining from returning them to the DPRK. The Special Rapporteur reiterated his call to the Government to address the critical food situation in the country and to rethink its approach to the “military first” policy in order to reallocate enough resources to improve the living standard of the people. He called on the Government to release immediately all persons who had been held in prison camps on the basis of guilt by association, including Kang Mi-ho, Kim Jeong-nam and Shin Kyung-seop, and renewed his call to the Government to release Shin Sook Ja and her two daughters. He urged the Government to halt all practices of discrimination against women, children, the elderly, persons with disabilities and those belonging to the group considered hostile to the regime, and immediately clarify its treatment of persons with disabilities, in particular concerning the allegations that they were used for testing biological and chemical weapons.

Report of Secretary-General. In a September report [A/68/392] submitted in response to Assembly resolution 67/181, the Secretary-General provided a chronological update on the UN engagement with the DPRK regarding the human rights situation in the country from September 2012 to August 2013, taking into account the continued lack of access to the country by the UN human rights mechanisms, including the embellishment by the Human Rights Council of a commission of inquiry to investigate the systematic, widespread and grave violations of human rights in the country. The report also highlighted developments concerning family reunions and asylum issues in relation to the country. The Secretary-General recommended that the Government take immediate steps to address the human rights concerns raised in the report and in successive resolutions of the Assembly and the Human Rights Council; urged the Government to fully cooperate with the Special Rapporteur and the commission of inquiry; and regretted that the Government had not yet accepted the technical assistance offered. The Government should cooperate with all UN human rights mechanisms and engage with OHCHR; invite relevant thematic special procedures mandate holders of the Council to visit the country; take immediate
steps to secure respect for the rights to food and health, including the right to water and sanitation, and to allocate greater budgetary resources for such purposes; and show transparency and share information with the international community on the status and treatment of persons who were forcibly returned to the country.

The Secretary-General appealed to the international community to step up its provision of adequate and sustainable funding—in accordance with good humanitarian donor principles—for humanitarian assistance efforts, especially regarding food and medicine; welcomed the agreement of 23 August between the DPRK and the Republic of Korea to resume reunions of separated families; and noted that it was urgent to realize such reunions because the elderly members of each family continued to pass away, losing their right and chance to be reunited with their loved ones. He also appealed to the countries neighbouring the DPRK to respect the principle of non-refoulement under the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520], to refrain from forcibly returning persons fleeing persecution from the country and to provide international protection to such people.

**GENERAL ASSEMBLY ACTION**

On 18 December [meeting 70], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/68/456/Add.3], adopted resolution 68/183 without vote [agenda item 69 (c)].

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

*The General Assembly,*

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

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

*Recalling* all previous resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea, including Assembly resolution 67/181 of 20 December 2012 and Council resolution 22/13 of 21 March 2013, and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

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

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

*Noting with appreciation* the collaboration established between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund and the World Health Organization in order to improve the health situation in the country, and the collaboration established with the United Nations Children's Fund in order to improve the quality of education for children,

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

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

*Taking note* of the report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, regretting that he still has not been allowed to visit the country and that he received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution 67/181,

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

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

*Noting with regret* that the reunion of separated families across the border, which is an urgent humanitarian concern,
of the entire Korean people, has been halted, and hoping
that it will be resumed as early as possible and that ne-
necessary arrangements for further reunions on a larger scale
and a regular basis will be made by the Democratic People’s
Republic of Korea, the Republic of Korea and members of
the Korean diaspora.

Deeply concerned at the significant persistent deteriora-
tion of the human rights situation in the Democratic Peo-
ple’s Republic of Korea,

1. Expresses its very serious concern at:
(a) The persistence of continuing reports of systematic,
widespread and grave violations of civil, political, economic,
social and cultural rights in the Democratic People’s Repub-
lic of Korea, including:
(i) Torture and other cruel, inhuman or degrading
treatment or punishment, including inhuman
conditions of detention, public executions, ex-
traudicial and arbitrary detention; the absence
of due process and the rule of law, including fair
trial guarantees and an independent judiciary; ex-
traudicial, summary and arbitrary executions; the
imposition of the death penalty for political and
religious reasons; collective punishments extend-
ing up to three generations; and the extensive use
of forced labour;
(ii) The existence of an extensive system of political
prison camps, where a vast number of persons are
deprived of their liberty and subjected to deplor-
able conditions and where alarming violations of
human rights are perpetrated, and in this regard
strongly urges the Democratic People’s Republic
of Korea to immediately end this practice and to
release all political prisoners unconditionally and
without any delay;
(iii) Limitations imposed on every person who wishes
to move freely within the country and travel
abroad, including the punishment of those who
leave or try to leave the country without permis-
sion, or their families, as well as punishment of
persons who are returned;
(iv) The situation of refugees and asylum seekers ex-
pelled or returned to the Democratic People’s Rep-
public of Korea and sanctions imposed on citizens
of the Democratic People’s Republic of Korea who
have been repatriated from abroad, leading to pun-
ishments of internment, torture, cruel, inhuman or
degrading treatment or the death penalty; and in
this regard strongly urges all States to respect the
fundamental principle of non-refoulement, to treat
those who seek refuge humanely and to ensure
unhindered access to the United Nations High
Commissioner for Refugees and his Office, with a
view to protecting the human rights of those who
seek refuge, and once again urges States parties to
comply with their obligations under the 1951 Con-
vention relating to the Status of Refugees and the
1967 Protocol thereto in relation to refugees from
the Democratic People’s Republic of Korea who are
covered by those instruments;
(v) All-pervasive and severe restrictions on the fre-
eds of thought, conscience, religion or belief,
opinion and expression, peaceful assembly and
association, the right to privacy and equal access
to information, by such means as the persecution,
torture and imprisonment of individuals exercising
their freedom of opinion and expression, religion
or belief, and their families, and the right of every-
one to take part in the conduct of public affairs,
directly or through freely chosen representatives,
of his or her country;
(vi) The violations of economic, social and cultural
rights, which have led to severe malnutrition, wide-
spread health problems and other hardship for the
population in the Democratic People’s Republic
of Korea, in particular for persons belonging to
particularly exposed groups, inter alia, women,
children and the elderly;
(vii) Continuing violations of the human rights and
fundamental freedoms of women, in particular the
creation of internal conditions that force women
to leave the country and risk falling victim to traf-
ficking for the purpose of prostitution or forced
marriage and the subjection of women to human
smuggling, forced abortions, gender-based dis-
rimination, including in the economic sphere,
and gender-based violence and continuing impu-
ity for such violence;
(viii) Continuing reports of violations of the human
rights and fundamental freedoms of children, in
particular the continued lack of access to ba-
sic economic, social and cultural rights for many
children, and in this regard notes the particularly
vulnerable situation faced by, inter alia, returned
or repatriated children, street children, children with
disabilities, children whose parents are detained,
children living in detention or in institutions and
children in conflict with the law;
(ix) Continuing reports of violations of the human
rights and fundamental freedoms of persons with
disabilities, especially in the use of collective camps
and of coercive measures that target the rights of
persons with disabilities to decide freely and respon-
sibly on the number and spacing of their children;
(x) Violations of workers’ rights, including the right
to freedom of association and effective recogni-
tion of the right to collective bargaining, the
right to strike as defined by the obligations of the
Democratic People’s Republic of Korea under the
International Covenant on Economic, Social and
Cultural Rights, and the prohibition of the eco-
nomic exploitation of children and of any harmful
or hazardous work of children as defined by the
obligations of the Democratic People’s Republic
of Korea under the Convention on the Rights of
the Child;
(b) The continued refusal of the Government of the
Democratic People’s Republic of Korea to recognize the
mandate of the Special Rapporteur on the situation of hu-
man rights in the Democratic People’s Republic of Korea
and the mandate of the commission of inquiry or to extend
cooperation to the Special Rapporteur and the commission
of inquiry;
(c) The continued refusal of the Government of the
Democratic People’s Republic of Korea to articulate which
recommendations enjoyed its support following its universal
periodic review by the Human Rights Council or to express
its commitment to their implementation, and expresses its serious concern at the lack of action taken to date to implement the recommendations contained in the final outcome;

