



General Assembly

Distr.: General
23 November 2022

Original: English

Human Rights Council
Thirty-fourth special session
12 May 2022

Report of the Human Rights Council on its thirty-fourth special session

Vice-President and Rapporteur: Ulugbek **Lapasov** (Uzbekistan)

I. Resolution adopted by the Human Rights Council at its thirty-fourth special session

S-34/1. The deteriorating human rights situation in Ukraine stemming from the Russian aggression

The Human Rights Council,

Guided by the principles and purposes of the Charter of the United Nations,

Recalling the obligations of all States under Article 2 of the Charter to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, and to settle their international disputes by peaceful means,

Reaffirming the need to make the utmost effort to settle any conflicts or disputes between States exclusively by peaceful means and to avoid any military action or hostilities, which can only make the solution of those conflicts and disputes more difficult,

Recalling General Assembly resolutions ES-11/1 of 2 March 2022 on aggression against Ukraine and ES-11/2 of 24 March 2022 on the humanitarian consequences of the aggression against Ukraine, and Human Rights Council resolution 49/1 of 4 March 2022 on the situation of human rights in Ukraine stemming from the Russian aggression,

Recalling also the obligations of all parties to the conflict under international law, in particular, as applicable, international human rights law, international humanitarian law and refugee law.

Reaffirming its strong commitment to the sovereignty, political independence, territorial integrity and unity of Ukraine within its internationally recognized borders, and reiterating the urgent need for the Russian Federation to immediately cease its aggression against Ukraine and to withdraw its troops,

Expressing deep concern at the alarming number of civilian casualties caused by the aggression against Ukraine and strongly condemning attacks against civilians and civilian objects, including those involving attacks on residential areas, schools, kindergartens and medical facilities, and those carried out through the use of cluster munitions, air strikes and artillery, as well as the use of torture and other cruel, inhuman or degrading treatment, arbitrary and extrajudicial executions, enforced disappearances, sexual and gender-based



violence, forced transfers and forced displacements of population, and violations and abuses committed against children,

Taking note of the recent relevant statements by the Secretary-General, the United Nations High Commissioner for Human Rights and the special procedures of the Human Rights Council, in particular the statement made by the High Commissioner on 22 April 2022 in which she referred to the “horror story of violations perpetrated against civilians” in Ukraine, and taking note also of the report of the mission of experts established under the Moscow Mechanism of the Organization for Security and Cooperation in Europe of 13 April 2022,

Welcoming the swift appointment of the members of the independent international commission of inquiry on Ukraine established pursuant to Human Rights Council resolution 49/1, and the important work of the Office of the United Nations High Commissioner for Human Rights and its monitoring mission in Ukraine in contributing to an objective appraisal of the situation of human rights in Ukraine,

Strongly condemning the reported violations and abuses of human rights and serious violations of international humanitarian law, documented by the High Commissioner, that were committed in the areas of Kyiv, Chernihiv, Kharkiv and Sumy regions under the control of Russian armed forces in late February and in March 2022, including a large number of reported cases of summary executions of men, women and children, of sexual and gender-based violence, of the use of torture and other cruel, inhuman and degrading treatment, and of other violations that may amount to crimes against humanity, war crimes, and related crimes,

Deeply concerned at the grave human rights and humanitarian situation in the city of Mariupol, the near total destruction of its residential and civilian infrastructure caused by Russian bombing and shelling, reports of tens of thousands of civilian casualties and of mass graves near the city, and the limited progress in securing safe and unhindered evacuations to safe areas under the control of the Government of Ukraine,

Reiterating the need for prompt, independent and impartial national and international investigations into alleged violations and abuses of human rights, violations of international humanitarian law and related crimes with a view to hold those responsible to account, including for those violations that may amount to crimes against humanity, war crimes and other crimes under international law, and encouraging efficient and effective coordination among all relevant parties engaged in the collection, consolidation and analysis of evidence,

Stressing that disinformation spread by States and State-sponsored actors can accompany serious violations of international law and can have a far-reaching negative impact on the enjoyment of human rights, in particular in times of emergency, crisis and armed conflict,

Expressing its concern at the particular impact of the conflict on women, children and persons in vulnerable situations, including persons with disabilities and older persons, who are at risk also of sexual and gender-based violence and human trafficking,

Expressing its concern also at the humanitarian needs of all those fleeing from or displaced by the military hostilities, who should be protected without discrimination, including that based on racial, national and ethnic identity,

