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**Human Rights Council**

**Twenty-fourth session**

Agenda item 1

**Organizational and procedural matters**

**Report of the Human Rights Council on its  
twenty-fourth session**

*Vice-President and Rapporteur:* Mr. Luis Gallegos Chiriboga (Ecuador)

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## **Part One Resolutions and decisions**

### **I. Resolutions adopted by the Human Rights Council at its twenty-fourth session**

**24/1**

#### **Promoting human rights through sport and the Olympic ideal**

*The Human Rights Council,*

*Reaffirming* the purposes and principles of the United Nations, the Universal Declaration of Human Rights and relevant international human rights instruments,

*Recalling* the relevant provisions of the key international human rights treaties, in particular article 31 of the Convention on the Rights of the Child and article 30 of the Convention on the Rights of Persons with Disabilities,

*Recalling also* the resolutions adopted by the General Assembly on the issue of sport and Olympic Games, in particular its resolutions 66/5 of 17 October 2011 and 67/17 of 28 November 2012 on sport as a means to promote education, health, development and peace, in which the Assembly emphasized and encouraged the use of sport as a vehicle to foster development and strengthen education for children and young persons; prevent disease and promote health, including the prevention of drug abuse; empower girls and women; foster the inclusion and well-being of persons with disabilities; and facilitate social inclusion, conflict prevention and peacebuilding,

*Reaffirming* previous Human Rights Council resolutions on the issue of sport and human rights, in particular resolutions 13/27 of 26 March 2010 and 18/23 of 30 September 2011,

*Recognizing* the potential of sport as a universal language that contributes to educating people on the values of respect, diversity, tolerance and fairness and as a means to combat all forms of discrimination and promote social inclusion for all,

*Recognizing also* the imperative need to engage women and girls in the practice of sport for development and peace and, in this regard, welcoming activities that aim to foster and encourage such initiatives at the global level,

*Acknowledging* the potential of sport and major sporting events to educate the youth of the world and to promote their inclusion through sport practised without discrimination of any kind and in the Olympic spirit, which requires human understanding, tolerance, fair play and solidarity,

*Noting* the Fundamental Principles of Olympism as enshrined in the Olympic Charter,

*Acknowledging* the joint endeavours of the International Olympic Committee, the International Paralympic Committee, the Office of the Special Adviser to the Secretary-General on Sport for Development and Peace and the United Nations system in such fields as human development, poverty alleviation, humanitarian assistance, health promotion, HIV and AIDS prevention, child and youth education, gender equality, peacebuilding and sustainable development,

*Reaffirming* the need to combat discrimination and intolerance where they occur within and outside the sporting context,

*Recognizing* that sport and major sporting events, such as the Olympic and the Paralympic Games, can be used to promote human rights and strengthen universal respect for them, thus contributing to their full realization,

*Acknowledging* the valuable contribution that the appeal by the International Olympic Committee for an Olympic Truce, also known as *ekecheiria*, could make towards advancing the purposes and principles of the Charter of the United Nations,

*Welcoming* the hosting of the Olympic and the Paralympic Games in the cities of Sochi, Rio de Janeiro, PyeongChang and Tokyo in 2014, 2016, 2018 and 2020 respectively, and stressing the opportunity to make use of these important events to promote human rights, especially through sport and the Olympic ideal,

*Stressing* the need to observe, within the framework of the Charter of the United Nations, the Olympic Truce, individually and collectively, throughout the period beginning with the start of the Games of the 2014 Winter Olympiad and ending with the closing of the Winter Paralympic Games in Sochi,

*Recognizing* the potential of sport and major sporting events in contributing to the achievement of the Millennium Development Goals, and noting that, as declared at the 2005 World Summit, sport has the potential to foster peace and development and to contribute to an atmosphere of tolerance and understanding among peoples and nations,

*Welcoming* the recent proclamation by the General Assembly, in its resolution 67/296 of 23 August 2013, of 6 April as the International Day of Sport for Development and Peace,

*Being aware* of the need to actively involve sport and the Olympics in achieving the full and equal enjoyment of all human rights by persons with disabilities, as well as respect for their inherent dignity, and welcoming efforts made by the hosting countries to create a barrier-free environment for persons with disabilities at, inter alia, the 2014 Winter Olympic games in Sochi,

*Recognizing* the need to reflect more thoroughly on the value of relevant principles enshrined in the Olympic Charter and good sporting example in achieving the universal respect for and realization of all human rights,

1. *Welcomes* the high-level interactive panel discussion held at the nineteenth session of the Human Rights Council, which highlighted the ways how sport and major sporting events, in particular the Olympic and Paralympic Games, can be used to promote awareness and understanding of the Universal Declaration of Human Rights and the application of the principles enshrined therein;

2. *Takes note* of the summary of the above-mentioned discussion prepared by the Office of the United Nations High Commissioner for Human Rights;<sup>1</sup>

3. *Calls upon* States to cooperate with the International Olympic Committee and the International Paralympic Committee in their efforts to use sport as a tool to promote human rights, development, peace, dialogue and reconciliation during and beyond the period of the Olympic and Paralympic Games;

4. *Encourages* States to promote sport as a means to combat all forms of discrimination;

5. *Requests* the Advisory Committee to prepare a study on the possibilities of using sport and the Olympic ideal to promote human rights for all and to strengthen universal respect for them, bearing in mind both the value of relevant principles enshrined

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<sup>1</sup> A/HRC/20/11.

in the Olympic Charter and the value of good sporting example, to seek the views and inputs of States Members of the United Nations, international and regional organizations, national human rights institutions, civil society organizations and other relevant stakeholders in this regard, and to present a progress report thereon to the Human Rights Council before its twenty-seventh session;

6. *Decides* to continue consideration of this issue in accordance with its programme of work.

34th meeting  
26 September 2013

[Adopted without a vote.]

## **24/2**

### **Local government and human rights**

*The Human Rights Council,*

*Recalling* Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 25 March 2011, and Council decision 6/102 of 27 September 2007,

*Recalling also* the mandate of the Human Rights Council, as set forth by the General Assembly in its resolution 60/251 of 15 March 2006,

*Taking note* of Advisory Committee action 9/1 of 10 August 2012 on research proposals,<sup>2</sup> which includes a research proposal on local government and human rights, presented to the Human Rights Council for its consideration and approval in accordance with its functions as described in paragraphs 75 to 78 of the annex to Council resolution 5/1,

*Bearing in mind* that human rights and fundamental freedoms are the birthright of all human beings, and that their protection and promotion is the first responsibility of Governments,

*Recognizing* the role of local government in the promotion and protection of human rights, without any prejudice to the primary responsibility of the national government in this regard,

*Recognizing also* that local government has different forms and functions in every State in accordance with its constitutional and legal system,

*Taking note* of relevant international and regional initiatives to promote human rights at the local level,

1. *Requests* the Human Rights Council Advisory Committee to prepare, from within existing resources, a research-based report on the role of local government in the promotion and protection of human rights, including human rights mainstreaming in local administration and public services, with a view to compiling best practices and main challenges, and to present a progress report on the requested research-based report to the Human Rights Council at its twenty-seventh session, for its consideration;

2. *Also requests* the Advisory Committee to seek the views and inputs of Member States, relevant international and regional organizations, the Office of the United Nations High Commissioner for Human Rights and relevant special procedures, as well as national human rights institutions and non-governmental organizations, in order to prepare the above-mentioned research-based report;

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<sup>2</sup> See A/HRC/AC/9/6.

3. *Encourages* the Advisory Committee, when elaborating the above-mentioned report, to take into account, as appropriate, the recommendations made by the human rights treaty bodies, at the universal periodic review and by the special procedures, as well as the work done on the issue by relevant United Nations agencies, funds and programmes within their respective mandates.

34th meeting  
26 September 2013

[Adopted without a vote.]

### **24/3 Special Rapporteur on contemporary forms of slavery, including its causes and consequences**

*The Human Rights Council,*

*Reaffirming* the Universal Declaration of Human Rights, which states that no one shall be held in slavery or servitude and that slavery and the slave trade shall be prohibited in all their forms,

*Recognizing* the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Forced Labour Convention, 1930 (No. 29), of the International Labour Organization, as well as other relevant international instruments which prohibit all forms of slavery and call upon Governments to eradicate such practices,

*Recalling* that the Durban Declaration and Programme of Action strongly condemned the fact that slavery and slavery-like practices still exist today in parts of the world, and urged States to take immediate measures as a matter of priority to end such practices, which constitute flagrant violations of human rights,

*Reaffirming* Human Rights Council resolutions 6/14 of 28 September 2007 and 15/2 of 29 September 2010,

*Condemning* contemporary forms of slavery, while acknowledging that it is a global issue that affects all continents and most countries of the world, and calling upon States to take appropriate measures as a matter of priority to end such practices,

*Deeply concerned* that the minimum estimate of the number of people subjected to contemporary forms of slavery is that of 21 million victims of forced labour worldwide,

*Recognizing* that discrimination, social exclusion, gender inequality and poverty lie at the heart of contemporary forms of slavery, as well as the particular vulnerability of migrant workers,

*Stressing* the importance of criminalizing all forms of slavery through national legislation,

*Acknowledging* the challenges to slavery eradication highlighted by the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, including the absence of legislation in some countries, deficiencies and loopholes in legal frameworks, insufficiently dissuasive sanctions, a lack of will and/or resources for implementing law and policy measures, the difficulty in locating and identifying victims and a lack of effective rehabilitation measures,

*Recognizing* that broad international cooperation among States, as well as between States and relevant intergovernmental and non-governmental organizations, is essential for effectively countering contemporary forms of slavery,

*Recalling* Human Rights Council resolutions 5/1 on institution-building of the Council and 5/2 on the Code of Conduct for special procedures mandate holders of the Council of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

*Convinced* that the issue of contemporary forms of slavery continues to require the attention of the Human Rights Council,

*Bearing in mind* the United Nations Voluntary Fund on Contemporary Forms of Slavery and its importance for addressing the issues raised by the Special Rapporteur,

1. *Welcomes* the work and takes note with appreciation of the thematic reports of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, including those on servile marriage<sup>3</sup> and child slavery in the artisanal mining and quarrying sectors;<sup>4</sup>

2. *Also welcomes* the cooperation of those States that have accepted requests for visits by the Special Rapporteur and have responded to her requests for information;

3. *Decides* to renew the mandate of the Special Rapporteur for a period of three years;

4. *Also decides* that the Special Rapporteur shall examine and report on all contemporary forms of slavery and slavery-like practices, but in particular those defined in the Slavery Convention of 1926 and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956, as well as all other issues covered previously by the Working Group on Contemporary Forms of Slavery; in the discharge of the mandate, the Special Rapporteur shall:

(a) Promote the effective application of relevant international norms and standards on slavery;

(b) Request, receive and exchange information on contemporary forms of slavery from Governments, treaty bodies, special procedures, specialized agencies, intergovernmental organizations, non-governmental organizations and other relevant sources, including on slavery practices and, as appropriate and in line with the current practice, respond effectively to reliable information on alleged human rights violations with a view to protecting the human rights of victims of slavery and preventing violations;

(c) Recommend actions and measures applicable at the national, regional and international levels to eliminate slavery practices wherever they occur, including remedies that address the causes and consequences of contemporary forms of slavery, such as poverty, discrimination and conflict, as well as the existence of demand factors and relevant measures to strengthen international cooperation;

(d) Focus principally on aspects of contemporary forms of slavery that are not covered by existing mandates of the Human Rights Council;

5. *Requests* the Special Rapporteur, in carrying out the mandate, to continue:

(a) To give careful consideration to specific issues within the scope of the mandate and to include examples of effective practices as well as relevant recommendations;

(b) To take account of the gender and age dimensions of contemporary forms of slavery;

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<sup>3</sup> A/HRC/21/41.

<sup>4</sup> A/HRC/18/30.

6. *Encourages* the Special Rapporteur to compile and analyse examples of national legislation relating to the prohibition of slavery and slavery-like practices in order to assist States in their national efforts to combat contemporary forms of slavery;

7. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties mandated, to supply all necessary information requested by the mandate holder, and to give serious consideration to responding favourably to the Special Rapporteur's requests to visit their countries so as to enable the mandate holder to fulfil the mandate effectively;

8. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, Governments, independent experts, interested institutions and non-governmental organizations to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of the mandate;

9. *Encourages* the Special Rapporteur to continue to cooperate fully and effectively with all other relevant existing human rights mechanisms, taking full account of their contribution while avoiding duplication of their work;

10. *Requests* the Special Rapporteur to submit annual reports on the activities of the mandate to the Human Rights Council, together with recommendations on measures that should be taken to combat and eradicate contemporary forms of slavery and slavery-like practices and to protect the human rights of victims of such practices;

11. *Requests* the Secretary-General to give the Special Rapporteur all necessary human and financial assistance, from within existing resources, for the effective fulfilment of the mandate.

*34th meeting  
26 September 2013*

[Adopted without a vote.]

## **24/4 The right to development**

*The Human Rights Council,*

*Recalling* the Charter of the United Nations and the core human rights instruments,

*Reaffirming* the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

*Reaffirming also* Human Rights Council resolutions 4/4 of 30 March 2007 and 9/3 of 17 September 2008, and recalling all Commission on Human Rights, Council and General Assembly resolutions on the right to development, the most recent being Council resolution 21/32 of 28 September 2012,

*Recognizing* the renewed commitments to achieve the Millennium Development Goals by their target date of 2015, as set out in the outcome document adopted at the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals,<sup>5</sup>

*Emphasizing* the urgent need to make the right to development a reality for everyone,

<sup>5</sup> General Assembly resolution 65/1.

*Cognizant* of the importance of engaging the United Nations system, including United Nations funds, programmes and specialized agencies, within their respective mandates, relevant international organizations, including financial and trade organizations, and relevant stakeholders, including civil society organizations, in discussions on the right to development,

*Recognizing* that achieving the internationally agreed development goals, including the Millennium Development Goals, requires effective policy coherence and coordination,

*Recognizing also* that extreme poverty and hunger are one of the greatest global threats and require the collective commitment of the international community for its eradication, pursuant to Millennium Development Goal 1, and therefore calling upon the international community to contribute towards achieving that goal,

*Taking note* of the commitment declared by a number of United Nations specialized agencies, funds and programmes and other international organizations to make the right to development a reality for all and, in this regard, encouraging all relevant bodies of the United Nations system and other international organizations to mainstream the right to development into their objectives, policies, programmes and operational activities, as well as into development and development-related processes, including the follow-up to the Fourth United Nations Conference on the Least Developed Countries,

*Stressing* the primary responsibility of States for the creation of national and international conditions favourable to the realization of the right to development,

*Recognizing* that Member States should cooperate with each other in ensuring development and eliminating obstacles to development, that the international community should promote effective international cooperation, in particular global partnership for development, for the realization of the right to development and the elimination of obstacles to development, and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

*Recalling* that 2011 marked the twenty-fifth anniversary of the Declaration on the Right to Development,

*Stressing* that, in General Assembly resolution 48/141 of 20 December 1993, the Assembly decided that the responsibility of the United Nations High Commissioner for Human Rights shall be, among others, to promote and protect the realization of the right to development and to enhance support from relevant bodies of the United Nations system for that purpose,

1. *Takes note* of the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development,<sup>6</sup> which provided information on the activities undertaken by the Office of the High Commissioner relating to the promotion and realization of the right to development in the period from July 2012 to May 2013;

2. *Requests* the Office of the High Commissioner to continue to submit to the Human Rights Council an annual report on its activities, including on inter-agency coordination within the United Nations system with regard to the promotion and realization of the right to development;

3. *Takes note* of the efforts under way in the framework of the Working Group on the Right to Development, with a view to completing the tasks entrusted to it by the Human

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<sup>6</sup> A/HRC/24/27.

Rights Council in its resolution 4/4, in fulfilment of the mandate of the Working Group as established by the Commission on Human Rights in its resolution 1998/72 of 22 April 1998;

4. *Acknowledges* the need to strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

5. *Welcomes* the launching in the Working Group of the process of considering, revising and refining the draft right to development criteria and corresponding operational sub-criteria,<sup>7</sup> with the first reading of the draft criteria and operational sub-criteria;

6. *Takes note with appreciation* of the report of the Working Group on its fourteenth session;<sup>8</sup>

7. *Recalls* that the Working Group, at its fourteenth session, had before it five documents containing detailed views and comments on the draft criteria and operational sub-criteria, submitted by Governments, groups of Governments, regional groups and other relevant stakeholders, including United Nations agencies, funds and programmes and institutions, as well as other relevant multilateral institutions and forums, in fulfilment of the conclusions and recommendations agreed at its thirteenth session;

8. *Acknowledges* the need to have the contributions of experts and, in this context, re-emphasizes the importance of engaging further and inviting to the fifteenth session of the Working Group experts from relevant United Nations agencies, funds and programmes and institutions, as well as other multilateral institutions and forums, international organizations and other relevant stakeholders;

9. *Also acknowledges* the need to further consider, revise and refine the draft criteria and corresponding operational sub-criteria mentioned in paragraph 5 above, as mandated by the Human Rights Council in its resolution 21/32;

10. *Decides*:

(a) To continue to act to ensure that its agenda promotes and advances sustainable development and the achievement of the Millennium Development Goals and, in this regard, lead to raising the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action, to the same level and on a par with all other human rights and fundamental freedoms;

(b) That the criteria and corresponding operational sub-criteria mentioned in paragraph 5 above, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

(c) That the Working Group shall take appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including guidelines on the implementation of the right to development, and evolve into a basis for consideration of an international legal standard of a binding nature through a collaborative process of engagement;

(d) To endorse the recommendations of the Working Group as reflected in its report on its fourteenth session;<sup>9</sup>

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<sup>7</sup> See A/HRC/15/WG.2/TF/2/Add.2.