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

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

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

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

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

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

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

(d) **To ensure that citizens of the Democratic People's Republic of Korea who are expelled or returned to the Democratic People's Republic of Korea are able to return in safety and dignity, are treated humanely and are not subjected to any kind of punishment, and to provide information on their status and treatment;**

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

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

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

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

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

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

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

6. **Decides** to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its sixty-ninth session, and to this end requests the Secretary-General to submit a comprehensive report on the situation in the Democratic People's Republic of Korea and requests the Special Rapporteur to continue to report his findings and recommendations, as well as to report on the outcome of and follow-up to the work of the commission of inquiry, in line with any decisions of the Human Rights Council at its twenty-fifth session.

**Communication.** In a December note by the Secretariat [A/HRC/25/62], the Special Rapporteur stated that given that the commission of inquiry would be presenting its report to the Council at its twenty-fifth (2014) session, the Special Rapporteur would submit his regular report to the Council at its twenty-sixth (2014) session, in order to take follow-up and subsequent developments into account.

**Iran**

**Human Rights Council action.** On 22 March [A/68/53 (res. 22/23)], by a recorded vote of 26 to 2, with 17 abstentions, the Council extended the mandate of the Special Rapporteur on the situation of human rights in Iran for a period of one year, and requested him to submit a report on the implementation of his
mandate to the Council at its twenty-fifth (2014) session and to the General Assembly at its sixty-eighth (2013) session. The Council also called on the Government to cooperate fully with the Special Rapporteur and to permit access to visit the country as well as to provide all information necessary to allow the fulfillment of his mandate.

**Reports of Secretary-General.** In a May report [A/HRC/22/48], submitted in accordance with Assembly resolution 67/182 [YUN 2012, p. 751], the Secretary-General discussed the patterns and trends in the human rights situation in Iran and provided information on the progress made in the implementation of the resolution. The Secretary-General visited the country (Tehran, 29–31 August 2012) and held frank and constructive discussions on human rights issues with the authorities, but he remained deeply troubled by reports of increasing numbers of executions, including of juvenile offenders and in public; continuing amputations and flogging; arbitrary arrest and detention; unfair trials; torture and ill-treatment; and severe restrictions targeting media professions, human rights defenders, lawyers and opposition activists, as well as religious minorities. He reiterated his request to the Government to address concerns highlighted in the report and the specific calls for action found in previous resolutions of the Assembly, as well as recommendations of various human rights mechanisms, including the universal periodic review. He called on the Government to continue addressing regional disparities in the enjoyment of economic and social rights, as well as discrimination against women and members of certain minorities; end the use of the death penalty against juveniles; and provide the further information requested by the Human Rights Committee. The Secretary-General regretted that, despite repeated requests for a country visit, the Special Rapporteur had not yet been admitted to the country, and he renewed his call on the Government to fully cooperate in the fulfillment of the Special Rapporteur’s mandate by inviting him to the country.

In an addendum to the report [A/HRC/22/48/Add.1], Iran provided comments regarding the report of the Secretary-General.

In a September report [A/68/377], the Secretary-General noted the reduced number of offences for which the death penalty might be applied against juveniles, and the significant reduction in such cases and strongly encouraged the Government to end the use of the death penalty against juveniles, which remained prohibited under international law. He expressed concern about the reported impact that sanctions were having on critical economic, social and cultural rights, particularly the right to health, and encouraged the Government to allow independent experts to examine and report more fully on those concerns.

**Reports of Special Rapporteur.** In an October report to the General Assembly [A/68/503] submitted in accordance with Human Rights Council resolution 22/23 (see p. 748), the Special Rapporteur on the situation of human rights in Iran, Ahmed Shaheed (Maldives), reviewed the human rights situation with a focus on systemic issues that posed obstacles to the ability of Iran to comply with its international human rights obligations and found that at the heart of the deepening human rights crisis in Iran was its disregard for the pre-eminence of rights and standards promulgated by treaties to which it was a party. He recommended that the country narrow the scope of limits on freedoms guaranteed by the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Committee on the Elimination of Racial Discrimination; proscribe the use of all forms of corporal punishment, including flogging and amputation, and investigate all allegations of custodial deaths and allegations of torture in custody in a transparent manner; release all political prisoners and prisoners of conscience; declare a moratorium on all executions; ban public executions, including stoning; expedite the establishment of a national human rights institution; engage with the United Nations in capacity-building to address core human rights challenges, including issues related to gender inequality; provide access to the country mandate holder and to thematic rapporteurs; and provide greater transparency on the impact of sanctions and on government efforts to mitigate the impact on those groups most adversely affected. The Special Rapporteur also called on the UN system and sanction-imposing countries to monitor the impact of sanctions and to take all appropriate steps to ensure that measures such as humanitarian exemptions were serving their intended purpose to prevent the potentially harmful impact of general economic sanctions on human rights.

In an October report to the Human Rights Council [A/HRC/22/56], the Special Rapporteur outlined his activities since the renewal of his mandate (see p. 748), and presented some of the most recent and pressing developments in the country’s human rights situation. Topics included free and fair elections; freedom of expression, association and assembly; human rights defenders; torture; executions; women’s rights; ethnic minorities; religious minorities; the lesbian, gay, bisexual and transgender community; and socioeconomic rights. The Special Rapporteur noted that widespread, systemic and systematic violations of human rights continued in Iran. The reports of non-governmental organizations, human rights defenders and individuals concerning violations of their human rights or the rights of others continued to depict situations in which civil, political, economic, social and cultural rights were undermined and violated in law and in practice. Moreover, a lack of Government investigation and re-
dress fostered a culture of impunity, further weakening the impact of the human rights instruments that the State had ratified.