Expressing its concern further at the impact of the conflict on food security globally, in particular in the least developed countries, at a time when millions of people are facing famine or food insecurity in several regions of the world, especially in the light of the impediments to the agricultural exports of Ukraine as a result of the blockade of its seaports and the destruction of relevant critical infrastructure, as well as the reported theft of grain from the territories of Ukraine under the control of the Russian armed forces in the Kherson and Zaporizhzhia regions,

1. *Reiterates* its demand for the immediate cessation of military hostilities against Ukraine and for all parties to the conflict to respect the fundamental principles and rules of international humanitarian law, including to refrain from any attacks against civilians and civilian objects, and to refrain from any human rights violations and abuses in Ukraine;

2. *Stresses* the need to refrain from any State-sponsored disinformation, propaganda for war or advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, relating to the aggression against Ukraine;

3. *Urges* the Russian Federation to provide representatives and staff of international human rights and humanitarian institutions, including United Nations specialized agencies, with unhindered, timely, immediate, unrestricted and safe access to persons who have been transferred from conflict-affected areas of Ukraine and are held on the territory of the Russian Federation or areas controlled or occupied by the Russian Federation, and to share with relevant parties a comprehensive list of such transferred persons and their whereabouts;

4. *Requests* the independent international commission of inquiry on Ukraine to conduct an inquiry, consistent with its mandate and international standards, and in coordination with other national and international mechanisms, to address the events in the areas of the Kyiv, Chernihiv, Kharkiv and Sumy regions in late February and in March 2022, including their gender dimension, with a view to holding those responsible to account, and also requests the commission to brief the Human Rights Council on the progress of that inquiry as part of the oral update to the Council at its fifty-first session, and to include its findings after the completion of the inquiry in its report to the Council at its fifty-second session;

5. *Requests* the United Nations High Commissioner for Human Rights to present an oral update on the grave human rights and humanitarian situation in Mariupol, including an assessment of the nature and causes of violations or abuses of human rights and of violations of international humanitarian law committed there, to the Human Rights Council at its fiftieth session under item 2, to be followed by an interactive dialogue;

6. *Encourages* relevant thematic special procedure mandate holders, within their respective mandates, to continue to pay particular attention to the situation of human rights in Ukraine stemming from the Russian aggression, and urges all relevant parties to cooperate with those mandate holders;

7. *Decides* to remain seized of the matter.

II. Organizational and procedural matters

1. Pursuant to paragraph 10 of General Assembly resolution 60/251, and in accordance with rule 6 of the rules of procedure of the Human Rights Council as contained in the annex to Council resolution 5/1, the Council shall hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council.

2. On 9 May 2022, the Permanent Representative of Ukraine to the United Nations and other international organizations in Geneva requested the convening of a special session of the Human Rights Council on the deteriorating human rights situation in Ukraine stemming from the Russian aggression.¹

3. The above-mentioned request was supported by 16 States members of the Human Rights Council, namely, Finland, France, the Gambia, Germany, Japan, Lithuania, Luxembourg, the Marshall Islands, Mexico, Montenegro, the Netherlands, Poland, the Republic of Korea, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The request was also supported by 36 observer States of the Council, namely, Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Georgia, Greece, Guatemala, Hungary, Ireland, Italy, Latvia, Liechtenstein, Malta, New Zealand, North Macedonia, Norway, Peru, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and Turkey.

¹ See [A/HRC/S-34/1](#).

4. Subsequently, the request was supported by eight additional observer States of the Council, namely, Australia, the Bahamas, Chile, Ecuador, Fiji, Iceland, Monaco and Uruguay.

5. Given that more than one third of the membership of the Human Rights Council supported the above-mentioned request, the President of the Council, following consultations with the main sponsor, decided to convene an open-ended informative consultation on the conduct and organization of the special session on 11 May 2022, and to hold the special session on 12 May.

A. Opening and duration of the session

6. The Human Rights Council held its thirty-fourth special session at the United Nations Office at Geneva on 12 May 2022. It held two meetings during the session.

7. The thirty-fourth special session was opened by the President of the Human Rights Council.

B. Attendance

8. The special session was attended by representatives of States members of the Human Rights Council, observer States of the Council, observers for non-member States of the United Nations and observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations.