<sup>8</sup> A/HRC/24/37.

(e) That the Working Group will continue, at its fifteenth session, its work on the consideration of the draft operational sub-criteria, with the first reading of the remaining operational sub-criteria;

(f) To convene a two-day informal intersessional intergovernmental meeting of the Working Group with the participation of States, groups of States and relevant United Nations agencies, funds and programmes and institutions, as well as other multilateral institutions and forums, and international organizations and other relevant stakeholders, with a view to improve the effectiveness of the Working Group at its fifteenth session;

(g) To consider the extension of the meeting time of the Working Group, as appropriate;

11. *Encourages* the High Commissioner to pursue her efforts, in fulfilment of her mandated responsibility, to enhance support for the promotion and protection of the realization of the right to development, taking as reference the Declaration on the Right to Development, all resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the right to development, and agreed conclusions and recommendations of the Working Group;

12. *Encourages* relevant bodies of the United Nations system, within their respective mandates, including United Nations funds, programmes and specialized agencies, relevant international organizations, including the World Trade Organization and relevant stakeholders, including civil society organizations, to contribute further to the work of the Working Group and to cooperate with the High Commissioner in the fulfilment of her mandate with regard to the implementation of the right to development;

13. *Decides* to review the progress of the implementation of the present resolution, as a matter of priority, at its future sessions.

*34th meeting  
26 September 2013*

[Adopted by a recorded vote of 46 to 1, with no abstentions. The voting was as follows:

*In favour:*

Angola, Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Czech Republic, Ecuador, Estonia, Ethiopia, Gabon, Germany, Guatemala, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Montenegro, Pakistan, Peru, Philippines, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Sierra Leone, Spain, Switzerland, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

*Against:*

United States of America]

## **24/5**

### **The rights to freedom of peaceful assembly and of association**

*The Human Rights Council,*

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<sup>9</sup> Ibid., para. 47.

*Recalling* the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant human rights instruments,

*Reaffirming* Human Rights Council resolution 15/21 of 30 September 2010, and recalling Council resolutions 19/35 of 23 March 2012, 20/8 of 5 July 2012, 21/16 of 27 September 2012 and 22/10 of 21 March 2013, and relevant resolutions of the Commission on Human Rights,

*Recognizing* the importance of the rights of everyone to freedom of peaceful assembly and of association to the full enjoyment of all human rights,

*Recalling* that, in accordance with the International Covenant on Civil and Political Rights and as similarly prescribed in the International Covenant on Economic, Social and Cultural Rights, no restriction may be placed on the exercise of the rights to freedom of peaceful assembly and of association other than those that are prescribed by law and that are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others,

*Reiterating* the critical mandate, role, expertise and specialized supervisory mechanisms and procedures of the International Labour Organization with respect to employers' and workers' rights to freedom of association,

*Taking note* of the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association submitted to the Human Rights Council at its twenty-third session,<sup>10</sup>

*Aware* that resources are necessary for the existence and sustainable operations of associations,

*Reiterating* the important role of new information and communications technologies in enabling and facilitating the enjoyment of the rights to freedom of peaceful assembly and of association, and the importance for all States to promote and facilitate access to the Internet and international cooperation aimed at the development of media and information and communications facilities in all countries,

*Recognizing* the importance of the freedoms of peaceful assembly and of association, as well as the importance of civil society, to good governance, including through transparency and accountability, which is indispensable for building peaceful, prosperous and democratic societies,

*Aware* of the crucial importance of the active involvement of civil society in processes of governance that affect the life of people,

*Recalling* Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

1. *Decides* to extend the mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, as established by the Human Rights Council in its resolution 15/21, for a period of three years;

2. *Reminds* States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any

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<sup>10</sup> A/HRC/23/39.

restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law;

3. *Expresses concern* at violations of the rights to freedom of peaceful assembly and of association;

4. *Emphasizes* the critical role of the rights to freedom of peaceful assembly and of association for civil society, and recognizes that civil society facilitates the achievement of the purposes and principles of the United Nations;

5. *Stresses* that respect for the rights to freedom of peaceful assembly and of association, in relation to civil society, contributes to addressing and resolving challenges and issues that are important to society, such as the environment, sustainable development, crime prevention, human trafficking, empowering women, social justice, consumer protection and the realization of all human rights;

6. *Calls upon* States to continue to cooperate fully with and assist the Special Rapporteur in the performance of his mandate, to respond promptly to his urgent appeals and other communications and to consider favourably his requests for visits;

7. *Reiterates its call upon* the Office of the United Nations High Commissioner for Human Rights to assist States to promote and protect the rights to freedom of peaceful assembly and of association, including through the technical assistance programmes of the Office, at the request of States, and to cooperate with relevant bodies of the United Nations system and other intergovernmental organizations to assist States to promote and protect the rights to freedom of peaceful assembly and of association;

8. *Requests* the Special Rapporteur to continue to report annually to the Human Rights Council and the General Assembly;

9. *Decides* to continue its consideration of the issue of the rights to freedom of peaceful assembly and of association in accordance with its programme of work.

*34th meeting  
26 September 2013*

[Adopted without a vote.]

## **24/6**

### **The right of everyone to the enjoyment of the highest attainable standard of physical and mental health**

*The Human Rights Council,*

*Reaffirming* the Universal Declaration of Human Rights, and recalling the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

*Recalling* Human Rights Council resolutions 6/29 of 14 December 2007 and 15/22 of 30 September 2010, and all previous resolutions of the Commission on Human Rights and the Council on the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

*Recognizing* the need for States, in cooperation with international organizations and civil society, including non-governmental organizations and the private sector, to create favourable conditions at the national, regional and international levels to ensure the full and

effective enjoyment of the right of everyone to the highest attainable standard of physical and mental health,

*Recalling* Human Rights Council resolution 5/1 on institution-building of the Council, and 5/2, on the Code of Conduct for the special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Takes note with appreciation* of the work of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

2. *Decides* to extend the mandate of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, as established by the Human Rights Council in paragraph 1 of its resolution 6/29, for a further period of three years;

3. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated and to give due consideration to the recommendations made by the mandate holder;

4. *Encourages* all Governments to give serious consideration to responding favourably to the requests made by the Special Rapporteur to visit their countries to enable the mandate holder to fulfil the mandate effectively;

5. *Requests* the United Nations High Commissioner for Human Rights to continue to provide all the resources necessary for the effective fulfilment of the mandate of the Special Rapporteur;

6. *Requests* the Special Rapporteur to submit an annual report to the Human Rights Council and to the General Assembly covering all activities relating to the mandate with a view to maximizing the benefits of the reporting process;

7. *Decides* to continue its consideration of this matter under the same agenda item, in accordance with its programme of work.

*34th meeting*  
*26 September 2013*

[Adopted without a vote.]

## **24/7**

### **Arbitrary detention**

*The Human Rights Council,*

*Reaffirming* articles 3, 9, 10 and 29, as well as other relevant provisions, of the Universal Declaration of Human Rights,

*Recalling* articles 9 to 11 and 14 to 22 of the International Covenant on Civil and Political Rights,

*Recalling also* Commission on Human Rights resolutions 1991/42 of 5 March 1991 and 1997/50 of 15 April 1997, and Human Rights Council resolutions 6/4 of 28 September 2007, 10/9 of 26 March 2009, 15/18 of 30 September 2010 and 20/16 of 6 July 2012,

*Recalling further* General Assembly resolution 60/251 of 15 March 2006 on the Human Rights Council,

*Recalling* Human Rights Council resolution 5/1 on institution-building of the Council and resolution 5/2 on the Code of Conduct for special procedures mandate holders

of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Stresses* the importance of the work of the Working Group on Arbitrary Detention;

2. *Takes note with interest* of the latest report of the Working Group,<sup>11</sup> including the recommendations contained therein;

3. *Requests* the States concerned to take account of the views of the Working Group and, where necessary, to take appropriate steps to remedy the situation of persons arbitrarily deprived of their liberty, and to inform the Working Group of the steps they have taken;

4. *Encourages* the Working Group to pursue its work relating to the preparation of the draft basic principles and guidelines, as requested by the Human Rights Council in its resolution 20/16, and invites the Working Group to report to the Council on the progress made in drafting the basic principles and guidelines at its next interactive dialogue with the Council;

5. *Encourages* all States to respond to the questionnaire sent by the Working Group to prepare those draft basic principles and guidelines;

6. *Also encourages* all States:

(a) To give due consideration to the recommendations of the Working Group;

(b) To take appropriate measures to ensure that their legislation, regulations and practices remain in conformity with relevant international standards and the applicable international legal instruments;

(c) To respect and promote the right of anyone arrested or detained on a criminal charge to be brought promptly before a judge or other officer authorized by law to exercise judicial power, and to be entitled to trial within a reasonable time or to release;

(d) To respect and promote the right of anyone deprived of his or her liberty by arrest or detention to bring proceedings before court, in order that the court may decide without delay on the lawfulness of his or her detention and order his or her release if the detention is not lawful, in accordance with their international obligations;

(e) To ensure that the right referred to in subparagraph (d) above is equally respected in cases of administrative detention, including administrative detentions in relation to public security legislation;

(f) To ensure that anyone who is arrested or detained on a criminal charge has adequate time and facilities for the preparation of his or her defence, including the opportunity to engage and communicate with the counsel of his or her choice;

(g) To ensure that the conditions of pretrial detention do not undermine the fairness of the trial;

(h) To provide guarantees with respect to any form of detention against unlawful or arbitrary deprivations of liberty;

7. *Further encourages* all States to cooperate with the Working Group and to give serious consideration to responding favourably to its requests for visits so that it may carry out its mandate even more effectively;

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<sup>11</sup> A/HRC/22/44.

8. *Notes with concern* that a persistent proportion of urgent appeals of the Working Group has been left unanswered, and urges the States concerned to give the necessary attention to the urgent appeals addressed to them by the Working Group on a strictly humanitarian basis and without prejudging its possible final conclusions, as well as to the communication of the same case pursuant to the regular complaint procedure;

9. *Encourages* the Working Group to, in accordance with its working methods, continue to provide the State concerned with relevant and detailed information concerning allegations of arbitrary detention in order to facilitate a prompt and substantive response to these communications without prejudice to the need for the State concerned to cooperate with the Working Group;

10. *Notes with deep concern* that the Working Group has received increasing information on reprisals suffered by individuals who were the subject of an urgent appeal or opinion or who applied a recommendation of the Working Group, and calls upon the States concerned to take appropriate measures to prevent such acts and to combat impunity by bringing perpetrators to justice and by providing victims with appropriate remedies;

11. *Expresses* its profound thanks to the States that have extended their cooperation to the Working Group and responded to its requests for information, and invites all States concerned to demonstrate the same spirit of cooperation;

12. *Notes with satisfaction* that the Working Group has been informed of the release of some of the individuals whose situation has been brought to its attention, while deploring the many cases that have not yet been resolved;

13. *Decides* to extend the mandate of the Working Group for a further period of three years, in accordance with Commission on Human Rights resolutions 1991/42 and 1997/50 and Human Rights Council resolution 6/4;

14. *Requests* the Secretary-General to provide all necessary assistance to the Working Group, particularly with regard to the staffing and resources needed for the effective fulfilment of its mandate, especially in respect of field missions;

15. *Decides* to continue its consideration of the question of arbitrary detention in conformity with its programme of work.

*34th meeting  
26 September 2013*

[Adopted without a vote.]

## **24/8 Equal political participation**

*The Human Rights Council,*

*Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights and relevant international human rights treaties, in particular the International Covenant on Civil and Political Rights,

*Recalling* all relevant General Assembly and Human Rights Council resolutions on political participation,

*Reaffirming* that every citizen shall have the right and the opportunity, without any of the distinctions stipulated in the International Covenant on Civil and Political Rights and without unreasonable restrictions, to take part in the conduct of political and public affairs,

directly or through freely chosen representatives, and to have access, on general terms of equality, to public service in his or her country,

*Reaffirming also* that the will of the people shall be the basis of the authority of government and that every citizen shall have the right and the opportunity, without any of the distinctions stipulated in the International Covenant on Civil and Political Rights and without unreasonable restrictions, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors,

*Reaffirming further* that no distinctions are permitted among citizens in the enjoyment of the right to participate in the conduct of political and public affairs on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability,

*Emphasizing* the critical importance of equal political participation for democracy, the rule of law, social inclusion and economic development, and advancing gender equality, as well as for the realization of all human rights and fundamental freedoms,

*Reaffirming* that the active participation of women, on equal terms with men, at all levels of decision-making, is essential to the achievement of equality, sustainable development, peace and democracy,

*Recognizing* that the rights of everyone to freedom of expression, to peaceful assembly and to freedom of association are among the essential conditions for equal political participation and must be protected,

*Recognizing also* the need to intensify efforts to eliminate barriers in law and in practice and to actively facilitate equal political participation,

*Welcoming* the work of the Office of the United Nations High Commissioner for Human Rights, the special procedures, the treaty bodies and other relevant human rights mechanisms on identifying and addressing obstacles to equal political participation,

1. *Expresses concern* that, despite the progress made in achieving equal political participation worldwide, many people continue to face obstacles, including discrimination, in the enjoyment of their right to participate in political and public affairs of their countries;

2. *Recognizes* that women, persons belonging to marginalized groups or to minorities, and persons in vulnerable situations are among the most affected by discrimination in political participation;

3. *Reaffirms* the obligation of States to take all appropriate measures to ensure that every citizen has an effective right and opportunity to participate in political and public affairs on an equal basis;

4. *Urges* all States to ensure the full and effective participation of all citizens in political and public affairs on an equal basis, including by, inter alia:

(a) Complying fully with their international human rights obligations and commitments with regard to equal political participation;

(b) Taking all necessary measures to eliminate laws, regulations and practices that, directly or indirectly, discriminate against citizens in their right to political participation on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability;

(c) Ensuring that no one's right to participate in political and public affairs of his or her country is suspended or conditioned, except on objective and reasonable grounds which are duly established by law and in conformity with international law;

(d) Taking proactive measures to eliminate all barriers in law and in practice that prevent or hinder citizens, in particular women, persons belonging to marginalized groups or minorities, and persons in vulnerable situations, from fully and effectively participating in political and public affairs;

(e) Taking appropriate measures to publicly encourage and promote the importance of equal political participation of all citizens, in particular women, persons belonging to marginalized groups or to minorities, and persons in vulnerable situations;

(f) Ensuring the right of everyone to freedom of expression, to peaceful assembly and to freedom of association, and facilitating equal and effective access to information, media and communication technologies in order to enable pluralistic debates fostering equal political participation;

(g) Providing full and effective access to justice and redress mechanisms to those citizens whose right to participate in political and public affairs has been violated;

5. *Encourages* the Office of the United Nations High Commissioner for Human Rights, the special procedures, the treaty bodies and other relevant international human rights mechanisms to continue to address, within their respective mandates, the promotion of equal political participation in their work;

6. *Requests* the Office of the High Commissioner to prepare a study on factors that impede equal political participation and on steps to overcome those challenges, while taking into account, inter alia, the relevant work of the special procedures, the treaty bodies and other relevant international human rights mechanisms, and to present the study to the Human Rights Council for consideration at its twenty-seventh session.

*34th meeting  
26 September 2013*

[Adopted without a vote.]

## **24/9**

### **Human rights and indigenous peoples: mandate of the Special Rapporteur on the rights of indigenous peoples**

*The Human Rights Council,*

*Bearing in mind* paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

*Recalling* resolution 5/1 on institution-building of the Human Rights Council and resolution 5/2 on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with these resolutions and the annexes thereto,

*Recalling also* Commission on Human Rights resolutions 2001/57 of 24 April 2001, 2002/65 of 25 April 2002, 2003/56 of 24 April 2003, 2004/62 of 21 April 2004 and 2005/51 of 20 April 2005 on human rights and indigenous issues, and Human Rights Council resolutions 6/12 of 28 September 2007 and 15/14 of 30 September 2010 on the mandate of Special Rapporteur on the rights of indigenous peoples,

1. *Decides* to extend the mandate of the Special Rapporteur on the rights of indigenous peoples for a period of three years on the same terms as provided by the Human Rights Council in its resolution 15/14;

2. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all available information requested in his or her communications, and to react promptly to his or her urgent appeals;

3. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, Governments, independent experts, interested institutions, national human rights institutions, non-governmental organizations and, in particular, indigenous peoples to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of his or her mandate;

4. *Encourages* all Governments to give serious consideration to responding favourably to the requests by the Special Rapporteur to visit their countries to enable him or her to fulfil the mandate effectively;

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the Special Rapporteur for the effective fulfilment of his or her mandate;

6. *Decides* to continue consideration of this question in conformity with its programme of work.

34th meeting  
26 September 2013

[Adopted without a vote.]