The Special Rapporteur recommended that the Government extend its full cooperation to the mandate holder; investigate immediately all allegations of reprisals against individuals who cooperated with international human rights instruments and organizations; desist from actions aimed at harming or intimidating those who worked to identify human rights violations; consider the immediate and unconditional release of civil society actors and human rights defenders; expedite its voluntary commitment to establish a national human rights commission; examine and address those laws that contravened the State’s international obligation to eliminate all forms of discrimination in law and practice; consider the immediate release of prisoners of conscience; investigate all allegations of torture, address impunity and end the culture of investigation through confessions; consider a moratorium on capital punishment until the effectiveness of judicial safeguards could be meaningfully demonstrated; and improve transparency on the impact of sanctions.

**GENERAL ASSEMBLY ACTION**

On 18 December (meeting 70), the General Assembly, on the recommendation of the Third Committee [A/68/456/Add.3], adopted resolution 68/184 by recorded vote (86-36-61) [agenda item 69 (a)].

**Situation of human rights in the Islamic Republic of Iran**

*The General Assembly,*

*Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international human rights instruments,*

*Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 67/182 of 20 December 2012,*

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

2. *Welcomes* pledges made by the new President of the Islamic Republic of Iran with regard to some important human rights issues, particularly on eliminating discrimination against women and members of ethnic minorities and promoting freedom of expression and opinion, as well as the proposal of the President to implement a civil rights charter, and encourages the Islamic Republic of Iran to take concrete action to ensure that these pledges can result in demonstrable improvements as soon as possible and to uphold the Government’s obligations under its national laws and under international human rights law;

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

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

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

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

(b) The continuing alarming high frequency of the carrying-out of the death penalty in the absence of internationally recognized safeguards, including public executions, notwithstanding the issuance of a circular by the former head of the judiciary prohibiting public executions, and secret group executions, as well as reports of executions undertaken without the notification of the prisoner’s family members or legal counsel;

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

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

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

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

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

(h) Continued discrimination and other human rights violations, at times amounting to persecution, against persons belonging to ethnic, linguistic or other minorities, including Arabs, Azeris, Balochis and Kurds and their defenders, noting in particular reports of the violent suppression and detention of ethnic Arabs and Azeris, including serious concerns about violations of their due process rights and alleged torture while imprisoned;
(j) Ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the building of, as well as attacks against, places of worship and burial;

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

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

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

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

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

6. Calls upon the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations, in law and in practice, in particular:

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

(b) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to religious, ethnic, linguistic or other minorities, recognized or otherwise;

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

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

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

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

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

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

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

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

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

(l) To implement, inter alia, the 1996 report of the Special Rapporteur on religious intolerance, in which he recommended ways in which the Islamic Republic of Iran could emancipate the Baha’i community, to release the seven Baha’i leaders held since 2008 and to accord all Baha’is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed;
ments where such reservations are overly general, imprecise or could be considered incompatible with the object and purpose of the treaty, to consider acting upon the concluding observations concerning the Islamic Republic of Iran adopted by the bodies of the international human rights treaties to which it is a party and to consider ratifying or acceding to the international human rights treaties to which it is not already a party;

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

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

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

13. Strongly encourages the thematic special procedures mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran, in particular the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the right to education, the Special Rapporteur on the right to freedom of peaceful assembly and of association, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the right to education, the Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence, the Independent Expert on international cooperation to secure the protection of information by human rights defenders, the Special Rapporteur on the right to freedom of association, the Special Rapporteur on the right to freedom of peaceful assembly, the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on the right to freedom of movement, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and other international human rights mechanisms, including by responding positively to the request made by the Special Rapporteur in July 2013 to visit the country to carry out his mandate;

17. Requests the Secretary-General to report to the General Assembly at its sixty-ninth session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its twenty-fifth session;

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

RECORDED VOTE ON RESOLUTION 68/184:

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

Against: Afghanistan, Algeria, Armenia, Bangladesh, Belarus, Bolivia, Brunei Darussalam, Burundi, Cambodia, China, Cuba, Ecuador, Egypt, Eritrea, India, Indonesia, Iran, Iraq, Kazakhstan, Kuwait, Lebanon, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, Uzbekistan, Venezuela, Viet Nam, Zimbabwe.


Myanmar

Human Rights Council action. On 21 March [A/68/53 (res. 22/14)], the Council welcomed the joint action plan on child soldiers and other commitments made by the Government of Myanmar to prevent the recruitment and use of children by the country’s armed forces. It expressed concern about persisting intercommunal tensions following the violence in Rakhine State and the continuing armed conflict in Kachin State and the associated human rights violations. The Council called on the Government to con-
continue to implement the recommendations of the Special Rapporteur on the situation of human rights in Myanmar and those accepted during the universal periodic review and to continue its cooperation with the Special Rapporteur, including by facilitating further visits. It invited the Government to specify a timetable and process for the establishment and opening of the country office in accordance with the mandate of the High Commissioner, and decided to extend for one year the mandate of the Special Rapporteur and invited him to include in his next report further recommendations on the needs of Myanmar, including with regard to technical assistance and capacity-building.

**Report of Special Rapporteur.** In an April report [A/HRC/22/58], the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana (Argentina), described his seventh visit to the country (11–16 February) and stated that there remained a large gap between reform at the top and implementation on the ground. He recommended that all prisoners of conscience be released immediately and unconditionally and that the Government address the ongoing practice of torture in places of detention; continue progress in improving media freedom; address shortcomings in reforms relating to the right to peaceful assembly and association; and ensure the protection of land and housing rights. Regarding the conflict and the situation of ethnic minorities, the Special Rapporteur urged all parties to continue dialogue towards a genuine and sustainable peace in Kachin State. He made recommendations on addressing the situation in Rakhine State; as well as democratic transition and establishing the rule of law by initiating a process of consultation with all relevant stakeholders on the feasibility and desirability of establishing a truth commission.

In an addendum to the report [A/HRC/22/58/Add.1], Myanmar provided its comments on the report of the Special Rapporteur.

**Human Rights Council action.** In a 14 June statement [A/68/53 (PRST/23/1)], the President of the Council expressed concern at the gross violations of human rights in Myanmar, in particular against Rohingya Muslims in Rakhine State and other Muslims in the country, urged the Government to take immediate measures to put an end to all acts of violence based on religion and all violations of human rights, and called on political and religious leaders in the country to give precedence to peaceful resolution through dialogue.