C. Officers

9. The following members of the Bureau of the Human Rights Council appointed for the sixteenth cycle also served as officers for the thirty-fourth special session:

<i>President</i>	Federico Villegas (Argentina)
<i>Vice-Presidents</i>	Katharina Stasch (Germany) Andranik Hovhannisyan (Armenia) Muhammadou M.O. Kah (Gambia)
<i>Vice-President and Rapporteur</i>	Ulugbek Lapasov (Uzbekistan)

D. Organization of work

10. Pursuant to paragraph 124 of the annex to Human Rights Council resolution 5/1, an open-ended informative consultation was held on 11 May 2022, in preparation for the thirty-fourth special session.

11. At the 1st meeting of the thirty-fourth special session, held on 12 May 2022, the Human Rights Council considered the organization of its work, including speaking time limits, which would be 2 minutes and 30 seconds for States members of the Council and 1 minute and 30 seconds for observer States of the Council and other observers.

12. At the same meeting, the Human Rights Council decided to endorse for the thirty-fourth special session the extraordinary measures and modalities proposed by the Bureau of the Council in the annex to the minutes of the Bureau meeting of 10 May 2022, which were similar to the modalities that had been adopted by the Council for its forty-ninth regular session in the light of the coronavirus disease (COVID-19) pandemic. The measures included encouraging parties to deliver their statements virtually or by pre-recorded video message and allowing delegations to raise points of order and exercise the right of reply remotely.

13. Also at the same meeting, the Human Rights Council, given that the measures required to address the COVID-19 pandemic precluded the in-person participation of representatives of non-governmental organizations, adopted a decision to exceptionally allow non-

governmental organizations in consultative status with the Economic and Social Council and national human rights institutions with A status the opportunity to submit pre-recorded video statements for the special session. The number of non-governmental organizations to be included in the list of speakers for the special session was set at 25, in line with the average number of non-governmental organizations that had registered for the past three special sessions that have taken place in 2021.

14. The special session was conducted in accordance with the relevant provisions contained in the annex to Human Rights Council resolution 5/1.

E. Resolution and documentation

15. The resolution adopted by the Human Rights Council at its thirty-fourth special session is reproduced in chapter I of the present report.

16. The list of documents issued for the thirty-fourth special session is contained in the annex to the present report.

F. Statements

17. At the 1st meeting, on 12 May 2022, the United Nations High Commissioner for Human Rights made a statement (via video teleconference).

18. At the same meeting, statements were made by the Chair of the Coordination Committee of the Special Procedures of the Human Rights Council, Victor Madrigal-Borloz (via video teleconference), and the Chair of the Independent International Commission of Inquiry on Ukraine, Erik Møse.

19. Also at the same meeting, the representative of Ukraine made a statement as the State concerned (via video teleconference).

20. At the 1st and 2nd meetings, held on 12 May, statements were made by:

(a) Representatives of States members of the Human Rights Council: Argentina, Brazil, China, Czechia, Eritrea, Estonia² (also on behalf of Denmark, Finland, Iceland, Latvia, Lithuania, Norway and Sweden) (video statement), Finland, France (also on behalf of the European Union), Germany, India, Indonesia, Japan, Lithuania, Luxembourg (video statement), Marshall Islands (also on behalf of Albania, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America) (video statement), Mexico, Montenegro, Nepal, Netherlands, Pakistan, Paraguay, Poland, Republic of Korea, Saudi Arabia³ (on behalf of the Cooperation Council for the Arab States of the Gulf) (video statement), United Kingdom of Great Britain and Northern Ireland and United States of America;

(b) Representatives of observer States: Albania, Australia, Austria (video statement), Belarus, Belgium, Bulgaria, Canada, Chile, Colombia, Croatia, Cyprus, Denmark (video statement), Ecuador, Estonia, Georgia, Greece, Iceland, Iran (Islamic Republic of), Ireland, Israel, Italy, Latvia, Liechtenstein (video statement), Malta, New Zealand, Nicaragua, North Macedonia, Norway, Peru, Portugal, Republic of Moldova (video statement), Romania (video statement), Slovakia (video statement), Slovenia, Spain, Sweden, Switzerland (video statement), Syrian Arab Republic (video statement), Timor-Leste, Turkey, Uruguay and Viet Nam;

² Observer of the Human Rights Council speaking on behalf of member and observer States.

³ Observer of the Human Rights Council speaking on behalf of member and observer States.