## **24/10**

### **Human rights and indigenous peoples**

*The Human Rights Council,*

*Recalling* all Commission on Human Rights and Human Rights Council resolutions on human rights and indigenous peoples,

*Bearing in mind* that the General Assembly, in its resolution 59/174 of 20 December 2004, proclaimed the Second International Decade of the World's Indigenous People,

*Recalling* the adoption of the United Nations Declaration on the Rights of Indigenous Peoples by the General Assembly in its resolution 61/295 of 13 September 2007,

*Welcoming* General Assembly resolution 65/198 of 21 December 2010, in which the Assembly expanded the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it could assist representatives of indigenous peoples' organizations and communities to participate in sessions of the Human Rights Council, the Expert Mechanism on the Rights of Indigenous Peoples, the Permanent Forum on Indigenous Issues and of the human rights treaty bodies, based on diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996, and also welcoming Assembly resolution 66/296 of 17 September 2012, in which the Assembly further expanded the mandate of the Voluntary Fund so that it could assist, in an equitable manner, representatives of indigenous peoples, organizations and communities to participate in the World Conference on Indigenous Peoples, including in the preparatory process, in accordance with the relevant rules and regulations, and urged States to contribute to the Voluntary Fund,

*Recognizing* the importance to indigenous peoples of revitalizing, using, developing and transmitting their histories, languages, oral traditions, philosophies, writing systems

and literatures to future generations, and designating and retaining their own names for communities, places and persons,

*Welcoming* the completion by the Expert Mechanism on the Rights of Indigenous Peoples of its study on access to justice in the promotion and protection of the rights of indigenous peoples submitted to the Human Rights Council at its twenty-fourth session,<sup>12</sup> and encouraging all parties to consider the examples of good practices and recommendations included in that study as practical advice on how to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples,

*Stressing* the need to pay particular attention to the rights and special needs of indigenous women, children, youth and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples, including in the process of protecting and promoting access to justice by indigenous peoples, indigenous women, children, youth and persons with disabilities,

*Recognizing* the need to find ways and means of promoting the participation of recognized indigenous peoples' representatives within the United Nations system on issues affecting them, as they are not always organized as non-governmental organizations,

*Taking note* of the report of the Working Group on the issue of human rights and transnational corporations and other business enterprises,<sup>13</sup> in which the Working Group addressed the impact of business-related activities on the rights of indigenous peoples through the lens of the Guiding Principles on Business and Human Rights,<sup>14</sup>

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples,<sup>15</sup> and requests the High Commissioner to continue to submit to the Human Rights Council an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and activities undertaken by the Office of the High Commissioner at Headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and to the follow-up on the effectiveness of the Declaration;

2. *Also welcomes* the work of the Special Rapporteur on the rights of indigenous peoples and the official visits he has made in the past year, takes note with appreciation of his report,<sup>16</sup> and encourages all Governments to respond favourably to his requests for visits;

3. *Requests* the Special Rapporteur to report on the implementation of his or her mandate to the General Assembly at its sixty-ninth session;

4. *Welcomes* the work of the Expert Mechanism on the Rights of Indigenous Peoples, takes note with appreciation of the report on its sixth session,<sup>17</sup> and encourages States to continue to participate in and contribute to its discussions, including by their national specialized bodies and institutions;

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<sup>12</sup> A/HRC/24/50.

<sup>13</sup> A/68/279.

<sup>14</sup> A/HRC/17/31, annex.

<sup>15</sup> A/HRC/24/26.

<sup>16</sup> A/HRC/24/41.

<sup>17</sup> A/HRC/24/49.

5. *Requests* the Expert Mechanism to continue its study on access to justice in the promotion and protection of the rights of indigenous peoples, with a focus on restorative justice and indigenous juridical systems, particularly as they relate to achieving peace and reconciliation, including an examination of access to justice related to indigenous women, children and youth and persons with disabilities, and to present it to the Human Rights Council at its twenty-seventh session;

6. *Also requests* the Expert Mechanism to prepare a study on the promotion and protection of the rights of indigenous peoples in natural disaster risk reduction and prevention and preparedness initiatives, including consultation and cooperation with the indigenous peoples concerned in elaboration of national plans for natural disaster risk reduction, and to present it to the Human Rights Council at its twenty-seventh session;

7. *Further requests* the Expert Mechanism to continue to undertake, with the assistance of the Office of the High Commissioner, the questionnaire survey to seek the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples, with a view to completing a final summary of responses for presentation to the Human Rights Council at its twenty-seventh session, and encourages States that have not yet provided their responses to do so, as well as those States that have already responded to the questionnaire survey to update their responses as appropriate;

8. *Welcomes* the adoption by the General Assembly of its resolutions 65/198 and 66/296 on the organization of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples, to be held on 22 and 23 September 2014, and takes note of its inclusive preparatory process, including the meeting to be held in Mexico, and, in this regard,

(a) Encourages States, in accordance with the provisions contained in General Assembly resolution 66/296, to continue to promote the participation of indigenous peoples during the preparatory process of the World Conference and to support it, in particular by means of technical and financial contributions;

(b) Recommends that the studies and advice of the Expert Mechanism be considered in the formulation of the agendas of the preparatory process;

9. *Also welcomes* the decision of the General Assembly, in its resolution 67/153 of 20 December 2012, to continue, at its sixty-ninth session, its consideration of the ways and means of promoting the participation of representatives of indigenous peoples at meetings of relevant United Nations bodies and other relevant United Nations meetings and processes on issues affecting indigenous peoples, on the basis of the rules of procedure of such bodies and existing United Nations procedural rules and regulations, taking into account the report of the Secretary-General,<sup>18</sup> existing practices for the accreditation of representatives of indigenous peoples at the United Nations and the objectives of the United Nations Declaration on the Rights of Indigenous Peoples;

10. *Recommends* that the General Assembly consider changing the title of the United Nations Voluntary Fund for Indigenous Populations to the United Nations Voluntary Fund for Indigenous Peoples;

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<sup>18</sup> A/HRC/21/24.

11. *Decides* to hold, at its twenty-seventh session, a half-day panel discussion on the promotion and protection of the rights of indigenous peoples in natural disaster risk reduction, and prevention and preparedness initiatives, including consultation and cooperation with the indigenous peoples concerned in the elaboration of national plans for natural disaster risk reduction;

12. *Welcomes* the ongoing cooperation and coordination among the Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism, and requests them to continue to carry out their tasks in a coordinated manner, and welcomes in that regard their permanent effort to promote the United Nations Declaration on the Rights of Indigenous Peoples;

13. *Reaffirms* that the universal periodic review, together with the United Nations treaty bodies, are important mechanisms for the promotion and protection of human rights and, in that regard, encourages effective follow-up to accepted universal periodic review recommendations concerning indigenous peoples, as well as serious consideration to follow up on treaty body recommendations on the matter;

14. *Encourages* those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for that Declaration;

15. *Welcomes* the sixth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, and encourages States that have endorsed it to adopt measures to pursue the objectives of the Declaration in consultation and cooperation with indigenous peoples, where appropriate;

16. *Encourages* States to consider the rights of indigenous peoples in the discussion of the United Nations development agenda beyond 2015;

17. *Welcomes* the role of national human rights institutions established in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) in advancing indigenous issues, and encourages such institutions to develop and strengthen their capacities to fulfil that role effectively, including with the support of the Office of the High Commissioner;

18. *Takes note* of the outcome document of the Global Indigenous Preparatory Conference for the World Conference on Indigenous Peoples held in Alta, Norway, in June 2013, and other proposals made by indigenous peoples, and recommends that the four themes identified in the outcome document be taken into account when considering the specific themes for the round tables and interactive panel for the World Conference;

19. *Welcomes* the study on the situation of indigenous persons with disabilities presented to the Permanent Forum on Indigenous Issues at its twelfth session,<sup>19</sup> stresses the need to focus on challenges to indigenous persons with disabilities regarding full enjoyment of their human rights and to include them in all aspects of development, including by enhancing their access to goods and services to improve their standard of living, and encourages all stakeholders to increase consultations on these topics with indigenous persons with disabilities;

20. *Takes note* of the activity of the United Nations Indigenous Peoples' Partnership, and invites States and other potential donors to support it;

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<sup>19</sup> E/C.19/2013/6.

21. *Decides* to continue the consideration of this question at a future session, in conformity with its annual programme of work.

34th meeting  
26 September 2013

[Adopted without a vote.]

## **24/11**

### **Preventable mortality and morbidity of children under 5 years of age as a human rights concern**

*The Human Rights Council,*

*Emphasizing* that the Convention on the Rights of the Child constitutes the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols thereto, as well as other human rights instruments,

*Recalling* all previous relevant resolutions on the rights of the child of the Commission on Human Rights, the Human Rights Council and the General Assembly, the most recent being Council resolution 22/32 of 22 March 2013, on the right of the child to the enjoyment of the highest attainable standard of health,

*Reaffirming* the right of everyone to a standard of living adequate for their health and well-being, which is enshrined in the Universal Declaration of Human Rights, and the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, as enshrined in the International Covenant of Economic, Social and Cultural Rights as well as in the Convention on the Rights of the Child,

*Welcoming* the work of the Committee on the Rights of the Child related to reducing and eliminating preventable mortality and morbidity of children under 5 years of age,

*Reaffirming* that States should take all appropriate measures to ensure the right of the child to the enjoyment of the highest attainable standard of physical and mental health without discrimination of any kind and, in doing so, be guided by the best interests of the child, ensuring the meaningful participation of children, consistent with their evolving capacities, in all matters and decisions affecting their lives, bearing in mind the rights, duties and responsibilities of parents or caregivers in relation to preventing mortality and morbidity of children under 5 years of age, and take steps to ensure the allocation of available resources to the maximum extent possible to achieve the full realization of the right of the child to the highest attainable standard of health, including by strengthening international cooperation in this field,

*Reaffirming also* the commitments made by States to make every effort to accelerate the achievement of the internationally agreed development goals, including Millennium Development Goal 4, to reduce by two thirds the under-5 mortality rate by 2015, and Goal 5, to improve maternal health and Goal 6 to combat HIV/AIDS, malaria and other diseases, and taking into account the ongoing consultations on the United Nations development agenda beyond 2015 and the need to take into account preventable mortality and morbidity of children under 5 years of age in the post-2015 discussions,

*Welcoming* the Global Strategy for Women's and Children's Health launched by the Secretary-General and the related establishment of the Commission on Information and Accountability for Women's and Children's Health and the Independent Expert Review Group on Information and Accountability for Women's and Children's Health, and taking note of the analytical study by the World Health Organization, *Women's and Children's Health: Evidence of Impact of Human Rights*,

*Deeply concerned* that more than 6,600,000 children under the age of 5 die each year, mostly from preventable and treatable causes, owing to inadequate or lack of access to integrated and quality maternal, newborn and child health care and services, early childbearing, as well as to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

1. *Takes note with appreciation* of the report on mortality of children under 5 years of age as a human rights concern prepared by the World Health Organization pursuant to Human Rights Council resolution 22/32,<sup>20</sup> and welcomes its emphasis on integrating human rights into efforts to prevent under-5 mortality;

2. *Recognizes* that a human rights-based approach to reduce and eliminate preventable child mortality and morbidity is an approach underpinned by the principles of, inter alia, equality and non-discrimination, participation, the best interests of the child, international cooperation and accountability;

3. *Affirms* the importance of applying a human rights-based approach to reducing and eliminating preventable child mortality and morbidity, and requests all States to renew their political commitment in that respect at all levels, and also calls upon States, in adopting a human rights-based approach, especially to scale up efforts to achieve integrated management of integrated and quality maternal, newborn and child health care and services, particularly at the community and family levels, and to take action to address the main causes of child mortality;

4. *Encourages* States and other relevant stakeholders, including national human rights institutions and non-governmental organizations, to take action at all levels to address the interlinked root causes of mortality and morbidity of children under 5 years of age, such as poverty, malnutrition, harmful practices, violence, stigma and discrimination, unsafe households and environments, lack of safe drinking water and sanitation, lack of accessible, affordable and appropriate health-care services and medicines, late detection of childhood illnesses and lack of education;

5. *Calls upon* States to strengthen their international commitment, cooperation and mutual assistance with the objective of reducing and eliminating preventable mortality and morbidity of children under 5 years of age, including through the sharing of good practices, research, policies, monitoring and capacity-building;

6. *Reaffirms* that the Human Rights Council should promote the effective coordination and mainstreaming of human rights within the United Nations system;

7. *Requests* the Office of United Nations High Commissioner for Human Rights, in close collaboration with the World Health Organization, to prepare concise technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age;

8. *Also requests* the Office of High Commissioner to convene, in cooperation with relevant United Nations agencies, in particular the World Health Organization, the United Nations Children's Fund and the Joint United Nations Programme on HIV/AIDS, special procedures mandate holders and the Special Representative of the Secretary-General on Violence against Children, an expert workshop to discuss the draft of the technical guidance referred to in paragraph 7 above, with the participation of Governments

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<sup>20</sup> A/HRC/24/60.

and open to regional organizations, relevant United Nations bodies and civil society organizations, to assist in the preparation of the technical guidance;

9. *Further requests* the Office of the High Commissioner to provide an oral update in this regard before the twenty-seventh session of the Human Rights Council;

10. *Requests* the Office of the High Commissioner to present the technical guidance to the Human Rights Council at its twenty-seventh session;

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

*34th meeting*  
*26 September 2013*

[Adopted without a vote.]

## **24/12**

### **Human rights in the administration of justice, including juvenile justice**

*The Human Rights Council,*

*Recalling* the Universal Declaration of Human Rights and all relevant international treaties, including the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto, as well as the Convention for the Protection of All Persons from Enforced Disappearance, and encouraging all States that have not ratified or acceded to the afore-mentioned treaties to consider doing so expeditiously,

*Bearing in mind* the numerous other international standards and norms in the field of the administration of justice, in particular of juvenile justice, including the Standard Minimum Rules for the Treatment of Prisoners, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the “Beijing Rules”),<sup>21</sup> the Basic Principles for the Treatment of Prisoners,<sup>22</sup> the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,<sup>23</sup> the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines)<sup>24</sup> and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules),<sup>25</sup> the Guidelines for Action on Children in the Criminal Justice System (the Vienna Guidelines),<sup>26</sup> the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime,<sup>27</sup> the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power<sup>28</sup> and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),<sup>29</sup>

<sup>21</sup> General Assembly resolution 40/33, annex.

<sup>22</sup> General Assembly resolution 45/111, annex.

<sup>23</sup> General Assembly resolution 43/173, annex.

<sup>24</sup> General Assembly resolution 45/112.

<sup>25</sup> General Assembly resolution 45/113.

<sup>26</sup> Economic and Social Council resolution 1997/30, annex.

<sup>27</sup> Economic and Social Council resolution 2005/20, annex.

<sup>28</sup> General Assembly resolution 40/34, annex.

<sup>29</sup> General Assembly resolution 65/229, annex.

*Welcoming* the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,<sup>30</sup>

*Recalling* all resolutions of the Human Rights Council, the Commission on Human Rights, the General Assembly and the Economic and Social Council relevant to the subject, in particular Human Rights Council resolutions 10/2 of 25 March 2009 and 18/12 of 29 September 2011, Assembly resolutions 63/241 of 24 December 2008, 65/231 of 21 December 2010 and 67/166 of 20 December 2012, and Economic and Social Council resolution 2009/26 of 30 July 2009,

*Bearing in mind* its decision to devote the 2014 full-day meeting on the rights of the child to the question of access to justice for children,

*Noting with appreciation* the work of all special procedures of the Human Rights Council that address human rights in the administration of justice in the discharge of their mandates,

*Noting with interest* the work of all human rights treaty body mechanisms on human rights in the administration of justice, in particular the adoption by the Human Rights Committee of its general comments No. 21, on the humane treatment of prisoners deprived of their liberty, and No. 32, on the right to equality before courts and tribunals and to a fair trial, and noting its ongoing work on the liberty and security of persons, and noting with interest also the adoption by the Committee on the Rights of the Child of its general comments No. 10, on children's rights in juvenile justice, and No. 13, on the rights of the child to freedom from all violence,

*Acknowledging* the efforts made by the Secretary-General on improving the coordination of United Nations activities in the field of administration of justice, the rule of law and juvenile justice,

*Noting with appreciation* the important work of the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime, the United Nations Children's Fund, the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General on Children and Armed Conflict in the field of the administration of justice,

*Noting with satisfaction* the work of the Interagency Panel on Juvenile Justice and its members, in particular their coordination in providing technical advice and assistance in juvenile justice, and the active participation of civil society in its work,

*Encouraging* continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, and noting in this regard the initiative to convene a world congress on juvenile justice in Geneva from 26 to 30 January 2015,

*Reaffirming* that an independent and impartial judiciary, an independent legal profession and the integrity of the judicial system are essential prerequisites for the protection of human rights and for ensuring that there is no discrimination in the administration of justice,

*Emphasizing* that the right to access to justice for all forms an important basis for strengthening the rule of law through the administration of justice,

*Recalling* that every State should provide an effective framework in which to pursue remedies to redress human rights violations or grievances,

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<sup>30</sup> General Assembly resolution 67/187, annex.