**Report of Secretary-General.** In an August report [A/68/331], submitted pursuant to General Assembly resolution 67/233 (YUN 2012, p. 755) and covering the period from 25 August 2012 to 10 August 2013, the Secretary-General stated that Myanmar witnessed dramatic changes as the reform measures initiated in 2011 continued to be pursued through the building of new institutions and the enactment of new laws. Steady progress was achieved in national reconciliation through negotiations with former ethnic armed groups and the encouragement of the voluntary return and resettlement of displaced populations. The Government carried out a series of reform measures aimed at transforming the economy into an increasingly market-orientated economy, opened new sectors to foreign investment and trade and introduced measures to ensure greater transparency and to combat corruption. The United Nations continued its wide-ranging engagement with support to the country. Following the President’s request for UN assistance in carrying out the first national population census in 30 years, the United Nations Population Fund and the Department of Economic and Social Affairs of the Secretariat were directed to provide technical support in the conducting of the census in 2014. An international technical advisory board was established to assist the Government in the implementation of the census in compliance with international standards.

There had been significant progress on the issue of child soldiers in Myanmar. Following up on the action plan signed by the United Nations and the Government for the release and reintegration of children associated with the armed forces and the prevention of further recruitment, 24 children were released in February, 42 were released in July, and 68 were released on 7 August. In recognition of the progress with regard to eliminating forced labour, the International Labour Organization lifted all remaining restrictions on the country in June.

**Report of Special Rapporteur.** In a September report [A/68/397], the Special Rapporteur on the situation of human rights in Myanmar described his eighth mission to the country from 11 to 21 August and important developments during the year, including the release of prisoners of conscience; improved respect for the right to freedom of opinion and expression; and progress towards agreement on a national ceasefire. He also highlighted the dangers of glossing over shortcomings in reforms relating to human rights, which could undermine the reform process if not addressed in accordance with international human rights standards. He concluded that the challenge was to achieve a transition from the military mindset that prevailed within the Government to a democratic mindset that upheld human rights.

**GENERAL ASSEMBLY ACTION**

On 27 December [meeting 72], the General Assembly, on the recommendation of the Third Committee [A/68/456/Add.3], adopted resolution 68/242 without vote [agenda item 69 (c)].

**Situation of human rights in Myanmar**

*Guided by the Charter of the United Nations and the Universal Declaration of Human Rights, the International
consider ratifying additional international instruments, including international human rights conventions;
7. Encourages the Government of Myanmar to take further steps to strengthen the rule of law, including through legislative and institutional reform, and to address the need for an independent, impartial and effective judiciary, and repeats its call upon the Government to take necessary measures to ensure accountability and end impunity, including by undertaking a full, transparent and independent investigation into all reports of violations of international human rights and humanitarian law;
8. Welcomes the signing of ceasefire agreements between the Government of Myanmar and ethnic armed groups, and the recent signing of a seven-point agreement with regard to Kachin State and urges full implementation of it and of ceasefire agreements between other groups and the Government, including for all parties to protect the civilian population against ongoing violations of human rights and international humanitarian law and for safe, timely, full and unhindered humanitarian access to be granted to all areas, also welcomes the commitment by the Government to reach a nationwide ceasefire with ethnic armed groups, and encourages an all-inclusive political dialogue with the objective of achieving lasting peace;
9. Urges the Government of Myanmar to accelerate its efforts to address discrimination, human rights violations, violence, displacement and economic deprivation affecting various ethnic and religious minorities;
10. Reiterates its serious concern about the situation of the Rohingya minority in Rakhine State, including repeated instances of communal violence and other abuses in the past year, and about attacks against Muslim minorities elsewhere in the country, calls upon the Government of Myanmar to protect the civilian population from ongoing violence, to ensure full respect for human rights and fundamental freedoms, including full access to humanitarian assistance without discrimination, unhindered access across Rakhine State and the voluntary return of internally displaced persons and refugees to their communities of origin, to allow freedom of movement, equal access to full citizenship for the Rohingya minority and to address issues of land ownership and restitution of property, and, while welcoming some measures taken by the Government in this regard, encourages the Government to facilitate intercommunity dialogue and address the root causes of the issue, to undertake full, transparent and independent investigations into all reports of human rights violations and to ensure accountability and bring about reconciliation;
11. Welcomes steps taken by the Government of Myanmar towards further engagement with a number of regional and other actors, and in this regard welcomes the visit of the Secretary-General of the Organization of Islamic Cooperation and a group of ministers in November 2013;
12. Calls upon the Government of Myanmar to step up its efforts to promote tolerance and peaceful coexistence in all sectors of society by, inter alia, encouraging interfaith dialogue and understanding and supporting community leaders in this direction;
13. Welcomes the steps taken by the Government of Myanmar to improve engagement and cooperation with the United Nations and other international actors, including the International Committee of the Red Cross, the Special Representative of the Secretary-General for Children and...
Armed Conflict and the International Labour Organization, and the progress made towards ending the recruitment and use of child soldiers in Myanmar and towards the elimination of forced labour, and encourages the full implementation of relevant agreements, including of the action plan to end and prevent the recruitment and use of children by the armed forces and the commitment to end forced labour by 2015;

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

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

16. Requests the Secretary-General:

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

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

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

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

Sri Lanka

Report of High Commissioner. In a February report on advice and technical assistance for the Government of Sri Lanka on promoting reconciliation and accountability in Sri Lanka [A/HRC/22/38], the High Commissioner examined the recommendations of the Lessons Learnt and Reconciliation Commission [YUN 2012, p. 757] and the plans of the Government to implement them and to address alleged violations of international law. The Government had made commitments on selected recommendations of the Commission but had not adequately engaged civil society in support of a more consultative and inclusive reconciliation process. While significant progress had been made in rebuilding infrastructure and the majority of internally displaced persons had been resettled, there was considerable work to be done in the areas of justice, reconciliation and the resumption of livelihoods. Steps taken to investigate further allegations of serious violations of human rights had been inconclusive and lacked the independence and impartiality required to inspire confidence. Reports of extrajudicial killings, abductions and enforced disappearances highlighted the need for urgent action to combat impunity. The High Commissioner recommended that the Government establish a truth-seeking mechanism as an integral part of a more comprehensive and inclusive approach to transitional justice; invite special procedures mandate holders with outstanding requests to make country visits; hold public and inclusive consultations on the national plan of action for implementation of the Commission’s recommendations; implement the Commission’s recommendation on appointing a special commissioner of investigation into disappearances and extend tracking programmes to include all missing persons; take further steps in demilitarization and de-convolution to involve minority communities in decision-making processes; and engage civil society and minority community representatives in dialogue on appropriate forms of commemoration and memorialization that would advance inclusion and reconciliation.

The High Commissioner reaffirmed her long-standing call for an independent and credible international investigation into alleged violations of international human rights and humanitarian law, which could also monitor any domestic accountability process.

In an addendum to the report [A/HRC/22/38/Add.1], Sri Lanka provided its comments on the report of the High Commissioner.