(c) Observer for an intergovernmental organization: International Development Law Organization;

(d) Observer for the Sovereign Military Hospitaller Order of Saint John of Jerusalem, of Rhodes and of Malta;

(e) Observer for a national human rights institution: Ukrainian Parliament Commissioner for Human Rights;

(f) Observers for non-governmental organizations: Amnesty International, Article 19: International Centre against Censorship, Child Rights Connect, CIVICUS: World Alliance for Citizen Participation, Human Rights House Foundation, Human Rights Watch, Ingénieurs du monde, International Commission of Jurists (also on behalf of the International Bar Association), International Federation for Human Rights Leagues, International Service for Human Rights, International-Lawyers.org, Lawyers' Rights Watch Canada (also on behalf of the International Bar Association), Maat for Peace, Development and Human Rights Association, Program in International Human Rights Law, United Nations Watch, World Federation of Ukrainian Women's Organizations and World Organisation against Torture.

III. Action on the draft proposal

21. At the 2nd meeting, on 12 May 2022, the representative of Ukraine, introduced the draft resolution entitled "The deteriorating human rights situation in Ukraine stemming from the Russian aggression",⁴ sponsored by Ukraine, jointly with Albania, Austria, Belgium, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, the Marshall Islands, Monaco, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Andorra, Argentina, Australia, Bosnia and Herzegovina, Chile, Colombia, the Dominican Republic, Ecuador, Fiji, Georgia, New Zealand, Paraguay, Peru, the Republic of Korea, the Republic of Moldova, San Marino, Switzerland and Uruguay joined in sponsoring the draft resolution.

22. At the same meeting, the representative of Ukraine orally revised the draft resolution.

23. Also at the same meeting, the representatives of France (on behalf of the States members of the European Union that are members of the Council), the United Kingdom of Great Britain and Northern Ireland and the United States of America made general comments on the draft resolution as orally revised.

24. Also at the 2nd meeting, in accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Human Rights Council was drawn to the estimated administrative and programme budget implications of the draft resolution as orally revised. The Chief of the Finance and Budget Section of Programme Support and Management Services of the Office of the United Nations High Commissioner for Human Rights made a statement (via video teleconference) on the budgetary implications of the draft resolution as orally revised.

25. At the same meeting, the representatives of China, Cuba, Eritrea and Venezuela (Bolivarian Republic of) made statements in explanation of vote before the vote.

26. Also at the same meeting, at the request of the representative of China, a recorded vote was taken on the draft resolution as orally revised.

27. Also at the 2nd meeting, the Human Rights Council adopted the draft resolution, as orally revised, by a recorded vote of 33 to 2, with 12 abstentions. The voting was as follows:

In favour:

Argentina, Benin, Brazil, Côte d'Ivoire, Czechia, Finland, France, Gabon, Gambia, Germany, Honduras, Indonesia, Japan, Libya, Lithuania,

⁴ [A/HRC/S-34/L.1](#).

Luxembourg, Malawi, Malaysia, Marshall Islands, Mauritania, Mexico, Montenegro, Nepal, Netherlands, Paraguay, Poland, Qatar, Republic of Korea, Somalia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

China, Eritrea

Abstaining:

Armenia, Bolivia (Plurinational State of), Cameroon, Cuba, India, Kazakhstan, Namibia, Pakistan, Senegal, Sudan, Uzbekistan, Venezuela (Bolivarian Republic of)

28. At the same meeting, the representatives of Brazil, Indonesia and Malaysia made statements in explanation of vote after the vote.

29. After the adoption of the draft resolution, as orally revised, Liechtenstein, Micronesia (Federated States of) and Timor-Leste joined in sponsoring the draft resolution.

IV. Report of the Human Rights Council on its thirty-fourth special session

30. At the 2nd meeting, on 12 May 2022, the Human Rights Council adopted the report on its thirty-fourth special session ad referendum and entrusted the Vice-President and Rapporteur with its finalization.

Annex

Documents issued for the thirty-fourth special session of the Human Rights Council

A/HRC/S-34/1	Letter dated 9 May 2022 from the Permanent Representative of Ukraine to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council
A/HRC/S-34/2	Report of the Human Rights Council on its thirty-fourth special session
A/HRC/S-34/L.1	The deteriorating human rights situation in Ukraine stemming from the Russian aggression
A/HRC/S-34/NGO/1	Written statement submitted by United Nations Watch, a non-governmental organization in special consultative status with the Economic and Social Council