*Recalling also* that the social rehabilitation of prisoners shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are willing and able to lead a law-abiding and self-supporting life upon their return to society,

*Recognizing* the importance of the principle that, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration, persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms,

*Aware* of the need for special vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while deprived of their liberty, and their vulnerability to violence, abuse, injustice and humiliation,

*Reaffirming* that the best interests of the child must be a primary consideration in all decisions concerning deprivation of liberty and, in particular, that depriving children and juveniles of their liberty should be used only as a measure of last resort and for the shortest appropriate period of time, in particular before trial, and the need to ensure that, if they are arrested, detained or imprisoned, children should be separated from adults, to the greatest extent feasible, unless it is considered in the child's best interest not to do so,

*Reaffirming also* that the best interests of the child shall be an important consideration in all matters concerning the child related to sentencing of his or her parents or, where applicable, legal guardians or primary caregivers,

1. *Notes with appreciation* the latest report of the United Nations High Commissioner for Human Rights submitted to the Human Rights Council on the protection of human rights of juveniles deprived of their liberty;<sup>31</sup>

2. *Also notes with appreciation* the latest report of the Secretary-General submitted to the Human Rights Council on the latest developments, challenges and good practices in human rights in the administration of justice, analysing the international legal and institutional framework for the protection of all persons deprived of their liberty;<sup>32</sup>

3. *Further notes with appreciation* the joint report of the Office of the High Commissioner, the United Nations Office on Drug and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system;<sup>33</sup>

4. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

5. *Calls upon* States to spare no effort in providing for effective legislative, judicial, social, educative and other relevant mechanisms and procedures, as well as adequate resources, to ensure the full implementation of those standards, and invites them to take into consideration the issue of human rights in the administration of justice in the universal periodic review procedure;

6. *Invites* Governments to include in their national development plans the administration of justice as an integral part of the development process, and to allocate adequate resources for the provision of legal aid services with a view to the promotion and protection of human rights, and invites the international community to provide an increased level of both technical and financial assistance to States and to respond favourably to their

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<sup>31</sup> A/HRC/21/26.

<sup>32</sup> See A/HRC/24/28.

<sup>33</sup> A/HRC/21/25.

requests for the enhancement and strengthening of institutions concerned with the administration of justice;

7. *Stresses* the special need for national capacity-building in the field of the administration of justice, through reform of the judiciary, the police and the penal system, as well as juvenile justice reform;

8. *Reaffirms* that no one should be unlawfully or arbitrarily deprived of his or her liberty, and notes the principles of necessity and proportionality in this regard;

9. *Calls upon* States to apply individual criminal responsibility and to refrain from detaining persons based solely on their family ties with an alleged offender;

10. *Also calls upon* States to ensure that anyone who is deprived of his or her liberty has prompt access to a competent court with the effective power to determine the lawfulness of the detention, and to order release if the detention or imprisonment is determined not to be lawful, as well as prompt access to legal counsel, in accordance with their international obligations and commitments;

11. *Encourages* States to address overcrowding in detention facilities by taking effective measures, including through enhancing the use of alternatives to pretrial detention and custodial sentences, access to legal aid, and the efficiency as well as the capacity of the criminal justice system and its facilities;

12. *Urges* States to endeavour to reduce pretrial detention by, inter alia, adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives, and by taking measures aimed at the implementation of existing legislation, as well as by ensuring access to justice and legal advice and assistance;

13. *Urges* all States to consider establishing, maintaining or enhancing independent mechanisms with the mandate to monitor all places of detention and have private interviews with all persons deprived of liberty without witnesses;

14. *Recalls* the absolute prohibition of torture and cruel, inhuman or degrading treatment or punishment in international law, and calls upon States to address and prevent detention conditions of persons deprived of their liberty that amount to torture or cruel, inhuman or degrading treatment or punishment;

15. *Calls upon* States to investigate promptly, effectively and impartially all alleged human rights violations suffered by persons deprived of their liberty, in particular cases involving death, torture and cruel, inhuman or degrading treatment or punishment, and to provide effective remedies to the victims;

16. *Notes* the work of the open-ended intergovernmental expert group on the revision of the United Nations standard minimum rules for the treatment of prisoners reiterating that any changes should not lower any existing standards but should reflect recent advances in correctional science and best practices as well as human rights standards, and, in this regard, invites the expert group to continue to benefit from the expertise of the United Nations Office on Drugs and Crime, the Office of the High Commissioner and other relevant stakeholders;

17. *Recognizes* that every child and juvenile in conflict with the law must be treated in a manner consistent with his or her rights, dignity and needs, in accordance with international law, bearing in mind relevant international standards on human rights in the administration of justice, and calls on States parties to the Convention on the Rights of the Child to abide strictly by its principles and provisions;

18. *Encourages* States that have not yet integrated children's issues into their overall rule of law efforts to do so, and to develop and implement a comprehensive juvenile

justice policy to prevent and address juvenile delinquency as well as with a view to promoting, inter alia, the use of alternative measures, such as diversion and restorative justice, and ensuring compliance with the principle that deprivation of liberty of children should only be used as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

19. *Encourages* States to foster close cooperation between the justice sectors, different services in charge of law enforcement, social welfare and education sectors in order to promote the use and improved application of alternative measures in juvenile justice;

20. *Stresses* the importance of including reintegration strategies for former child offenders in juvenile justice policies, in particular through educational programmes, with a view to their assuming a constructive role in society;

21. *Encourages* States not to set the minimum age of criminal responsibility at too low an age level, bearing in mind the emotional, mental and intellectual maturity of the child, and, in this respect, refers to the recommendation of the Committee of the Rights of the Child to increase their lower minimum age of criminal responsibility without exception to the age of 12 years as the absolute minimum age, and to continue to increase it to a higher age level;

22. *Urges* States to ensure that, under their legislation and practice, neither capital punishment nor life imprisonment are imposed for offences committed by persons under 18 years of age;

23. *Calls upon* States to enact or review legislation to ensure that any conduct not considered a criminal offence or not penalized if committed by an adult is also not considered a criminal offence and not penalized if committed by a child, in order to prevent the child's stigmatization, victimization and criminalization;

24. *Urges* States to take all appropriate measures so that children who are victims of human trafficking are not subject to criminal sanctions for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons;

25. *Invites* Governments to provide for human rights training on the administration of justice and juvenile justice, including anti-racist, multicultural and gender-sensitive and child rights training, for all judges, lawyers, prosecutors, social workers, immigration, correction officers and police officers and other professionals working in the field of administration of justice;

26. *Calls upon* States to consider establishing or strengthening existing independent and child-friendly national monitoring and complaints mechanisms to contribute to safeguarding the rights of children deprived of their liberty;

27. *Stresses* the importance of paying greater attention to the impact of the imprisonment of parents on their children;

28. *Urges* States to take all necessary and effective measures, including legal reform where appropriate, to prevent and respond to all forms of violence against children within the justice system;

29. *Invites* States, upon their request, to benefit from technical advice and assistance in juvenile justice provided by the relevant United Nations agencies and programmes, in particular the Interagency Panel on Juvenile Justice, in order to strengthen national capacities and infrastructures in the field of the administration of justice, in particular juvenile justice, encouraging States to provide adequate resources to the secretariat of the Panel and to its members;

30. *Calls upon* relevant special procedures of the Human Rights Council to give special attention to questions relating to the effective protection of human rights in the administration of justice, including juvenile justice and the human rights of persons deprived of their liberty, and to provide, wherever appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

31. *Calls upon* the High Commissioner to reinforce advisory services and technical assistance relating to national capacity-building in the field of the administration of justice, in particular juvenile justice;

32. *Decides* to convene, at its twenty-seventh session, a panel discussion on the protection of the human rights of persons deprived of their liberty;

33. *Requests* the Office of the High Commissioner to organize, from within existing resources, at the twenty-seventh session of the Human Rights Council, the aforementioned panel discussion in consultation with States, relevant United Nations bodies and mechanisms, in particular the United Nations Office on Drugs and Crime, as well as with civil society and other stakeholders, with a view to ensuring their contribution to the panel discussion;

34. *Also requests* the Office of the High Commissioner to prepare a report on the outcome of the panel discussion in the form of a summary, and to present it to the Human Rights Council at its twenty-eighth session;

35. *Requests* the High Commissioner to submit to the Human Rights Council, at its thirtieth session, an analytical report on the human rights implications of over-incarceration and overcrowding, drawing on the experience of United Nations and regional human rights mechanisms, seeking the views of States, including on their practice regarding alternatives to detention, and other relevant stakeholders;

36. *Decides* to continue its consideration of this issue under the same agenda item, in accordance with its annual programme of work.

*34th meeting  
26 September 2013*

[Adopted without a vote.]

## **24/13**

### **The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination**

*The Human Rights Council,*

*Recalling* all previous resolutions adopted by the General Assembly, the Human Rights Council and the Commission on Human Rights on the subject, including Assembly resolution 64/151 of 18 December 2009 and Council resolutions 10/11 of 26 March 2009, 15/12 of 30 September 2010, 15/26 of 1 October 2010 and 18/4 of 29 September 2011,

*Recalling also* Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that all mandate holders shall discharge their duties in accordance with these resolutions and the annexes thereto,

*Recalling further* all relevant resolutions that, inter alia, condemn any State that permits or tolerates the recruitment, financing, training, assembly, transit or use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national

liberation movements, and recalling also the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council, the African Union and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the Elimination of Mercenarism in Africa,

*Reaffirming* the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-use of force or threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

*Reaffirming also* that, by virtue of the principle of self-determination, all peoples have the right to determine freely their political status and to pursue freely their economic, social and cultural development, and that every State has the duty to respect this right in accordance with the provisions of the Charter,

*Reaffirming further* the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

*Alarmed and concerned* about the threat posed by the activities of mercenaries to peace and security in developing countries in various parts of the world, in particular in areas of conflict,

*Deeply concerned* at the loss of life, the substantial damage to property and the negative effects on the policies and economies of affected countries resulting from international criminal mercenary activities,

*Extremely alarmed and concerned* about recent mercenary activities in developing countries in various parts of the world, in particular in areas of conflict, and the threat they pose to the integrity of and respect for the constitutional order of the affected countries,

*Recalling* the holding of regional consultations in all five regions from 2007 to 2011, in which participants noted that the enjoyment and exercise of human rights were increasingly impeded by the emergence of several new challenges and trends relating to mercenaries or their activities and by the role played by private military and security companies registered, operating or recruiting personnel in each region, and expressing its appreciation to the Office of the United Nations High Commissioner for Human Rights for its support for the holding of those consultations,

*Convinced* that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire a semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Reaffirms* that the use of mercenaries and their recruitment, financing, protection and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

2. *Recognizes* that armed conflicts, terrorism, arms trafficking and covert operations by third Powers encourage, inter alia, the demand for mercenaries on the global market;

3. *Urges* once again all States to take the necessary steps and to exercise the utmost vigilance against the threat posed by the activities of mercenaries, and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training, protection and transit of mercenaries for the planning of activities designed to impede the right to self-determination, to overthrow the Government of any State or to dismember or

impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

4. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries by private companies offering international military consultancy and security services, and to impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes;

5. *Encourages* States that import the military assistance, consultancy and security services provided by private companies to establish regulatory national mechanisms for the registering and licensing of those companies in order to ensure that imported services provided by those private companies neither impede the enjoyment of human rights nor violate human rights in the recipient country;

6. *Emphasizes* its utmost concern about the impact of the activities of private military and security companies on the enjoyment of human rights, in particular when operating in armed conflicts, and notes that private military and security companies and their personnel are rarely held accountable for violations of human rights;

7. *Calls upon* all States that have not yet become parties to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries to consider taking the necessary action to do so;

8. *Welcomes* the cooperation extended by those countries that received a visit 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, and the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

9. *Invites* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur;

10. *Condemns* mercenary activities in developing countries in various parts of the world, in particular in areas of conflict, and the threat they pose to the integrity of and respect for the constitutional order of these countries and the exercise of the right to self-determination of their peoples, and stresses the importance for the Working Group of looking into sources and root causes, as well as the political motivations of mercenaries and for mercenary-related activities;

11. *Calls upon* the international community and all States, in accordance with their obligations under international law, to cooperate with and assist the judicial prosecution of those accused of mercenary activities in transparent, open and fair trials;

12. *Acknowledges with appreciation* the work and contributions made by the Working Group, including its research activities, and takes note of its latest report;<sup>34</sup>

13. *Decides* to renew, for a period of three years, the mandate of the Working Group, to continue to undertake the tasks contained in Human Rights Council resolution 7/21 of 28 March 2008 and in all other relevant resolutions on the subject;

14. *Recalls* the holding of the second session of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies, expresses satisfaction at the participation of

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<sup>34</sup> A/HRC/24/45.

experts, including of the members of the Working Group on the use of mercenaries, as resource persons at the above-mentioned session, and requests the Working Group and other experts to continue their participation during the third session of the open-ended intergovernmental working group, to be held from 16 to 20 December 2013;

15. *Recommends* that all Member States, including those confronted with the phenomenon of private military and security companies, as contracting States, States of operations, home States or States whose nationals are employed to work for a private military or security company, contribute to the work of the open-ended intergovernmental working group, taking into account the work done by the Working Group on the use of mercenaries;

16. *Requests* the Working Group on the use of mercenaries to continue the work already done by previous mandate holders on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of a mercenary drafted by the Special Rapporteur on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination in his report submitted to the Commission on Human Rights at its sixtieth session;<sup>35</sup>

17. *Reiterates* its requests to the Office of the United Nations High Commissioner for Human Rights to, as a matter of priority, publicize the adverse effects of the activities of mercenaries and private companies offering military assistance, consultancy and other military and security-related services on the international market on the right of peoples to self-determination and, when requested and where necessary, to render advisory services to States that are affected by those activities;

18. *Requests* the Working Group to continue to monitor mercenaries and mercenary-related activities in all their forms and manifestations, including private military and security companies, in different parts of the world, including instances of protection provided by Governments to individuals involved in mercenary activities, and to continue to update the database of individuals convicted of mercenary activities;

19. *Also requests* the Working Group to continue to study and identify sources and causes, emerging issues, manifestations and trends regarding mercenaries or mercenary-related activities and their impact on human rights, particularly on the right of peoples to self-determination;

20. *Urges* all States to cooperate fully with the Working Group in the fulfilment of its mandate;

21. *Requests* the Secretary-General and the High Commissioner to provide the Working Group with all the assistance and support necessary for the fulfilment of its mandate, both professional and financial, including through the promotion of cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-related activities, in order to meet the demands of its current and future activities;

22. *Requests* the Working Group to consult States, intergovernmental and non-governmental organizations and other relevant actors of civil society in the implementation of the present resolution, and to report its findings on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination to the General Assembly at its sixty-ninth session and to the Human Rights Council at its twenty-seventh session;

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<sup>35</sup> E/CN.4/2004/15.

23. *Decides* to continue its consideration of this matter under the same agenda item at its twenty-seventh session.

*34th meeting*  
*26 September 2013*

[Adopted by a recorded vote of 31 to 15, with 1 abstention. The voting was as follows:

*In favour:*

Angola, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Ethiopia, Gabon, Guatemala, India, Indonesia, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Pakistan, Peru, Philippines, Qatar, Sierra Leone, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

*Against:*

Austria, Czech Republic, Estonia, Germany, Ireland, Italy, Japan, Montenegro, Poland, Republic of Korea, Republic of Moldova, Romania, Spain, Switzerland, United States of America

*Abstaining:*

Kazakhstan]

## **24/14**

### **Human rights and unilateral coercive measures**

*The Human Rights Council,*

*Recalling* the purposes and principles of the Charter of the United Nations,

*Recalling also* all previous resolutions on human rights and unilateral coercive measures adopted by the Commission on Human Rights, the Human Rights Council and the General Assembly,

*Reaffirming* Human Rights Council resolution 19/32 of 23 March 2012 and General Assembly resolution 67/170 of 20 December 2012,

*Stressing* that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter and the norms and principles governing peaceful relations among States,

*Recognizing* the universal, indivisible, interdependent and interrelated character of all human rights and, in this regard, reaffirming the right to development as a universal and inalienable right and an integral part of all human rights,

*Expressing its concern* at the negative impact of unilateral coercive measures on human rights, development, international relations, trade, investment and cooperation,

*Recognizing* that unilateral coercive measures in the form of economic sanctions can have far-reaching implications for the human rights of the general population of targeted States, disproportionately affecting the poor and the most vulnerable classes,

*Recognizing also* that long-term unilateral coercive measures may result in social problems and raise humanitarian concerns in the States targeted,

*Recalling* the final document of the sixteenth summit of the Heads of State and Government of the Non-Aligned Movement, held in Tehran in August 2012, in which the States members of the Movement decided to refrain from recognizing, adopting or implementing extraterritorial or unilateral coercive measures or laws, including unilateral

economic sanctions, other intimidating measures and arbitrary travel restrictions, that seek to exert pressure on non-aligned countries – threatening their sovereignty and independence, and their freedom of trade and investment – and to prevent them from exercising their right to decide, by their own free will, their own political, economic and social systems, where such measures or laws constitute flagrant violations of the Charter, international law, the multilateral trading system as well as the norms and principles governing friendly relations among States, and, in this regard, oppose and condemn these measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise, as called for by the General Assembly and other United Nations organs, and request States applying these measures or laws to revoke them fully and immediately,

*Recalling also* that the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral measure not in accordance with international law and the Charter and that created obstacles to trade relations among States and impeded the full realization of all human rights, and that also severely threatened the freedom of trade,

*Deeply concerned* that, despite the resolutions adopted on this issue by the General Assembly, the Human Rights Council, the Commission on Human Rights and at United Nations conferences held in the 1990s and at their five-year reviews, and contrary to norms of international law and the Charter, unilateral coercive measures continue to be promulgated, implemented and enforced by, inter alia, resorting to war and militarism, with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

*Reaffirming* that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,

*Recalling* article 1, paragraph 2, common to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which provides that, inter alia, in no case may a people be deprived of its own means of subsistence,

1. *Calls upon* all States to stop adopting, maintaining or implementing unilateral coercive measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature with extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States and, in this context, calls upon all Member States neither to recognize these measures nor to apply them, and to take effective administrative or legislative measures, as appropriate, to counteract the extraterritorial application or effects of unilateral coercive measures;