Communication. In a 26 February note [A/HRC/22/G/9], Sri Lanka transmitted to the High Commissioner two letters addressed to special procedures mandate holders.

Human Rights Council action. On 21 March [A/68/53 (res. 22/1)], by a recorded vote of 25 to 13, with 8 abstentions, the Council encouraged the Government to implement the recommendations made in the report of the High Commissioner (see above); reiterated its call on the Government to implement effectively the constructive recommendations made in the report of the Lessons Learnt and Reconciliation Commission; encouraged the Government to cooperate with the special procedures mandate holders; encouraged OHCHR and relevant special mandate holders to provide advice and technical assistance on implementing the above-mentioned steps; and requested OHCHR, with input from relevant special procedures mandate holders to present an oral update to the Council at its twenty-fourth (2013) session, and a comprehensive report followed by a discussion on the implementation of the resolution at its twenty-fifth (2014) session.

Report of High Commissioner. In a September oral update on promoting reconciliation and accountability in Sri Lanka [A/HRC/24/CRP.3/Rev.1], the High Commissioner, drawing from relevant special procedures mandate holders and her observations during her visit to the country (25–31 August), stated that although the majority of people who were internally
displaced at the end of the armed conflict had returned or been resettled, thousands of persons displaced before 2008–2009 were still awaiting return. She welcomed the elections to the Northern Provincial Council that were successfully held on 21 September. However, the military presence in the north remained considerable, including in areas of civilian administration and economic activity such as education, agriculture and tourism. She noted that a number of military checkpoints and barriers were removed before her arrival and reinstated after her departure.

The High Commissioner expressed concern about the vulnerability of women and girls, especially in women-headed households, to sexual harassment and abuse, including at the hands of military personnel, and challenged the Government to formulate and rigorously enforce a zero-tolerance policy for sexual abuse. She also received documentation on the compulsory acquisition of private land for installing military camps and other installations. Regrettably, she detected no new or comprehensive effort to independently or credibly investigate the allegations which had been of concern to the Human Rights Council and was particularly alarmed at the recent surge in the incitement of hatred and violence against religious minorities, including through attacks on churches and mosques, and the lack of swift action against the perpetrators. The High Commissioner concluded that continued attention of the Human Rights Council to the human rights situation in Sri Lanka remained critically important and encouraged the Government to issue further invitations to special procedures mandate holders to assist in this task.

**Yemen**

**Report of High Commissioner.** In a July report on the situation of human rights in Yemen [A/HRC/24/34] covering the period from 1 July 2012 to 30 June 2013, the High Commissioner welcomed progress achieved to strengthen the promotion and protection of human rights in the country; commended the Cabinet decisions to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and to ensure the accession of Yemen to the Rome Statute of the International Criminal Court; yet noted with concern the continued detention of individuals arrested in connection with the 2011 events, despite formal commitments towards their release. Despite the commencement of the National Dialogue Conference in March and the inclusion within its agenda of issues pertaining to human rights, the Government had not reached a consensus over the appointments of commissioners for the national commission of inquiry into allegations of human rights violations that occurred in 2011 [YUN 2011, p. 777]. The High Commissioner recommended that the Government expedite the establishment of the national commission of inquiry; comply with international human rights law prohibiting immunity for those responsible for serious human rights violations, including war crimes and crimes against humanity; release all individuals imprisoned for their participation in the 2011 events; and ensure that counter-terrorism policies and strategies comply fully with international law, including human rights law.

**Human Rights Council action.** On 27 September [A/68/53/Add.1 (res. 24/32)], the Council welcomed the establishment of an OHCHR field presence, and encouraged the Government to continue to implement the accepted recommendations contained in the reports of the High Commissioner, with the support of her Office. It called on all parties to release persons arbitrarily detained and to end any practice of unlawful detention; demanded that armed groups end the recruitment and use of children and release those who had already been recruited; called on the Government to investigate cases of violence against journalists, to ensure fair trials, including in cases involving the death penalty, and to ensure that the death penalty was not applied to minors. The Council invited all bodies of the UN system to assist the transitional process in Yemen; called on the international community to provide financial support for the humanitarian response plan of 2013; requested the High Commissioner to provide technical assistance and to work with the Government to identify additional areas of assistance to enable Yemen to fulfil its human rights obligations; and requested OHCHR to present to the Council, at its twenty-seventh (2014) session, a progress report on the situation of human rights in the country and on the follow-up to all resolutions on the topic.

**Europe and the Mediterranean**

**Belarus**

**Report of Special Rapporteur.** In an April report on the situation of human rights in Belarus [A/HRC/23/52], the Special Rapporteur, in accordance with Human Rights Council resolution 20/13 [YUN 2012, p. 758], presented the developments in human rights since the High Commissioner’s report at the Council’s twentieth (2012) session [ibid]. Human rights remained systemically and systematically restricted, especially in the case of the freedoms of association, assembly, and expression and opinion, as well as guarantees of due process and fair trial. Of particular concern was the continuing imprisonment of political opponents, human rights defenders and activists based on spurious criminal charges and unfair procedures. Such cases were aggravated by allegations of torture and ill-treatment while in custody, as part of physical and psychological pressure aimed at “breaking” them...
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into admission of guilt. The Special Rapporteur recommended that the Government release unconditionally all political opponents, human rights defenders and activists; take measures leading to meaningful political accountability; advance the work of the parliamentary working group on the death penalty, release comprehensive information on those executed, and establish a moratorium on the use of the death penalty, with a view to its permanent abolition; expedite its initiative to establish a national human rights institution in accordance with the Paris Principles; and recognize and extend full cooperation to the mandate holder by engaging in a substantive and constructive dialogue and facilitating a visit to the country.

Human Rights Council action. On 13 June [A/68/53 (res. 23/15)], by a recorded vote of 26 to 3, with 18 abstentions, the Council called on the Government to carry out a comprehensive review of relevant legislation, policies, strategies and practices to ensure that they were clearly defined and consistent with international human rights law; and a comprehensive reform of the justice sector and bar association. It decided to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requested the Special Rapporteur to submit a report to the Council at its twenty-sixth (2014) session and to the General Assembly at its sixty-ninth (2014) session.

Report of Special Rapporteur. In an August report on the situation of human rights in Belarus [A/68/276], the Special Rapporteur, in accordance with Council resolution 20/13 [YUN 2013, p. 758], focused on human rights in electoral processes in the country and explored the patterns of purposeful and systemic human rights violations leading to Belarus being the only country in Europe that in the past decade had no opposition members elected to its parliament. The Special Rapporteur concluded that the right to vote and to be elected at genuine periodic elections were not guaranteed in the country, and that information gathered from primary sources suggested overlapping, systematic and purposeful violations of the human rights underlying free and fair election. The Government should ensure that the process of electoral legislative reform was undertaken transparently and inclusively; guarantee independent election commissions through pluralistic composition; repeal the law making it a criminal offence to criticize public figures or the Republic; guarantee non-interference by the Government in the media; and implement training and capacity-building for the police, the national security services and military personnel on international human rights standards.