3. *Condemns* the continued unilateral application and enforcement by certain powers of such measures as tools of political or economic pressure against any country, particularly against developing countries, with a view to preventing these countries from exercising their right to decide, of their own free will, their own political, economic and social systems;

4. *Expresses grave concern* that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities,

5. *Reiterates its call* upon Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions, and to commit themselves to their obligations and responsibilities arising from relevant provisions of the international law and human rights instruments to which they are parties by putting an immediate end to such measures;

6. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their own economic, social and cultural development;

7. *Also reaffirms* its opposition to any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State, which is incompatible with the Charter;

8. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and to the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States, proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measure to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

9. *Reaffirms* that essential goods, such as food and medicines, should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

10. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development and, in this regard, calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of domestic laws that run counter to the principles of free trade and hamper the development of developing countries;

11. *Rejects* all attempts to introduce unilateral coercive measures, as well as the increasing trend in this direction, including through the enactment of laws with extraterritorial application, which are not in conformity with international law;

12. *Recognizes* that the Declaration of Principles, adopted at the first phase of the World Summit on the Information Society, held in Geneva in December 2003, strongly urges States to avoid and refrain from any unilateral measure in building the information society;

13. *Urges* all special rapporteurs and existing thematic mechanisms of the Human Rights Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

14. *Recognizes* the importance of the quantitative and qualitative documentation of the negative impacts associated with the application of unilateral coercive measures in the context of ensuring the accountability of those responsible for the human rights violations resulting from the application of unilateral coercive measures against any State;

15. *Decides* to give due consideration to the negative impact of unilateral coercive measures on the human rights issues in its task concerning the implementation of the right to development;

16. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions in relation to the promotion and protection of human rights, to pay due attention and give urgent consideration to the present resolution;

17. *Takes note* of the thematic study prepared by the Office of the High Commissioner on the impact of unilateral coercive measures on the enjoyment of human rights,<sup>36</sup> including recommendations on actions aimed at ending such measures;

18. *Also takes note* of the report of the Office of the High Commissioner on the proceedings of the workshop on the various aspects relating to the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations in the States targeted,<sup>37</sup> and takes positive note of the report of the Secretary-General to the General Assembly on human rights and unilateral coercive measures;<sup>38</sup>

19. *Notes with appreciation* the holding of the workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations in the States targeted organized by the Office of the High Commissioner, on 5 April 2013, in Geneva;

20. *Requests* the Human Rights Council Advisory Committee to prepare a research-based report containing recommendations on mechanism to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability, and to present a progress report of the requested research-based report to the Human Rights Council at its twenty-eighth session for its consideration;

21. *Also requests* the Advisory Committee to seek the views and inputs of Member States and relevant special procedures, as well as national human rights institutions and non-governmental organizations, in the preparation of the above-mentioned research-based report;

22. *Requests* the Office of the High Commissioner, taking into account the proceedings of the workshop<sup>39</sup> held on 5 April 2013:

(a) To organize, prior to the twenty-seventh session, a workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children, in the States targeted;

(b) To prepare a report on the proceedings of the workshop and to submit it to the Human Rights Council at its twenty-seventh session;

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<sup>36</sup> A/HRC/19/33.

<sup>37</sup> A/HRC/24/20.

<sup>38</sup> A/67/181.

<sup>39</sup> See A/HRC/24/20.

23. *Decides* to examine this question in accordance with its annual programme of work under the same agenda item.

*35th meeting  
27 September 2013*

[Adopted by a recorded vote of 31 to 15, with 1 abstention. The voting was as follows:

*In favour:*

Angola, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Ethiopia, Gabon, Guatemala, India, Indonesia, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Pakistan, Peru, Philippines, Qatar, Sierra Leone, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

*Against:*

Austria, Czech Republic, Estonia, Germany, Ireland, Italy, Japan, Montenegro, Poland, Republic of Korea, Republic of Moldova, Romania, Spain, Switzerland, United States of America

*Abstaining:*

Kazakhstan]

## **24/15**

### **World Programme for Human Rights Education**

*The Human Rights Council,*

*Reaffirming* that, as stipulated in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights and in other international human rights instruments, States are duty-bound to ensure that education is aimed at strengthening the respect of human rights and fundamental freedoms,

*Recalling* General Assembly resolution 43/128 of 8 December 1988, in which the Assembly launched the World Public Information Campaign on Human Rights, resolution 49/184 of 23 December 1994, in which the Assembly proclaimed the United Nations Decade for Human Rights Education, resolutions 59/113 A of 10 December 2004 and 59/113 B of 14 July 2005, in which the Assembly proclaimed the World Programme for Human Rights Education and adopted the Plan of Action for its first phase, and resolution 60/251 of 15 March 2006, in which the Assembly decided, inter alia, that the Human Rights Council should promote human rights education and learning,

*Recalling also* previous Human Rights Council resolutions on the World Programme for Human Rights Education, the most recent being resolution 21/14 of 27 September 2012,

*Recalling further* that the World Programme is an ongoing initiative, structured in consecutive phases, to advance the implementation of human rights education programmes in all sectors, and that States should continue the implementation of previous phases while taking the necessary measures to implement the current phase,

*Reaffirming* the United Nations Declaration on Human Rights Education and Training adopted by the General Assembly in its resolution 66/137 of 19 December 2011,

1. *Takes note* of the report of the Office of the United Nations High Commissioner for Human Rights on the consultation on the focus of the third phase of the World Programme for Human Rights Education;<sup>40</sup>

2. *Encourages* States and, where appropriate, relevant stakeholders to, during the third phase of the World Programme, strengthen efforts to advance the implementation of the first and second phases, with a special emphasis on:

- (a) Advancing implementation and consolidating the work done;
- (b) Providing human rights education and training for educators in formal and non-formal education and training, in particular those working with children and youth;
- (c) Undertaking related research and mapping, sharing good practices and lessons learned, and sharing information among all actors;
- (d) Applying and strengthening sound educational methodologies based on good practices and assessed through continued evaluation;
- (e) Fostering dialogue, cooperation, networking and information-sharing among relevant stakeholders;
- (f) Furthering the integration of human rights education and training into school and training curricula;

3. *Decides* to make media professionals and journalists the focus group of the third phase of the World Programme for Human Rights Education, with a special emphasis on education and training in equality and non-discrimination, with a view to combating stereotypes and violence, fostering respect for diversity, promoting tolerance, intercultural and interreligious dialogue and social inclusion, and raising awareness of the universality, indivisibility and interrelatedness of all human rights among the general public;

4. *Calls upon* States and, where applicable, relevant governmental authorities and other stakeholders to increase their efforts to implement, disseminate and promote universal respect for and understanding of the United Nations Declaration on Human Rights Education and Training;

5. *Encourages* States to develop, as appropriate, comprehensive and sustainable national plans of action for human rights education and training, with dedicated resources;

6. *Requests* the Office of the High Commissioner to prepare, from within existing resources, a plan of action for the third phase of the World Programme (2015-2019) in consultation with States, relevant intergovernmental organizations, in particular the United Nations Educational, Scientific and Cultural Organization, national human rights institutions and civil society, including non-governmental organizations, and to submit the plan of action for consideration by the Human Rights Council at its twenty-seventh session;

7. *Recommends* that the Secretary-General ensure that an adequate component of United Nations assistance, to be provided at the request of Member States to develop their national systems of promotion and protection of human rights, is available to support human rights education and training;

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<sup>40</sup> A/HRC/24/24.

8. *Decides* to consider this issue at its twenty-seventh session in accordance with its programme of work.

*35th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/16**

### **The role of prevention in the promotion and protection of human rights**

*The Human Rights Council,*

*Reaffirming* the purposes and principles of the Charter of the United Nations and the obligations of States thereunder to promote universal respect for and observance of human rights and fundamental freedoms,

*Reaffirming also* the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other human rights instruments, as well as the outcomes of major United Nations conferences and relevant resolutions adopted by the General Assembly and the Human Rights Council,

*Recalling* the role of the Human Rights Council in the prevention of human rights violations through cooperation and dialogue, in accordance with General Assembly resolution 60/251 of 15 March 2006,

*Reaffirming* that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

*Expressing concern* at continued human rights violations around the world,

*Recalling* Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007 and 16/21 of 25 March 2011,

*Reaffirming* Human Rights Council resolutions 14/5 of 17 June 2010 and 18/13 of 29 September 2011,

1. *Affirms* the importance of effective preventive measures as a part of overall strategies for the promotion and protection of all human rights;

2. *Recognizes* that States, including all branches thereof, have the primary responsibility for the promotion and protection of all human rights, including the prevention of human rights violations;

3. *Stresses* that States should promote supportive and enabling environments for the prevention of human rights violations, including, inter alia, by:

- (a) Considering ratifying international human rights conventions and covenants;
- (b) Fully implementing international human rights conventions and covenants to which they are party;
- (c) Enhancing and developing good governance, democratic systems, the rule of law and accountability;
- (d) Adopting policies to ensure the enjoyment of all human rights, including civil, political, economic, social and cultural rights;

- (e) Addressing all forms of discrimination, including racial discrimination;
- (f) Addressing factors, inter alia, inequality and poverty, that may lead to situations in which human rights violations are committed;
- (g) Promoting a free and active civil society;
- (h) Promoting freedom of opinion and expression;
- (i) Ensuring, where they exist, strong and independent national human rights institutions, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);
- (j) Promoting human rights education and training;
- (k) Ensuring an independent and functioning judiciary;
- (l) Fighting corruption;

4. *Welcomes* the role of national human rights institutions in contributing to the prevention of human rights violations, and encourages States to strengthen the mandate and capacity of such institutions, where they exist, to enable them to fulfil this role effectively in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

5. *Invites* national human rights institutions to consider addressing the issue of the role of prevention in the promotion and protection of human rights in the framework of relevant international and regional forums;

6. *Acknowledges* that the Human Rights Council shall, inter alia, contribute, through dialogue and cooperation, to the prevention of human rights violations and respond promptly to human rights emergencies;

7. *Also acknowledges* the importance of the universal periodic review as a cooperative mechanism of the Human Rights Council aimed at, inter alia, improvement of human rights situations on the ground and the fulfilment of the State's human rights obligations and commitments, based on the principle of promoting the universality, interdependence, indivisibility and interrelatedness of all human rights;

8. *Takes note* of the report of the Office of the United Nations High Commissioner for Human Rights on the Workshop on the Role of Prevention in the Promotion and Protection of Human Rights,<sup>41</sup> and the conclusions and recommendations contained therein;

9. *Stresses* the need to develop further the concept of prevention of human rights violations and to step up efforts to raise awareness of prevention in the promotion and protection of human rights in order to encourage its reflection in relevant policies and strategies at the national, regional and international levels;

10. *Recognizes* the need for further research to assist States, at their request, and other stakeholders to understand and mainstream the role of prevention in the promotion and protection of human rights;

11. *Encourages* the United Nations High Commissioner for Human Rights, on the basis of consultation with States, relevant regional organizations, national human rights institutions and other relevant stakeholders, to inform the Human Rights Council on a

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<sup>41</sup> A/HRC/18/24.

regular basis on the practical applications of prevention in the promotion and protection of human rights;

12. *Decides* to convene, from within the existing resources, at its twenty-seventh session, a panel discussion on the role of prevention in the promotion and protection of human rights;

13. *Requests* the Office of the High Commissioner to organize the above-mentioned panel discussion in consultation with States, relevant United Nations bodies, funds and programmes, treaty bodies, special procedures and regional human rights mechanisms, as well as with civil society, including non-governmental organizations, and national human rights institutions, with a view to ensuring multi-stakeholder participation in the panel discussion;

14. *Also requests* the Office of the High Commissioner to prepare a report on the outcome of the panel discussion in the form of a summary, and to present it to the Human Rights Council at its twenty-eighth session;

15. *Further requests* the Office of the High Commissioner, in consultation with States, national human rights institutions, civil society, relevant intergovernmental bodies and international organizations, and taking into account, inter alia, the outcome of the above-mentioned panel discussion, to draft a study on the prevention of human rights violations and its practical implementation, and to present the study to the Human Rights Council at its thirtieth session;

16. *Encourages* the Office of the High Commissioner to continue to gather information and research for further preparation of a practical toolkit to support States and other stakeholders in the practical application of prevention in the promotion and protection of human rights;

17. *Decides* to continue consideration of the matter under the same agenda item, in conformity with its annual programme of work.

*35th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/17**

### **Conscientious objection to military service**

*The Human Rights Council,*

*Bearing in mind* that everyone is entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

*Reaffirming* that it is recognized in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights that everyone has the right to life, liberty and security of person, as well as the right to freedom of thought, conscience and religion and the right not to be discriminated against,

*Reaffirming also* that the right to freedom of thought, conscience and religion shall include freedom to have or to adopt a religion or belief of one's choice, and freedom, either individually or in community with others and in public or private, to manifest one's religion or belief in worship, observance, practice and teaching, and that no one shall be subject to coercion which would impair one's freedom to have or to adopt a religion or belief of one's

choice, as well as that freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others,

*Recalling* article 14 of the Universal Declaration of Human Rights, which recognizes the right of everyone to seek and enjoy in other countries asylum from persecution,

*Recalling also* all previous relevant resolutions and decisions, including Human Rights Council resolution 20/2 of 5 July 2012 and Commission on Human Rights resolutions 2004/35 of 19 April 2004 and 1998/77 of 22 April 1998, in which the Commission recognized the right of everyone to have conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion, as laid down in article 18 of the Universal Declaration of Human Rights, article 18 of the International Covenant on Civil and Political Rights and general comment No. 22 (1993) of the Human Rights Committee,

*Noting* general comment No. 32 (2007) of the Human Rights Committee, in which it stated that repeated punishment of conscientious objectors for not having obeyed a renewed order to serve in the military based on the same constant resolve may amount to punishment in breach of the legal principle *ne bis in idem*,

*Recognizing* that conscientious objection to military service derives from principles and reasons of conscience, including profound convictions, arising from religious, ethical, humanitarian or similar motives,

*Aware* that persons performing military service may develop conscientious objections,

1. *Recognizes* that the right to conscientious objection to military service can be derived from the right to freedom of thought, conscience and religion or belief;

2. *Takes note* of the analytical report on conscientious objection to military service presented by the United Nations High Commissioner for Human Rights to the Human Rights Council at its twenty-third session,<sup>42</sup> pursuant to resolution 20/2;

3. *Encourages* all States, relevant United Nations agencies, programmes and funds, intergovernmental and non-governmental organizations and national human rights institutions to cooperate fully with the Office of the High Commissioner by providing relevant information for the preparation of the next quadrennial analytical report on conscientious objection to military service, in particular on new developments, best practices and remaining challenges;

4. *Takes note* of the publication by the Office of the High Commissioner of a guide entitled *Conscientious Objection to Military Service* (2012);

5. *Acknowledges* that an increasing number of States recognize conscientious objection to military service not only for conscripts but also for those serving voluntarily, and encourages States to allow applications for conscientious objection prior to, during and after military service, including reserve duties;

6. *Recognizes* that an increasing number of States that retain compulsory military service are taking steps to ensure the establishment of alternatives to military service;

7. *Welcomes* the fact that some States accept claims of conscientious objection to military service as valid without inquiry;

<sup>42</sup> A/HRC/23/22.

8. *Calls upon* States that do not have such a system to establish independent and impartial decision-making bodies with the task of determining whether a conscientious objection to military service is genuinely held in a specific case, taking account of the requirement not to discriminate between conscientious objectors on the basis of the nature of their particular beliefs;

9. *Urges* States with a system of compulsory military service, where such provision has not already been made, to provide for conscientious objectors various forms of alternative service which are compatible with the reasons for conscientious objection, of a non-combatant or civilian character, in the public interest and not of a punitive nature;

10. *Emphasizes* that States should take the necessary measures to refrain from subjecting individuals to imprisonment solely on the basis of their conscientious objection to military service and to repeated punishment for refusing to perform military service, and recalls that repeated punishment of conscientious objectors for refusing a renewed order to serve in the military may amount to punishment in breach of the legal principle *ne bis in idem*;

11. *Calls upon* States to consider releasing individuals imprisoned or detained solely on the basis of their conscientious objection to military service;

12. *Reiterates* that States, in their law and in practice, must not discriminate against conscientious objectors in relation to their terms or conditions of service, or any economic, social, cultural, civil or political rights;

13. *Encourages* States, subject to the circumstances of the individual case meeting the other requirements of the definition of a refugee as set out in the Convention relating to the Status of Refugees of 1951 and the Protocol thereto of 1967, to consider granting asylum to those conscientious objectors to military service who have a well-founded fear of persecution in their country of origin owing to their refusal to perform military service when there is no provision, or no adequate provision, for conscientious objection to military service;

14. *Also encourages* States, as part of post-conflict peacebuilding, to consider granting and effectively implementing, amnesties and restitution of rights, in law and in practice, for those who have refused to undertake military service on grounds of conscientious objection to military service;

15. *Affirms* the importance of the availability of information about the right to conscientious objection to military service, and the means of acquiring conscientious objector status, to all persons affected by military service;

16. *Welcomes* initiatives to make such information widely available, and encourages States, as applicable, to provide information to conscripts and persons serving voluntarily in the military services about the right to conscientious objection to military service;

17. *Urges* States to respect freedom of expression of those who support conscientious objectors or who support the right of conscientious objection to military service;

18. *Encourages* States to use the information contained in the above-mentioned report and guide of the Office of the High Commission and in the present resolution to consider introducing appropriate legislation, policies and practices regarding conscientious objection to military service, and to address any discriminatory provisions therein, and to inform the enforcement of an adequate legal framework to ensure that the right can be respected in practice;

19. *Invites* States to consider including in their national reports, to be submitted to the universal periodic review mechanism and to United Nations human rights treaty bodies, information on domestic provisions related to the right to conscientious objection;

20. *Decides* to continue consideration of this matter under the same agenda item in accordance with its annual programme of work.