The Government should conduct prompt, impartial and thorough investigations, as well as prosecution and punishment for any acts of intimidation and violence against human rights defenders and journalists; ensure full rehabilitation for individuals who had been politically prosecuted and convicted, including by the removal of any criminal record and limitations on their participation in political life and elections; eliminate the permission-based registration procedure for assembly, association and the press; and recognize and extend full cooperation to the mandate holder by engaging in dialogue and facilitating a country visit by the end of 2013.

On 18 December (decision 68/536), the General Assembly took note of the report of the Special Rapporteur.

Communication. On 8 October [A/C.3/68/2], Belarus transmitted to the Secretary-General its position on the mandate of the Special Rapporteur.

Cyprus

Communications. On 21 March [A/HRC/22/G/20], Turkey transmitted to the High Commissioner the Turkish Cypriot views on the report of OHCHR on the question of human rights in Cyprus [YUN 2012, p. 758]. On 24 June [A/HRC/22/G/23], Cyprus addressed the views presented in Turkey’s letter.

Report of High Commissioner. In a report on the question of human rights in Cyprus [A/HRC/25/21], the High Commissioner highlighted the concerns voiced by various UN treaty bodies and special procedures at the factors and difficulties impeding the implementation of international human rights standards on the whole island in view of the protracted conflict in Cyprus. The report provided an overview of specific human rights concerns in the country, including with regard to the right to life and the question of missing persons, the principle of non-discrimination, freedom of movement, property rights, freedom of religion and cultural rights, freedom of opinion and expression, and the right to education. Moreover, it provided an update on activities in Cyprus to promote the implementation of Security Council resolution 1325(2000) [YUN 2000, p. 1113], in which the Council called on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective. The High Commissioner concluded that human rights had no borders and that all stakeholders were obliged to uphold the fundamental freedoms and human rights of all people, and stressed the importance of addressing all human rights protection gaps and the underlying human rights issues in situations of protracted conflicts.

Middle East

Syrian Arab Republic

By resolution 67/262 of 15 May (see p. 433), the General Assembly condemned the escalation in the use by the authorities in the Syrian Arab Republic of heavy
and anti-Government armed groups were found to have violated the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, to which the country was a party. Government-affiliated militia used children under the age of 18 in direct hostilities. Children under the age of 15 actively participated in hostilities as part of anti-Government armed groups.

Ensuring the accountability of all parties for crimes committed was imperative. The commission addressed recommendations to the Syrian Government, anti-Government armed groups, the international community, the Human Rights Council and the Security Council to emphasize the need to counter a growing culture of impunity, through referral to justice at the national and international levels, in addition to other channels to promote truth and reconciliation, and the social recovery and integration of victims.

In a March update [A/HRC/22/CRP.1], the commission of inquiry reported that investigations conducted between 15 January and 3 March reinforced the finding that the main cause of civilian casualties, mass displacement and destruction was the reckless manner in which parties to the conflict conducted hostilities. The number of civilian casualties continued to rise. Millions were refugees or internally displaced. An estimated two thirds of those fleeing Syria were women and children. Humanitarian agencies were struggling, partly as a result of limited funding, to deliver aid to growing numbers of refugees and the internally displaced. The overwhelming imperative was for the parties, influential states and the international community to work to ensure the protection of civilians. Syrians still inside the country had taken on an enormous task, acting as the main providers of humanitarian assistance to those in need. The commission remained without access to the country despite repeated requests.

**Human Rights Council actions.** On 22 March [A/68/53 (res. 22/24)], by a recorded vote of 41 to 1, with 5 abstentions, the Human Rights Council condemned all violence, especially against civilians; the widespread and systematic gross violations of human rights and fundamental freedoms by the Syrian authorities and the government-affiliated militia; all massacres taking place in the country; the intentional and repeated attacks against medical facilities; and the widespread sexual violence committed against women, men and especially children. It called for all medical facilities to be free from weapons, including heavy weapons; urged all parties to protect medical personnel, facilities and transport; and condemned all threats and acts of violence against humanitarian personnel and United Nations and associated personnel. It called on the Syrian authorities to end all human rights violations and attacks against civilians; and on all parties to respect fully international law applicable to the rights and

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protection of women and girls. It urged the Syrian authorities to release all persons arbitrarily detained; the international community to provide urgent financial support to the host countries to enable them to respond to the growing humanitarian needs of Syrian refugees; all relevant UN agencies, in particular UNHCR, and other international organizations and donor States to provide more support to Syrian refugees and their host countries; and all donors to provide expeditiously financial support to the Office for the Coordination of Humanitarian Affairs and international humanitarian organizations. The Council decided to extend the mandate of the independent international commission of inquiry, and requested the commission to continue its work and to present a written report on the situation of human rights in Syria during an interactive dialogue at its twenty-third (2013), twenty-fourth (2013) and twenty-fifth (2014) sessions; requested the commission of inquiry to continue to update its mapping exercise of gross violations of human rights in the country since March 2011; and decided to transmit all reports and oral updates of the commission of inquiry to all relevant bodies of the United Nations and to the Secretary-General for appropriate action.

On 29 May [res. 23/1], by a recorded vote of 36 to 1, with 8 abstentions, the Council called on the Syrian authorities to meet their responsibility to protect the population and to end all attacks against civilians of Al-Qusayr (see p. 437); stressed the need to ensure accountability for those responsible for the massacre in Al-Qusayr; condemned the intervention of foreign combatants fighting on behalf of the Syrian regime in Al-Qusayr; and demanded that the Syrian authorities allow free and unimpeded access by the United Nations and humanitarian agencies to all civilians affected by the violence, especially in Al-Qusayr. The Council requested the commission of inquiry to urgently conduct a comprehensive independent and unfettered inquiry into the event in Al-Qusayr, and include the findings in its report to the Council at its twenty-fourth (2013) session, and decided to take further action on the situation of human rights in Syria.

On 14 June [res. 23/26], by a recorded vote of 37 to 1, with 9 abstentions, the Council condemned the lack of cooperation of the Government with the commission of inquiry, in particular the persistent denial of access to members of the commission to Syria. It demanded that the Syrian authorities cooperate fully with the commission, including by granting it immediate, full and unfettered access throughout Syria and responding promptly to its communications and requests.

Reports of independent commission of inquiry.
In a July report [A/HRC/23/58] covering the period from 15 January to 15 May, the independent international commission of inquiry on Syria, based on 430 interviews and other collected evidence, found that the conflict had reached new levels of brutality and documented, for the first time, the systematic imposition of sieges, the use of chemical agents and cases of forcible displacement. Government forces and affiliated militia had committed murder, torture, rape, forcible displacement, enforced disappearance and other inhumane acts. Many of those crimes were perpetrated as part of widespread or systematic attacks against civilian populations and constituted crimes against humanity. War crimes and gross violations of international human rights law, including summary execution, arbitrary arrest and detention, unlawful attack, the attack of protected objects, and the pillaging and destruction of property, had also been committed.

The tragedy of 4.25 million internally displaced persons in Syria was compounded by incidents of those persons being targeted and forcibly displaced.

Anti-Government armed groups had also committed war crimes and continued to endanger the civilian population by positioning military objectives in civilian areas. The violations and abuses committed by anti-Government armed groups did not, however, reach the intensity and scale of those committed by Government forces and affiliated militia.

The commission also reported that there were reasonable grounds to believe that chemical agents had been used as weapons. The precise agents, delivery systems or perpetrators, however, could not be identified. The commission concluded that war crimes and crimes against humanity had become a daily reality in the country. There was a human cost to the increased availability of weapons; transfer of arms heightened the risk of violations, leading to more civilian deaths and injuries. A diplomatic surge was the only path to a political settlement; negotiations must be inclusive and represent all facets of the cultural mosaic making up Syria.

In an August report [A/HRC/24/46], the independent commission of inquiry found that, between 15 May to 15 July, Syria’s cities and towns suffered relentless shelling and sieges; massacres were perpetrated with impunity; and an untold number of Syrians had disappeared. Government and pro-Government forces had continued to conduct widespread attacks on the civilian population, committing murder, torture, rape and enforced disappearance as crimes against humanity. They had laid siege to neighbourhoods and subjected them to indiscriminate shelling. Government forces had committed gross violations of human rights and the war crimes of torture, hostage-taking, murder, execution without due process, rape, the attacking of protected objects and pillaging. Anti-Government armed groups had committed war crimes, including murder, execution with due process, torture, hostage-taking and attacking protected objects. They had besieged and indiscriminately shelled civilian neigh-
bourhoods. Anti-Government and Kurdish armed groups had recruited and used child soldiers. The perpetrators of these violations and crimes, on all sides, acted in defiance of international law, and feared no accountability. The porous borders of the country had facilitated the involvement of regional armed actors, increasingly along sectarian lines. The dynamics of the conflict were extremely complex and extended well beyond Syria's borders.

**Notes of Secretary-General.** By a note [A/67/931] of 15 July, the Secretary-General transmitted to the General Assembly the report of the Special Rapporteur on the human rights of internally displaced persons (IDPs). The report reviewed the humanitarian, protection and human rights situation of IDPs in Syria and analysed the continuing challenges in meeting the urgent needs of affected communities.

On 16 September [A/67/997-S/2013/553], the Secretary-General transmitted to the Security Council and the Assembly the report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic on the alleged use of chemical weapons in the Ghouta area of Damascus on 21 August 2013. The Secretary-General expressed his profound shock and regret at the conclusion that chemical weapons had been used on a relatively large scale, resulting in numerous casualties, particularly among civilians and including many children. He condemned the use of chemical weapons and believed that the act was a war crime and grave violation of the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and other relevant rules of customary international law. The international community had a moral responsibility to hold accountable those responsible and to ensure that chemical weapons could never re-emerge as an instrument of warfare.

**Human Rights Council action.** On 27 September [A/68/53/Add.1 (res. 24/22)], by a recorded vote of 40 to 1, with 6 abstentions, the Council demanded that the Syrian authorities facilitate, and that all other parties do not hinder, the full, immediate and safe access of the United Nations and humanitarian actors.

**GENERAL ASSEMBLY ACTION**

On 18 December [meeting 70], the General Assembly, on the recommendation of the Third Committee [A/68/456/Add.3], adopted resolution 68/182 by recorded vote (127-13-47) [agenda item 69 (6)].

**Situation of human rights in the Syrian Arab Republic**

The General Assembly, Guided by the Charter of the United Nations,

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


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

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

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

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

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

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

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

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

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

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

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

Welcoming the hosting by the Government of Kuwait, on 30 January 2013, of the pledging conference for the United Nations joint appeal, and also welcoming with appreciation the hosting by the Government of Kuwait of the Second International Humanitarian Pledging Conference for Syria in January 2014,

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

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

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

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

3. Condemn all grave violations and abuses committed against children in contravention of applicable international law, such as their recruitment and use, killing and maiming, rape and all other forms of sexual violence, attacks on schools and hospitals, as well as their arbitrary arrest, detention, torture, ill-treatment and their use as human shields;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19. Stresses that rapid progress on a political transition represents the best opportunity to resolve the situation in the Syrian Arab Republic peacefully, reaffirms its support for the engagement of the Secretary-General and the Joint Special Representative of the United Nations and the League of Arab States for Syria and all diplomatic efforts aimed at reaching a political solution to the crisis, also reaffirms the role of regional and subregional organizations in the maintenance of international peace and security as set out in Chapter VIII of the Charter of the United Nations, and welcomes the relevant resolutions of the League of Arab States to address the situation in the Syrian Arab Republic;

20. Endorses the final communiqué issued by the Action Group for Syria of 30 June 2012 (Geneva communiqué), and calls for the convening as soon as possible of the international conference on the Syrian Arab Republic to implement the Geneva communiqué.

RECORDED VOTE ON RESOLUTION 68/182:

In favour: Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, Colombia, Comoros, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Sao Tome
and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Vanuatu, Yemen.

Against: Belarus, Bolivia, China, Cuba, Democratic People’s Republic of Korea, Ecuador, Iran, Nicaragua, Russian Federation, Syrian Arab Republic, Uzbekistan, Venezuela, Zimbabwe.


Communication. On 17 December [A/HRC/25/61], Syria transmitted to OHCHR and the President of the Human Rights Council a note concerning a massacre committed in the industrial area of the town of Adra near Damascus by armed terrorist groups affiliated to Al-Qaeda.

Territories occupied by Israel

In 2013, the Human Rights Council addressed cases of human rights violations in the territories occupied by Israel following the 1967 hostilities in the Middle East. Political and other issues in the region were considered by the Security Council, the General Assembly, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Committee on Israeli Practices) and other bodies (see Part One, Chapter VI).

Human Rights Council actions. On 22 March [A/68/53 (res. 22/28)], by a recorded vote of 46 to 1, with no abstentions, the Council demanded that Israel cease all practices and actions that violated the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians and the destruction and confiscation of civilian property; cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem; and comply with its legal obligations under international law. It expressed concern over the conditions of the Palestinian prisoners and detainees in Israeli jails and detention centres; condemned all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip, and the firing of rockets against Israeli civilian areas; and called on Israel to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip. The Council urged Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socioeconomic and humanitarian situation, particularly in the Gaza Strip; and requested the Secretary-General to report on the implementation of the resolution at the Council’s twenty-fourth (2013) session.