35th meeting  
27 September 2013

[Adopted without a vote.]

## **24/18**

### **The human right to safe drinking water and sanitation**

*The Human Rights Council,*

*Reaffirming* all previous relevant resolutions of the Human Rights Council, inter alia, resolutions 7/22 of 28 March 2008, 12/8 of 1 October 2009, 15/9 of 30 September 2010, 16/2 of 24 March 2011, 18/1 of 28 September 2011 and 21/2 of 27 September 2012,

*Recalling* General Assembly resolution 64/292 of 28 July 2010, in which the Assembly recognized the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights,

*Recalling also* the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

*Recalling further* Human Rights Council resolution 22/5 of 21 March 2013, on the question of the realization in all countries of economic, social and cultural rights,

*Recalling* the relevant provisions of declarations and programmes with regard to access to safe drinking water and sanitation adopted by major United Nations conferences and summits, and by the General Assembly at its special sessions and during follow-up meetings, including Assembly resolution 66/288 of 27 July 2012, in which the Assembly adopted the outcome document of the United Nations Conference on Sustainable Development entitled “The future we want”,

*Recalling also* General Assembly resolution 65/154 of 20 December 2010, establishing 2013 as the International Year of Water Cooperation and that strengthening international cooperation is crucially important in order to achieve the progressive realization of the human right to safe drinking water and sanitation for all,

*Welcoming* the proclamation of 19 November as World Toilet Day in the context of Sanitation for All, pursuant to General Assembly resolution 67/291 of 24 July 2013,

*Recalling* General Assembly resolution 65/1 of 22 September 2010, on the follow-up to the outcome of the Millennium Summit, in which Heads of State and Government committed to, inter alia, accelerate progress in order to achieve Millennium Development Goal 7, including by redoubling efforts to close the sanitation gap through scaled-up ground-level action, and Assembly resolution 65/153 of 20 December 2010, on follow-up to the International Year of Sanitation,

*Bearing in mind* the commitments made by the international community to achieve fully the Millennium Development Goals, and stressing in that context the resolve of Heads of State and Government, as expressed in the United Nations Millennium Declaration, to halve, by 2015, the proportion of people unable to reach or afford safe drinking water, and to halve the proportion of people without access to basic sanitation, as agreed in the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”) and the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals entitled “Keeping the promise: united to achieve the Millennium Development Goals”,

*Taking note* of relevant commitments and initiatives promoting the human right to safe drinking water and sanitation, including the Abuja Declaration, adopted at the first Africa-South America Summit, in 2006; the Sharm el-Sheikh Final Document, adopted at the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, in 2009; the Colombo Declaration, adopted at the fourth South Asian Conference on Sanitation, in 2011; the Chiang Mai Declaration, adopted at the second Asia-Pacific Water Summit, in 2013; and the Panama Declaration, adopted at the third Latin American and Caribbean Conference on Sanitation, in 2013,

*Recalling in particular* paragraph 14 of Human Rights Council resolution 21/2, in which the Council encouraged the Special Rapporteur on the human right to safe drinking water and sanitation to continue to make contributions to the discussions on the United Nations development agenda beyond 2015,

*Deeply concerned* that approximately 768 million people still lack access to improved water sources and that more than 2.5 billion people do not have access to improved sanitation as defined by the World Health Organization and the United Nations Children’s Fund in their 2013 Joint Monitoring Programme update, and concerned that these figures do not fully capture the dimensions of water safety, the affordability of services, and the safe management of excreta and wastewater, as well as of equality and non-discrimination, and therefore underestimate the numbers of those without access to safe drinking water and sanitation, and alarmed that, every year, approximately 1.5 million children under five years of age die and 443 million school days are lost as a result of water- and sanitation-related diseases,

*Reaffirming* the importance of national programmes and policies in ensuring the progressive realization of the human right to safe drinking water and sanitation,

*Affirming* the importance of regional and international technical cooperation, where appropriate, as means to promote the progressive realization of the human right to safe drinking water and sanitation, without any prejudice to questions of international water law, including international watercourse law,

*Recognizing* that the human right to safe drinking water and sanitation entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use and to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure and acceptable, and that provides privacy and ensures dignity,

*Recalling* Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Welcomes* the recognition of the human right to safe drinking water and sanitation by the General Assembly and the Human Rights Council, and the reaffirmation by the latter that the human right to safe drinking water and sanitation is derived from the right to

an adequate standard of living and inextricably related to the right to the highest attainable standard of physical and mental health, as well as to the right to life and human dignity;

2. *Also welcomes* the commitments of States regarding the human right to safe drinking water and sanitation made at the United Nations Conference on Sustainable Development on 22 June 2012;

3. *Further welcomes* the fact that, according to the 2012 Joint Monitoring Programme report, the Millennium Development Goal target relating to the reduction by 50 per cent of people without access to an improved water source was met five years before its deadline of 2015, and insists that much remains to be done on safety, equity, equality and non-discrimination issues;

4. *Regrets* the fact that, according to the 2013 Joint Monitoring Programme update, the Millennium Development Goal target on sanitation still is one of the most off-track of the United Nations development agenda, and calls upon all Member States to continue to support the global effort to realize the goals of the advocacy campaign “Sustainable sanitation: the five-year drive to 2015”;

5. *Encourages* Member States to intensify global partnerships for development as means to achieve and sustain the Millennium Development Goal targets on water and sanitation;

6. *Welcomes* the work of the Special Rapporteur on the human right to safe drinking water and sanitation, the comprehensive, transparent and inclusive consultations conducted with relevant and interested actors from all regions for her thematic reports and the undertaking of country missions, and notes with interest the announcement of the development of a handbook on implementing the human right to safe drinking water and sanitation;

7. *Also welcomes* the annual report of the Special Rapporteur submitted to the General Assembly on integrating non-discrimination and equality into the post-2015 development agenda for water, sanitation and hygiene,<sup>43</sup> takes note with appreciation of her proposal to integrate the progressive reduction and elimination of inequalities into the post-2015 agenda, and encourages further discussion on how to possibly integrate these issues in the elaboration of the post-2015 agenda;

8. *Notes* the recommendation contained in the report of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda, commissioned by the Secretary-General,<sup>44</sup> listing water and sanitation among the indicative goals in the post-2015 development agenda, and also takes note of the report of the Secretary-General entitled “A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015”,<sup>45</sup> in which the Secretary-General recognized the human right to safe drinking water and sanitation as one of the foundations for a decent life;

9. *Also notes* the discussion on water issues, especially on water and sanitation, at the third session of the Open Working Group on Sustainable Development Goals, held from 22 to 24 May 2013;

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<sup>43</sup> A/67/270.

<sup>44</sup> *A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development* (United Nations, New York, 2013).

<sup>45</sup> A/68/202, para. 11.

10. *Calls upon* States to integrate the human right to safe drinking water and sanitation and the principles of equality and non-discrimination into the post-2015 development agenda;

11. *Welcomes* the annual report of the Special Rapporteur submitted to the Human Rights Council on sustainability and non-retrogression in the realization of the human right to safe drinking water and sanitation,<sup>46</sup> and takes note of its potential relevance to the post-2015 development agenda;

12. *Recalls* that safe drinking water and sanitation must be progressively made available for present and future generations, without discrimination, and that the provision of services today should safeguard the ability in the future to realize the human right to safe drinking water and sanitation;

13. *Calls upon* States:

(a) To incorporate the principle of sustainability into measures adopted to realize the human right to safe drinking water and sanitation, during times of both economic stability and economic and financial crisis;

(b) To prioritize appropriately funding for maintenance and operation to achieve and maintain sustainability and prevent retrogression in service provision, and to ensure, in an appropriate manner, independent regulation and monitoring of the water and sanitation sectors, as well as accountability mechanisms to deal with practices that undermine the progressive realization of the human right to safe drinking water and sanitation;

(c) To undertake holistic planning aimed at achieving sustainable universal access, including in instances where the private sector, donors and non-governmental organizations are involved in service provision;

14. *Reaffirms* that States have the primary responsibility to ensure the full realization of all human rights and must take steps, nationally and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, to achieve progressively the full realization of the right to safe drinking water and sanitation by all appropriate means, including in particular the adoption of legislative measures in the implementation of their human rights obligations;

15. *Stresses* the important role of international cooperation and the technical assistance provided by States, specialized agencies of the United Nations system and international and development partners, as well as by donor agencies, in particular in the timely achievement of the relevant Millennium Development Goals, and urges development partners to adopt a human rights-based approach when designing and implementing development programmes in support of national initiatives and plans of action related to the right to safe drinking water and sanitation;

16. *Decides* to extend, for a period of three years, the mandate of the Special Rapporteur on the human right to safe drinking water and sanitation as set out in Human Rights Council resolutions 7/22 and 16/2;

17. *Encourages* the Special Rapporteur to continue to make contributions to the discussions on the United Nations post-2015 development agenda, with special regard to the integration of the elimination of inequalities and to the full realization and sustainability of the human right to safe drinking water and sanitation;

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<sup>46</sup> A/HRC/24/44.

18. *Requests* the Special Rapporteur to continue to report, on an annual basis, to the Human Rights Council and to submit an annual report to the General Assembly;

19. *Encourages* the Special Rapporteur to facilitate, including through engagement with relevant stakeholders, the provision of technical assistance in the area of the implementation of the human right to safe drinking water and sanitation;

20. *Encourages* all Governments to continue to respond favourably to requests by the Special Rapporteur for visits and information, to follow up effectively on the recommendations of the mandate holder and to make available information on measures taken in this regard;

21. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the resources and assistance necessary for the effective fulfilment of the mandate;

22. *Decides* to continue its consideration of this matter, under the same agenda item and in accordance with its programme of work.

35th meeting  
27 September 2013

[Adopted without a vote.]

## **24/19**

### **Regional arrangements for the promotion and protection of human rights**

*The Human Rights Council,*

*Recalling* General Assembly resolution 32/127 of 16 December 1977 and subsequent Assembly resolutions concerning regional arrangements for the promotion and protection of human rights, the latest being resolution 63/170 of 18 December 2008,

*Recalling also* Commission on Human Rights resolution 1993/51 of 9 March 1993 and subsequent Commission resolutions in this regard, and Human Rights Council resolutions 6/20 of 28 September 2007, 12/15 of 1 October 2009 and 18/14 of 29 September 2011,

*Bearing in mind* paragraph 5 (h) of General Assembly resolution 60/251 of 15 March 2006, in which the Assembly decided that the Council should work in close cooperation with regional organizations,

*Bearing in mind also* the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, which reiterates, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

*Reaffirming* the fact that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments,

1. *Welcomes* the progress made by Governments in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and their achievements in all regions of the world;

2. *Also welcomes* the report of the United Nations High Commissioner for Human Rights on the workshop on regional arrangements for the promotion and protection

of human rights,<sup>47</sup> held from 12 to 14 December 2012 in Geneva, including its conclusions and recommendations;

3. *Further welcomes* the holding of the first meeting of focal points for cooperation between United Nations and regional human rights mechanisms in Geneva on 14 December 2012, and takes note with appreciation of its outcome;

4. *Takes note with appreciation* of the adoption of the Addis Ababa road map on cooperation between the special procedures of the Human Rights Council and the special mechanisms of the African Commission on Human and Peoples' Rights, in Addis Ababa, on 18 January 2012;

5. *Also takes note with appreciation* of the holding of a dialogue between the chairpersons of United Nations human rights treaty bodies and African human rights mechanisms in Addis Ababa in June 2012, and encourages them to continue to enhance their cooperation;

6. *Further takes note with appreciation* of the critical role played by the Office of the United Nations High Commissioner for Human Rights in advancing cooperation between international and regional human rights mechanisms;

7. *Requests* the Secretary-General and the High Commissioner to provide the resources necessary to enable the Office of the High Commissioner to support the above-mentioned activities appropriately, in particular the continuous functioning of the Office's focal point for cooperation with regional mechanisms;

8. *Requests* the High Commissioner to hold, in 2014, a workshop on regional arrangements for the promotion and protection of human rights to take stock of developments since the workshop in 2012, including three thematic discussions – on (a) the mainstreaming of economic, social and cultural rights, (b) the economic, social and cultural rights of persons with disabilities, and (c) the economic, social and cultural rights of women – based on concrete and practical experience of regional mechanisms, in order to share information on best practices, lessons learned and new possible forms of cooperation, with the participation of relevant experts from international, regional, subregional and interregional human rights mechanisms, as well as Members States, observers, national human rights institutions and non-governmental organizations;

9. *Also requests* the High Commissioner to present to the Human Rights Council, at its twenty-eighth session, a report containing a summary of the discussions held at the above-mentioned workshop and on the progress towards the implementation of the present resolution.

*35th meeting  
27 September 2013*

[Adopted without a vote.]

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<sup>47</sup> A/HRC/23/18.

## 24/20 The human rights of older persons

*The Human Rights Council,*

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

*Guided also by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and other relevant human rights instruments,*

*Reaffirming the Vienna Declaration and Programme of Action,*

*Recalling General Assembly resolution 65/182 of 21 December 2010 on the follow-up to the Second World Assembly on Ageing, in which the Assembly established an open-ended working group for the purpose of strengthening the protection of the human rights of older persons by considering the existing international framework of the human rights of older persons and identifying possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures,*

*Recalling also Human Rights Council resolution 21/23 of 28 September 2012 on the human rights of older persons,*

*Acknowledging the work of the Open-ended Working Group on Ageing for the purpose of strengthening the protection of the human rights of older persons,*

*Bearing in mind the Political Declaration and the Madrid International Plan of Action on Ageing of 2002, and all other relevant General Assembly resolutions,*

*Taking note with appreciation of the report of the Secretary-General on the follow-up to the Second World Assembly on Ageing<sup>48</sup> and of the report of the United Nations High Commissioner for Human Rights on the human rights of older persons,<sup>49</sup>*

*Recalling general comment No. 6 of the Committee on Economic, Social and Cultural Rights on the economic, social and cultural rights of older persons, and other relevant documents by treaty bodies,*

*Conscious that older persons represent a large and growing segment of the population and that greater attention is needed to the specific human rights challenges affecting them,*

*Concerned at the multiple forms of discrimination that may affect older persons and at the high incidence of poverty among this particularly vulnerable group, especially older women, persons with disabilities, persons of African descent, individuals belonging to indigenous peoples, persons belonging to national or ethnic, religious and linguistic minorities, rural persons, persons living on the streets and refugees, among other groups,*

*Recalling Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,*

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<sup>48</sup> A/67/188.

<sup>49</sup> E/2012/51.

1. *Recognizes* the challenges related to the enjoyment of all human rights that older persons face in areas such as prevention of and protection against violence and abuse, social protection, food and housing, employment, legal capacity, access to justice, health support, long-term and palliative care, and that those challenges require in-depth analysis and action to address protection gaps;

2. *Acknowledges* the report of the Office of the United Nations High Commissioner for Human Rights on the consultation on the promotion and protection of the human rights of older persons,<sup>50</sup> which summarizes the issues discussed at the consultation, including age discrimination, access by older persons to work, adequate health services and social protection, protection from abuse, violence and neglect, long-term care and the situation of older prisoners;

3. *Calls upon* all States to promote and ensure the full realization of all human rights and fundamental freedoms for older persons, including by taking measures to combat age discrimination, neglect, abuse and violence, and to address issues related to social integration and adequate health care, bearing in mind the crucial importance of family intergenerational interdependence, solidarity and reciprocity for social development;

4. *Encourages* all States to conduct their age-related policies through inclusive and participatory consultations with relevant stakeholders and social development partners in the interest of developing effective policies creating national policy ownership and consensus-building;

5. *Decides* to appoint, for a period of three years, an Independent Expert on the enjoyment of all human rights by older persons, with the following mandate:

(a) To assess the implementation of existing international instruments with regard to older persons while identifying both best practices in the implementation of existing law related to the promotion and protection of the rights of older persons and gaps in the implementation of existing law;

(b) To take into account the views of stakeholders, including States, relevant regional human rights mechanisms, national human rights institutions, civil society organizations and academic institutions;

(c) To raise awareness of the challenges faced in the realization of all human rights by older persons, and to ensure that older persons receive information about those rights;

(d) To work in cooperation with States in order to foster the implementation of measures that contribute to the promotion and protection of the rights of older persons;

(e) To integrate a gender and disability perspective into his/her work, and to pay particular attention to older women, persons with disabilities, persons of African descent, individuals belonging to indigenous peoples, persons belonging to national or ethnic, religious and linguistic minorities, rural persons, persons living on the streets, and refugees, among other groups;

(f) To assess the human rights implications of the implementation of the Madrid International Plan of Action on Ageing;

(g) To work in close coordination, while avoiding unnecessary duplication, with the Open-ended Working Group on Ageing, other special procedures and subsidiary organs of the Human Rights Council, relevant United Nations bodies and the treaty bodies;

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<sup>50</sup> A/HRC/24/25.