On the same date [res. 22/29], by a recorded vote of 45 to 1, with no abstentions, the Council welcomed the report [YUN 2012, p. 765] of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the occupied Palestinian Territories, including East Jerusalem; requested all parties concerned, including the UN bodies, to ensure the implementation of the recommendations contained in the report; and requested the High Commissioner to present a report detailing the implementation of the recommendations contained in the report to the Council’s twenty-fifth (2014) session.

Report of Secretary-General. Pursuant to Council resolution 22/28 (see above), the Secretary-General submitted an August report [A/HRC/24/30] highlighting human rights issues in Gaza, including the firing of rockets into civilian areas in Israel, the blockade and access to restricted areas. It examined the situation in the West Bank, including East Jerusalem, including limitations on freedom of movement, forcible transfers, violence by some settlers and a lack of accountability, excessive use of force by Israeli security forces and violations by the Palestinian Authority.

Reports of Special Rapporteur. In a September report [A/68/376 & Corr.1] submitted in accordance with Council resolution 5/1 [YUN 2007, p. 664], the Special Rapporteur on the situation of human rights in the Palestinian Territories occupied since 1967, Richard Falk (United States), focused on businesses profiting from Israeli settlements and described the involvement of 13 businesses in the activities of Israel in the Occupied Palestinian Territory with reference to the United Nations Guiding Principles on Business and Human Rights [YUN 2011, p. 716]. The report also noted other issues, including the urgent matter of water and sanitation rights. The Special Rapporteur recommended that the General Assembly request an advisory opinion from the International Court of Justice as to the legal consequences of the prolonged occupation of Palestine, if the current diplomacy failed to produce a solution to the underlying conflict. He recommended that the Government of Israel cease expanding and creating settlements in occupied Palestine, start dismantling existing settlements and returning its citizens to the Israeli side of the Green Line and provide reparations for the damage due to settlement and re-
lated activity since 1967. He further recommended that Israel immediately end its discriminatory policies and practices that served to deny Palestinians their rightful share of water resources in the West Bank and the Gaza Strip, and cease the demolition of water collection facilities, including wells and water tanks, on the pretext that they operated without valid permits.

On 18 December (decision 68/536), the General Assembly took note of the report.

In a September report [A/HRC/23/21], the Special Rapporteur noted the continued non-cooperation of Israel; addressed Israel’s Operation “Pillar of Defense” and the general human rights situation in the Gaza Strip; and considered the expansion of Israeli settlements, and businesses that profited from Israeli settlements and the situation of Palestinians detained by Israel.

**Report of High Commissioner.** In response to Human Rights Council resolutions S-9/1 [YUN 2009, p. 780] and S-12/1 [ibid., p. 787], the High Commissioner issued the sixth periodic report [A/HRC/25/40 & Corr.1] on the human rights situation in the Occupied Palestinian Territory, covering the period from 30 November 2012 to 8 November 2013, which highlighted issues of concern with regard to each of the main duty bearers in the Territory, namely the Government of Israel, the Palestinian Authority and the de facto authorities in Gaza. Following the adoption of Council resolution 19/17 [YUN 2012, p. 764] establishing a fact-finding mission on Israeli settlements and the subsequent decision [ibid., p. 765] of the Government of Israel to suspend its relations with the Human Rights Council and with OHCHR in March 2012, the Government of Israel had revised its position on 29 October 2013, when it participated in the second review of Israel under the universal periodic review. There were also positive signs regarding the re-establishment of the relationship with OHCHR.

The High Commissioner recommended that the Government of Israel lift the blockade to remedy the punitive measures against the civilian population; ensure that the use of force by its security forces was in compliance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; carry out prompt, thorough, effective, independent and impartial investigations into allegations of unlawful killing, injury, torture and ill-treatment; cease any demolitions or plans for demolitions that would result in the forcible transfer or forced eviction of Palestinians; charge or release any detainees held in administrative detention; and implement the recommendations made by UNICEF and the Committee on the Rights of the Child regarding the treatment of Palestinian children in detention.

The Government of the State of Palestine should ensure that the use of force and the treatment of detainees by all security forces was in compliance with international human rights law and principles; conduct prompt, thorough, effective, independent and impartial investigations into allegations of unlawful killing, injury, torture and ill-treatment by security forces; publish in full reports of investigative committees; ensure that court decisions ordering the release of detainees were respected and promptly enforced; ensure that journalists and political activists were able to carry out their work without hindrance; officially declare a formal moratorium on the death penalty, pending abolition; and adopt necessary measures to effectively investigate, prosecute and bring to justice perpetrators of all acts involving violence against women. De facto authorities and Palestinian armed groups in Gaza should respect international humanitarian law; refrain from unlawful restrictions on free speech and peaceful assembly; ensure detentions were in line with international human rights norms and standards; and impose an immediate moratorium on executions and cease the use of military tribunals to try civilians.

**Occupied Syrian Golan**

**Human Rights Council actions.** On 21 March [A/68/53 (res. 22/17)], by a recorded vote of 29 to 1, with 17 abstentions, the Council called on Israel to comply with UN resolutions on the occupied Syrian Golan and demanded that it rescind its decision to impose Israeli laws, jurisdictions and administration on the occupied territory. It also called on Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the area and desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the Syrian Golan and from its repressive measures against them. The Council requested the Secretary-General to report on the matter at its twenty-fifth (2014) session.

On 22 March [res. 22/26], the Council expressed concern at the continued Israeli settlement and related activities, including the expansion of settlements, the expropriation of land, the demolition of houses, the confiscation and destruction of property, and the construction of bypass roads, which changed the physical character and demographic composition of the occupied territories, including the Syrian Golan; urged Israel to reverse the settlement policy in the occupied territories; and demanded that Israel comply fully with its legal obligations. The Council requested the Secretary-General to report on the implementation of the resolution at its twenty-fifth (2014) session.

**Reports of Secretary-General.** Pursuant to Council resolution 22/17 (see above), the Secretary-General submitted a report [A/HRC/25/37] on that resolution’s implementation. He also indicated that OHCHR, on 30 September, had addressed notes verbale to the Government of Israel and to the Govern-
Follow-up to the 2009 Fact-Finding Mission on the Gaza Conflict

Human Rights Council action. On 22 March [A/68/53 (res. 22/25)], by a recorded vote of 43 to 1, with 3 abstentions, the Council renewed its recommendation that the General Assembly remained apprised of the Independent International Fact-Finding Mission on the Gaza Conflict until it was satisfied that appropriate action with regard to implementing the recommendations contained in the report [YUN 2009, p. 783] of the Fact-Finding Mission was taken at the domestic or international level in order to ensure justice for victims and accountability for perpetrators, and to remain ready to consider whether additional action within its powers was required in the interests of justice.