6. *Requests* the Independent Expert to report annually to the Human Rights Council and to present his/her first report at its twenty-seventh session, with a view to presenting a comprehensive report at its thirty-third session;

7. *Requests* the Secretary-General to ensure that the above-mentioned comprehensive report of the Independent Expert is brought to the attention of the Open-ended Working Group on Ageing, in accordance with paragraphs 1 and 3 of General Assembly resolution 67/139 of 20 December 2012;

8. *Calls upon* all Governments to cooperate with the Independent Expert, and invites them to provide him/her with all the necessary information related to the mandate;

9. *Decides* to continue consideration of the question of human rights of older persons at its twenty-seventh session.

35th meeting  
27 September 2013

[Adopted without a vote.]

## **24/21**

### **Civil society space: creating and maintaining, in law and in practice, a safe and enabling environment**

*The Human Rights Council,*

*Guided* by the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action, the International Covenants on Human Rights, and all other relevant instruments,

*Recalling* the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,

*Recalling also* all Human Rights Council resolutions relevant to civil society space, inter alia, resolutions 12/2 of 1 October 2009, on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, 12/16 of 2 October 2009, on freedom of opinion and expression, 21/16 of 27 September 2012, on the rights to freedom of peaceful assembly and of association, 22/6 of 21 March 2013, on protecting human rights defenders, and 22/10 of 21 March 2013, on the promotion and protection of human rights in the context of peaceful protests,

*Recognizing* the important role of civil society at the local, national, regional and international levels, and that civil society facilitates the achievement of the purposes and principles of the United Nations,

*Reaffirming* that special emphasis should be given to measures to assist in the strengthening of a pluralistic civil society, including through the strengthening of the rule of law, social and economic development, the promotion of freedom of expression, the right of peaceful assembly and freedom of association, and the administration of justice, and to the real and effective participation of the people in the decision-making processes,

*Recognizing* the crucial importance of the active involvement of civil society, at all levels, in processes of governance and in promoting good governance, including through transparency and accountability, at all levels, which is indispensable for building peaceful, prosperous and democratic societies,

*Mindful* that domestic legal and administrative provisions and their application should facilitate, promote and protect an independent, diverse and pluralistic civil society and, in this regard, strongly rejecting any acts of intimidation or reprisals against civil society,

*Underscoring* that the legal framework within which civil society operates is that of national legislation consistent with the Charter of the United Nations and international human rights law,

*Deeply concerned* that, in some instances, domestic legal and administrative provisions, such as national security and counter-terrorism legislation, and other measures, such as provisions on funding to civil society, have sought to or have been misused to hinder the work and endanger the safety of civil society in a manner contrary to international law, and recognizing the urgent need to prevent and stop the use of such provisions, and to review and, where necessary, amend any relevant provisions in order to ensure compliance with international human rights law and, as appropriate, international humanitarian law,

1. *Reminds* States of their obligation to respect and fully protect the civil, political, economic, social and cultural rights of all individuals, inter alia the rights to freedom of expression and opinion and to assemble peacefully and associate freely, online as well as offline, including for persons espousing minority or dissenting views or beliefs, and that respect for all such rights, in relation to civil society, contributes to addressing and resolving challenges and issues that are important to society, such as addressing financial and economic crises, responding to humanitarian crises, including armed conflict, promoting the rule of law and accountability, achieving transitional justice goals, protecting the environment, realizing the right to development, empowering persons belonging to minorities and vulnerable groups, combating racism and racial discrimination, supporting crime prevention, promoting corporate social responsibility and accountability, combating human trafficking, empowering women and youth, advancing social justice and consumer protection, and the realization of all human rights;

2. *Urges* States to create and maintain, in law and in practice, a safe and enabling environment in which civil society can operate free from hindrance and insecurity;

3. *Also urges* States to acknowledge publicly the important and legitimate role of civil society in the promotion of human rights, democracy and the rule of law, and to engage with civil society to enable it to participate in the public debate on decisions that would contribute to the promotion and protection of human rights and the rule of law, and of any other relevant decisions;

4. *Urges* all non-State actors to respect all human rights and not to undermine the capacity of civil society to operate free from hindrance and insecurity;

5. *Emphasizes* the essential role of civil society in subregional, regional and international organizations, including in support of the organizations' work, and in sharing experience and expertise through participation in meetings in accordance with relevant rules and modalities and, in this regard, reaffirms the right of everyone, individually and in association with others, to unhindered access to and communication with subregional, regional and international bodies, in particular the United Nations, its representatives and mechanisms;

6. *Encourages* human rights mechanisms, including the special procedures, as appropriate, in the framework of their existing mandates, to continue to address relevant aspects of civil society space;

7. *Welcomes* the work of the Office of the United Nations High Commissioner for Human Rights to promote and protect civil society space, and invites it to continue efforts in this regard;

8. *Decides* to organize, at its twenty-fifth session, a panel discussion on the importance of the promotion and protection of civil society space, which will, inter alia, contribute to the identification of challenges facing States in their efforts to ensure space for civil society and lessons learned and good practices in this regard, and invites the Office of the High Commissioner to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, civil society and other stakeholders with a view to ensuring their participation in the panel discussion;

9. *Requests* the Office of the High Commissioner to prepare a summary report on the panel discussion, to be presented to the Human Rights Council at its twenty-seventh session.

*35th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/22**

### **The continuing grave deterioration of the human rights and humanitarian situation in the Syrian Arab Republic**

*The Human Rights Council,*

*Guided by* the Charter of the United Nations,

*Reaffirming* all previous Human Rights Council resolutions on the Syrian Arab Republic,

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

*Condemning* the grave deterioration of the human rights situation and the indiscriminate or deliberate targeting of civilians as such, in violation of international humanitarian law,

*Condemning also* the lack of cooperation of the Government of the Syrian Arab Republic with the independent international commission of inquiry,

*Welcoming* the efforts of the Joint Special Representative of the United Nations and the League of Arab States, and expressing full support to find a negotiated political solution to the Syrian crisis,

1. *Welcomes* the report of the commission of inquiry on the Syrian Arab Republic;<sup>51</sup>

2. *Demands* that the Syrian authorities cooperate fully with the commission of inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Strongly condemns* the continued gross, systematic and widespread violations of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, as well as any human rights abuses and violations of international humanitarian law by armed opposition groups;

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<sup>51</sup> A/HRC/24/46.

4. *Stresses* the need to ensure that those responsible for such violations and abuses are held to account, and encourages States to take steps to support and enable current and future accountability efforts;
5. *Strongly condemns* all massacres in the Syrian Arab Republic, including most recently the massacre in the Al Ghouta region, which caused appalling civilian casualties;
6. *Also strongly condemns* 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;
7. *Calls on* all groups in the Syrian Arab Republic to refrain from retaliation and violence, including sexual violence, and urges all parties to the conflict to prevent violations of international humanitarian law and human rights violations and abuses;
8. *Deplores* the deteriorating humanitarian situation, and urges the international community to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;
9. *Demands* that the Syrian authorities facilitate, and all other parties to the conflict do not hinder, the full, immediate and safe access of the United Nations and humanitarian actors, and calls upon all Member States to fully fund the United Nations appeals;
10. *Decides* to remain seized of the matter.

*36th meeting  
27 September 2013*

[Adopted by a recorded vote of 40 to 1, with 6 abstentions. The voting was as follows:

*In favour:*

Angola, Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Czech Republic, Estonia, Gabon, Germany, Guatemala, Indonesia, Ireland, Italy, Japan, Kuwait, Libya, Malaysia, Maldives, Mauritania, Montenegro, Pakistan, Peru, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Sierra Leone, Spain, Switzerland, Thailand, Uganda, United Arab Emirates, United States of America

*Against:*

Venezuela (Bolivarian Republic of)

*Abstaining:*

Ecuador, Ethiopia, India, Kazakhstan, Kenya, Philippines]

## **24/23**

### **Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps**

*The Human Rights Council,*

*Guided* by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as other relevant human rights instruments, including the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of

Discrimination against Women and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,

*Reaffirming* the Vienna Declaration and Programme of Action, as well as the Programme of Action of the International Conference on Population and Development, the Beijing Declaration and Platform for Action and the outcome documents of their review conferences,

*Recalling* the commitment to the full and effective implementation of and follow-up to all relevant resolutions of the General Assembly and the Economic and Social Council and their subsidiary bodies,

*Deeply concerned* that the practice of child, early and forced marriage is widespread and occurs in all regions of the world, and recognizing that it constitutes a violation, abuse or impairment of human rights, that it prevents individuals from living their lives free from all forms of violence and that it has adverse consequences on the enjoyment of human rights, such as the right to education, the right to the highest attainable standard of health, including sexual and reproductive health,

*Recalling* States' human rights obligations and commitments to prevent and eliminate the practice of child, early and forced marriage, which disproportionately affects women and girls,

*Deeply concerned* by the impact of deep-rooted gender inequalities, norms and stereotypes, and harmful traditional practices, perceptions and customs that are obstacles to the full enjoyment of human rights, in particular of women and girls, and are among the primary causes of child, early and forced marriage,

*Deeply concerned also* that poverty and lack of education are drivers of the practice of child, early and forced marriage,

*Recognizing* that child, early and forced marriage continues to be an impediment to not only the economic, legal, health and social status of women and girls but to the development of the community as a whole, and that the empowerment of and investment in women and girls, as well as their meaningful participation in decisions that affect them, is a key factor in breaking the cycle of gender inequality and discrimination, violence and poverty and is critical for sustainable development and economic growth,

*Recognizing also* that the complex and challenging nature of child, early and forced marriage necessitates the collective efforts of Governments, lawmakers, judicial authorities, law enforcement officials, traditional and religious leaders, civil society, media, the private sector and other relevant stakeholders to address the root causes of this practice that exists in different economic, social and cultural settings,

*Recognizing further* that the persistence of child, early and forced marriage contributes to impairing the achievement of the Millennium Development Goals and sustainable and inclusive economic growth and social cohesion, and that therefore the elimination of child, early and force marriage should be considered in the discussion of the post-2015 development agenda,

1. *Decides* to convene, at its twenty-sixth session, a panel discussion on preventing and eliminating child, early and forced marriage, with a particular focus on challenges, achievements, best practices and implementation gaps, and requests the Office of the United Nations High Commissioner for Human Rights to liaise with States, relevant United Nations bodies, agencies, funds and programmes, relevant special procedures, civil society, including relevant children and youth organizations, and national human rights institutions, with a view to ensuring their participation and also requests the Office of the High Commissioner to prepare a summary report on the panel discussion;

2. *Requests* the Office of the High Commissioner to prepare a report, in consultation with States, United Nations bodies, agencies, funds and programmes, civil society and other relevant stakeholders, on preventing and eliminating child, early and forced marriage, with a particular focus on challenges, achievements, best practices and implementation gaps, to be submitted to the Human Rights Council prior to its twenty-sixth session, and to guide the panel discussion.

*37th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/24**

### **Cooperation with the United Nations, its representatives and mechanisms in the field of human rights**

*The Human Rights Council,*

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

*Recalling* General Assembly resolution 65/281 of 17 June 2011, in which the Assembly adopted the text entitled “Outcome of the review of the work and functioning of the Human Rights Council”, and in particular paragraph 30 of the outcome document, in which the Human Rights Council strongly rejects any act of intimidation or reprisal against individuals and groups who cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and urges States to prevent and ensure adequate protection against such acts,

*Recalling also* Human Rights Council resolutions 12/2 of 1 October 2009 and 22/6 of 21 March 2013, and Council decision 18/118 of 29 September 2011,

*Taking note with appreciation* of the reports of the Secretary-General on this question,

*Welcoming* the holding, on 13 September 2012, of the panel discussion on the issue of intimidation or reprisal against individuals and groups who cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and taking note with appreciation of the summary thereof,<sup>52</sup>

*Welcoming also* the different roles played by the Secretary-General, the United Nations High Commissioner for Human Rights and the President of the Human Rights Council in addressing, including in a public manner, acts of intimidation or reprisal against individuals and groups who cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights,

*Welcoming further* the work done by special procedures and the increased attention given by treaty bodies to preventing and addressing intimidation and reprisals,

*Expressing concern* at the continued reports of intimidation and reprisals against individuals and groups who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and at the seriousness of reported reprisals, including violations of the right of the victim to life, liberty and security

<sup>52</sup> A/HRC/22/34.

of person, and violations of obligations under international law prohibiting torture and cruel, inhuman or degrading treatment,

*Acknowledging* that acts of intimidation or reprisal carried out or tolerated by the State undermine and often violate human rights, and underscoring that States should investigate any alleged act of intimidation or reprisal, ensure accountability and effective remedies and take steps to prevent further intimidation and reprisals,

*Recalling* the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and underlining the role that national human rights institutions can play in preventing and addressing cases of reprisal as part of supporting cooperation between their Governments and the United Nations in the promotion of human rights, including by contributing to follow-up actions, as appropriate, to recommendations made by international human rights mechanisms,

1. *Reaffirms* the right of everyone, individually and in association with others, to unhindered access to and communication with international bodies, in particular the United Nations, its representatives and mechanisms in the field of human rights, including the Human Rights Council, its special procedures, the universal periodic review mechanism and treaty bodies, as well as regional human rights mechanisms, bearing in mind that free and unhindered access to and communication with individuals and civil society are indeed indispensable to enable the United Nations and its mechanisms to fulfil their mandates;

2. *Strongly calls upon* all States to review legislation, policies and practices that have the effect of undermining unhindered access to and communication with international bodies as set forth in paragraph 1 above, and to avoid adopting any such new legislation;

3. *Urges* all States to prevent and refrain from all acts of intimidation or reprisal against those who:

(a) Seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, or who have provided testimony or information to them;

(b) Avail or have availed themselves of procedures established under the auspices of the United Nations for the protection of human rights and fundamental freedoms, and all those who have provided legal or other assistance to them for this purpose;

(c) Submit or have submitted communications under procedures established by human rights instruments, and all those who have provided legal or other assistance to them for this purpose;

(d) Are relatives of victims of human rights violations or of those who have provided legal or other assistance to victims;

4. *Urges* States to take all appropriate measures to prevent the occurrence of intimidation or reprisals, including, where necessary, by adopting and consequently implementing specific legislation and policies and by issuing appropriate guidance to national authorities in order to effectively protect those who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights from any act of intimidation or reprisal;

5. *Also urges* States to ensure accountability for any acts of intimidation or reprisal against those who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights by ensuring impartial, prompt and thorough investigations of any alleged acts of intimidation or reprisal in order to bring the perpetrators to justice; to provide access to effective remedies for

victims in accordance with their international human rights obligations and commitments; and to prevent any recurrence;

6. *Encourages* States to provide information, as appropriate, to the Human Rights Council on all measures taken to prevent and address acts of intimidation or reprisal against those who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, including on cases mentioned in the reports of the Secretary-General;

7. *Requests* the Secretary-General, in cooperation with the United Nations High Commissioner for Human Rights, to designate, within the existing structures, a United Nations-wide senior focal point to engage with all stakeholders, in particular Member States, to promote the prevention of, protection against and accountability for reprisals and intimidation related to cooperation with the United Nations, its representatives and mechanisms and to encourage a prompt and effective unified response to such acts by sensitizing the United Nations system as a whole by facilitating cooperation and coordination among all stakeholders, with the overall objective of supporting and promoting cooperation with the United Nations in the field of human rights, including cooperation with civil society;

8. *Encourages* States to address acts of intimidation and reprisal against individuals and groups who cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights by considering, inter alia, the establishment of a national focal point;

9. *Invites* the Secretary-General to include, in his next annual report on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, information on the activities of the United Nations-wide senior focal point, the different measures hampering cooperation with United Nations human rights mechanisms, and best practices of international, regional and national human rights bodies and institutions that address cases of intimidation or reprisal against those cooperating with them;

10. *Encourages* all stakeholders, including international and regional organizations, Member States, national human rights institutions, civil society and academic institutions, to contribute to the future consideration of this issue by the Human Rights Council;

11. *Requests* all representatives and mechanisms of the United Nations to continue to include in their respective reports to the Human Rights Council or to the General Assembly a reference to credible allegations of intimidation or reprisal against those who seek to cooperate, cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, as well as an account of action they have taken in this regard.

*37th meeting  
27 September 2013*

[Adopted by a recorded vote of 31 to 1, with 15 abstentions. The voting was as follows:

*In favour:*

Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Czech Republic, Ecuador, Estonia, Germany, Guatemala, Ireland, Italy, Japan, Libya, Maldives, Montenegro, Peru, Poland, Republic of Korea, Republic of Moldova, Romania, Sierra Leone, Spain, Switzerland, Thailand, United States of America

*Against:*

Gabon<sup>53</sup>

*Abstaining:*

Angola, Ethiopia, India, Indonesia, Kazakhstan, Kenya, Kuwait, Malaysia, Mauritania, Pakistan, Philippines, Qatar, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)]

## **24/25**

### **The Social Forum**

*The Human Rights Council,*

*Recalling* all previous resolutions and decisions adopted on the Social Forum by the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights, as well as by the Economic and Social Council,

*Recalling also* Human Rights Council resolutions 5/1 of 18 June 2007, 6/13 of 28 September 2007, 10/4 of 25 March 2009, 10/29 of 27 March 2009, 13/17 of 25 March 2010, 16/26 of 25 March 2011 and 19/24 of 23 March 2012,

*Bearing in mind* that the reduction of poverty and the elimination of extreme poverty remain an ethical and moral imperative of humankind, based on the respect for human dignity,

*Reaffirming* the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of Member States and civil society, including grass-roots organizations and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Forum as a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Takes note* of the report of the Chairman-Rapporteur of the 2012 Social Forum,<sup>54</sup> held in Geneva from 1 to 3 October;

2. *Also takes note* of the conclusions and recommendations of the 2012 Social Forum, and encourages States, international organizations, non-governmental organizations, civil society organizations, trade unions and other relevant actors to take them into account when designing and implementing programmes and strategies;

3. *Reaffirms* the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including the contribution of civil society and grass-roots organizations, and stresses the need to ensure greater participation of grass-roots organizations and of those living in poverty, particularly women, especially from developing countries, in the sessions of the Forum;

4. *Underlines* the importance of coordinated efforts at the national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity and of addressing the social dimension and challenges of the ongoing globalization process and the negative impact of the current economic and financial crises;

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<sup>53</sup> The representative of Gabon subsequently stated that there had been an error in its voting and that it had intended to vote in favour.

<sup>54</sup> A/HRC/23/54.

5. *Stresses* the need for increased and sustained participation and contribution of civil society and all other relevant actors listed in the present resolution to the promotion and effective realization of the right to development;

6. *Decides* that the Social Forum will meet for three working days in 2014, in Geneva, on dates suitable for the participation of representatives of States Members of the United Nations and of the broadest possible range of other stakeholders, especially from developing countries, and also decides that, at its next meeting, the Forum should focus on the rights of older persons, including best practices in this regard;

7. *Requests* the President of the Human Rights Council to appoint, as early as possible, from candidates nominated by regional groups, the Chairperson-Rapporteur for the 2014 Social Forum, bearing in mind the principle of regional rotation;

8. *Requests* the Office of the United Nations High Commissioner for Human Rights to make available the most recent and relevant United Nations reports and documents on the human rights of older persons as background documents for the dialogues and debates that will be held at the 2014 Social Forum;

9. *Requests* the High Commissioner to facilitate the participation in the 2014 Social Forum, in order to contribute to interactive dialogues and debate at the Forum and to assist the Chairperson-Rapporteur as resource persons, of up to 10 experts, including representatives from civil society and grass-roots organizations in developing countries;

10. *Decides* that the Social Forum will remain open to the participation of representatives of States Members of the United Nations and all other interested stakeholders, such as intergovernmental organizations, different components of the United Nations system, especially mandate holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions and specialized agencies and organizations, as well as representatives designated by human rights national institutions and non-governmental organizations in consultative status with the Economic and Social Council, and shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, including newly emerging actors, such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, environmental organizations and activists, youth associations, community organizations, trade unions and associations of workers, as well as representatives of the private sector, on the basis of arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure, in accordance with the rules of procedure of the Human Rights Council, while ensuring the most effective contribution of these entities;

11. *Requests* the Office of the High Commissioner to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, especially those from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;

12. *Requests* the Secretary-General to take appropriate measures to disseminate information about the Social Forum, to invite relevant individuals and organizations to the Forum and to take all practical measures required for the success of this initiative;

13. *Invites* the 2014 Social Forum to submit a report containing its conclusions and recommendations to the Human Rights Council at its twenty-sixth session;

14. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, and requests the High Commissioner

to provide all the support necessary to facilitate the convening and proceedings of the Forum;

15. *Decides* to continue consideration of this issue at its twenty-sixth session under the same agenda item.

*37th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/26**

### **From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance**

*The Human Rights Council,*

*Recalling* General Assembly resolution 56/266 of 27 March 2002, in which the Assembly endorsed the Durban Declaration and Programme of Action,

*Recalling also* General Assembly resolution 57/195 of 18 December 2002, in which the Assembly assigned responsibilities to the relevant United Nations institutions to ensure the effective implementation of the Durban Declaration and Programme of Action at the international level,

*Recalling further* all previous resolutions by the Commission on Human Rights and the Human Rights Council on the comprehensive follow-up to the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action, the most recent of which is Council resolution 22/30 of 22 March 2013, in which the Council underlined that the Durban Declaration and Programme of Action adopted at the World Conference remains a solid basis and the only instructive outcome of the World Conference for the combating of racism, racial discrimination, xenophobia and related intolerance at all levels,

*Recalling* the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, adopted on 22 September 2011,<sup>55</sup> which reaffirmed the political commitment to the full and effective implementation of the Durban Declaration and Programme of Action and the outcome document of the 2009 Durban Review Conference, and their follow-up processes at the national, regional and international levels,

*Bearing in mind* General Assembly resolution 66/144 of 19 December 2011, by which the Assembly encouraged the Working Group of Experts on People of African Descent to develop a programme of action, including a theme, for adoption by the Human Rights Council, with a view to proclaiming in 2013 the Decade for People of African Descent and, within this context, recalling Assembly resolution 67/155 of 20 December 2012,

*Emphasizing* the opportunity for achieving important synergy in the combat of all scourges of racism through the proclamation of the International Decade for People of African Descent and in accelerating the universal implementation of the Durban Declaration and Programme of Action,

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<sup>55</sup> General Assembly resolution 66/3.

*Stressing* the importance of a consistent global effort to inform the public about the contribution of the Durban Declaration and Programme of Action to the struggle against racism, racial discrimination, xenophobia and related intolerance,

*Stressing also* the important role of the independent eminent experts in following up on the implementation of the provisions of the Durban Declaration and Programme of Action;

*Recognizing* that poverty, underdevelopment, marginalization, social exclusion and economic disparities are closely associated with racism, racial discrimination, xenophobia and related intolerance and contribute to the persistence of racist attitudes and practices, which in turn generate more poverty,

*Expressing concern* that the current economic and financial crisis and its consequences on poverty and unemployment may have further contributed to the rise of extremist political parties, movements and groups and exacerbated identity-related issues, and that, in this period of economic crisis, non-citizens, persons belonging to national or ethnic, religious and linguistic minorities, migrants, refugees and asylum seekers are still the main scapegoat of extremist political parties that have a xenophobic and racist agenda and that sometimes incite racial hatred and violence,

*Deploing* the misuse of print, audiovisual and electronic media, including the Internet, and any other means that constitute incitement to acts of national, racial or religious violence, discrimination and hatred, which have targeted and severely affected racial and religious communities and persons belonging to national or ethnic, religious and linguistic minorities, emanating from a variety of sources,

*Recognizing* that the Internet and social media can also be a useful tool for preventing the spread of racist ideologies by extremist political parties, groups and movements, as well as their potential to contribute to development as an international and equal forum, and aware that there are disparities in the use of and access thereto,

1. *Welcomes* the work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, and takes note of its report and the recommendations contained therein;<sup>56</sup>

2. *Decides* that the Intergovernmental Working Group should convene its twelfth session from 6 to 17 October 2014;

3. *Welcomes and acknowledges* the importance and significance of the work of the Working Group of Experts on People of African Descent in examining the current situation of people of African descent, in particular its focus on the themes of “Recognition through education, cultural rights and data collection” at its twelfth session, and, within this context, takes note of its report and the recommendations contained therein;<sup>57</sup>

4. *Welcomes* the unified publication of the Durban Declaration and Programme of Action, the outcome document of the Durban Review Conference and the political declaration contained in General Assembly resolution 66/3 of 22 September 2011, adopted at the high-level meeting of the Assembly to commemorate the tenth anniversary of the Durban Declaration and Programme of Action, and requests that it be printed and disseminated widely to the public, including to non-governmental organizations, by the Office of the United Nations High Commissioner for Human Rights and the Department of Public Information;

5. *Also welcomes* the launch by the Office of the High Commissioner of a database containing information on practical means to address racism, racial discrimination,

<sup>56</sup> A/HRC/23/19.

<sup>57</sup> A/HRC/24/52.

xenophobia and related intolerance in accordance with paragraph 191 (d) of the Durban Declaration and Programme of Action, and calls upon States to contribute relevant information to the database;

6. *Underlines* the need for the General Assembly to proclaim the International Decade for People of African Descent and, within that context, to adopt the draft programme of action for the International Decade for People of African Descent elaborated by the Working Group of Experts on People of African Descent, as mandated by the Assembly in its resolution 66/144;

7. *Emphasizes* the imperative need to mobilize the necessary political will to address comprehensively, by all available measures, the various forms and manifestations of racism, racial discrimination, xenophobia and related intolerance, and to provide adequate remedies;

8. *Recalls* the appointment of the five independent eminent experts on 16 June 2003 by the Secretary-General pursuant to General Assembly resolution 56/266, with the mandate to follow up on the implementation of the provisions of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon;

9. *Requests* the Secretary-General to resuscitate the work of the independent eminent experts before the end of the sixty-eighth session of the General Assembly, consistent with their mandate, and, in this regard, to recommend further initiatives and actions;

10. *Requests*, in the above context, the independent eminent experts to convene a special meeting before 31 December 2013 to conduct an appraisal of the work undertaken hitherto and the recommendations made in that regard in order to present an update report to this end to the High Commissioner, the Secretary-General and the Human Rights Council at its twenty-fifth session;

11. *Underlines* the imperative need for the Ad Hoc Committee on the Elaboration of Complementary Standards to elaborate complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination, in accordance with paragraph 199 of the Durban Programme of Action;

12. *Invites* Member States, the United Nations system and all relevant stakeholders, including non-governmental organizations, to intensify their efforts in building support for the Durban Declaration and Programme of Action;

13. *Underlines* the importance of international and regional cooperation, and encourages Member States to enhance and deepen their cooperation in the full and effective implementation of Durban Declaration and Programme of Action;

14. *Reiterates* the important role of national human rights institutions and specialized bodies in the implementation of the Durban Declaration and Programme of Action, and invites the Office of the High Commissioner to cooperate with national human rights institutions and to use their regional networks to sensitize and raise awareness about the significance and importance of the Durban Declaration and Programme of Action and its full and effective implementation;

15. *Invites* the Office of the High Commissioner to continue to cooperate with the Inter-Parliamentary Union with a view to mobilizing parliaments and parliamentarians in their role in the fight against racism, racial discrimination, xenophobia and related intolerance;

16. *Requests* the Secretary-General and the Office of the High Commissioner to provide the necessary financial support from the United Nations regular budget, as well as extrabudgetary resources, for the effective performance of the Durban follow-up mechanisms and the successful execution of their mandates;

17. *Decides* to remain seized of this important issue.

*37th meeting  
27 September 2013*

[Adopted by a recorded vote of 32 to 2, with 13 abstentions. The voting was as follows:

*In favour:*

Angola, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Ethiopia, Gabon, Guatemala, India, Indonesia, Kazakhstan, Kenya, Kuwait, Libya, Malaysia, Maldives, Mauritania, Pakistan, Peru, Philippines, Qatar, Sierra Leone, Thailand, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of)

*Against:*

Czech Republic, United States of America

*Abstaining:*

Austria, Estonia, Germany, Ireland, Italy, Japan, Montenegro, Poland, Republic of Korea, Republic of Moldova, Romania, Spain, Switzerland]

**24/27**

### **Technical assistance and capacity-building for human rights in the Democratic Republic of the Congo**

*The Human Rights Council,*

*Recalling* General Assembly resolution 60/251 of 15 March 2006,

*Recalling also* Council resolutions 5/1 of 18 June 2007, 7/20 of 27 March 2008 and S-8/1 of 1 December 2008,

*Recalling further* Council resolutions 10/33 of 27 March 2009, 13/22 of 26 March 2010, 16/35 of 25 March 2011 and 19/27 of 23 March 2012, in which the Council called upon the international community to support the national efforts of the Democratic Republic of the Congo and its institutions with a view to improving the human rights situation, and to respond to its requests for technical assistance,

*Reaffirming* that all States have an obligation to promote and protect the human rights and fundamental freedoms set forth in the Charter of the United Nations and the Universal Declaration of Human Rights, as well as obligations under the international covenants on human rights and other relevant instruments to which they are parties,

*Encouraging* the efforts of the Government of the Democratic Republic of the Congo to put an end to impunity for crimes under international law by strengthening its justice system and international judicial cooperation,

*Welcoming* the creation in the Democratic Republic of the Congo, by the President, of the National Oversight Mechanism of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region (the Addis Ababa Framework Agreement), signed in Addis Ababa on 24 February 2013, while also encouraging all those concerned at national level to work harder to ensure protection for civilians and to promote security,

*Noting* the convening, under Presidential Order No. 13/078 of 26 June 2013, of national consultations in the Democratic Republic of the Congo, and their actual start, while also encouraging all those involved in the process to work in an inclusive and constructive

manner to improve the context for the promotion of civil rights and the integrated development of the country,

*Taking note* of the joint communiqué of 30 March 2013 between the Government of the Democratic Republic of the Congo and the Special Representative of the Secretary-General on Sexual Violence in Conflict, which established reciprocal commitments and was followed up by a joint workplan to address sexual violence,

*Acknowledging* the joint role played by the Office of the United Nations High Commissioner for Human Rights in the Democratic Republic of the Congo and the human rights section of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in improving the human rights situation in the country,

*Welcoming* the work of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the deployment in the Democratic Republic of the Congo, with the full cooperation of the Government, of its international intervention brigade to hasten the return of peace and security to the east of the country,

*Stressing* the important role played by the international community, the United Nations, the African Union, the Southern African Development Community, the Economic Community of Central African States, the International Conference on the Great Lakes Region and the European Union, in enhancing the rule of law and improving the human rights situation in the Democratic Republic of the Congo,

*Expressing its serious concern* at the wave of violence and serious crimes, including acts of sexual violence, perpetrated in the east of the Democratic Republic of the Congo, principally by the rebel group known as M23, as well as other armed groups operating in the east of the Democratic Republic of the Congo, causing death, large-scale displacement and distress among the civilian population, particularly women and children,

*Considering* the determination of the Government of the Democratic Republic of the Congo to protect and promote human rights,

1. *Takes note* of the midterm report on the implementation of the national action plan on follow-up to recommendations relating to the promotion and protection of human rights, and the political will of the national authorities to continue implementing the current measures within the framework of the reform of the army, the Congolese national police and the security services, in accordance with resolution 19/27 of the Human Rights Council;

2. *Also takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights and the activities of her Office in the Democratic Republic of the Congo;<sup>58</sup>

3. *Further takes note* of the commitment of the Government of the Democratic Republic of the Congo to cooperate with the Office of the United Nations High Commissioner for Human Rights and with the special procedures of the Human Rights Council;

4. *Congratulates* the Democratic Republic of the Congo on the establishment of the National Human Rights Commission in accordance with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles), and encourages the Democratic Republic of the Congo to make the Commission operational in the near future;

5. *Welcomes* the review by the Democratic Republic of the Congo of Act No. 10/013 of 28 July 2010 on the organization and functioning of the Independent National

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<sup>58</sup> A/HRC/24/33.

Electoral Commission, which has made it possible to expand the membership of the Commission, under the chairmanship of a representative of civil society, and encourages the Commission to propose a realistic timetable for elections as soon as possible;

6. *Encourages* the Government of the Democratic Republic of the Congo to ensure the smooth functioning, both at national level and in the provinces, of the mechanism for consensus-building and cooperation known as the *entité de liaison des droits de l'homme*, and of the unit for the protection of human rights defenders, including through the allocation of budget funds under the Finance Act;

7. *Urges* the Government of the Democratic Republic of the Congo, with the support of the international community, to redouble its efforts to put an end to impunity, primarily for perpetrators of sexual violence, and to all human rights violations, and also urges it to bring the perpetrators to justice and to ensure that the victims receive compensation;

8. *Encourages* the Government of the Democratic Republic of the Congo 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;

9. *Takes note with interest* of the initiatives taken by the Government of the Democratic Republic of the Congo to promote human rights, the administration of justice and the consolidation of security, notably through the promulgation of the organic law on the organization, functioning and competence of courts of the Judicial Order, which gives courts of appeal jurisdiction over crimes of genocide, war crimes and crimes against humanity;

10. *Takes note* of the efforts made to date by the Democratic Republic of the Congo to reform the army, the police and the security services, and encourages the Government to maintain this trend;

11. *Encourages* the Government of the Democratic Republic of the Congo to provide greater protection for human rights defenders and journalists, and to ensure that anyone detained arbitrarily is released without delay;

12. *Welcomes* the adoption by Parliament of the Act authorizing ratification by the Democratic Republic of the Congo of the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and encourages the Government of the Democratic Republic of the Congo to continue to ratify international and regional instruments relating to human rights and international humanitarian law;

13. *Takes note* of the presentation by the Government of the Democratic Republic of the Congo, on 11 July 2013, of the country's sixth and seventh periodic reports under the Convention on the Elimination of All Forms of Discrimination against Women,<sup>59</sup> and encourages it to implement the recommendations made by the Committee on the Elimination of Discrimination against Women;<sup>60</sup>

14. *Is seriously concerned* at the still very high number of cases of sexual violence, which is also used as a weapon of war in the provinces in conflict in the east of the Democratic Republic of the Congo, and takes note of the efforts being made to bring the perpetrators to justice;

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<sup>59</sup> CEDAW/C/COD/6-7.

<sup>60</sup> CEDAW/C/COD/CO/6-7.

15. *Decides* to hold, at its twenty-fifth session, a high-level dialogue on the lessons learned and the continuing challenges in combating sexual violence in the Democratic Republic of the Congo and to allow countries in conflict and post-conflict situations to share their experiences in the area;

16. *Encourages* the States in the region who are parties to the Addis Ababa Framework Agreement of 24 February 2013 to continue implementing the obligations arising from it and to work for the return of peace and security to the Democratic Republic of the Congo and the Great Lakes region;

17. *Urges* the international community to support the Office of the United Nations High Commissioner for Human Rights in increasing and enhancing its technical assistance programmes and activities to improve the human rights situation in the country, and invites the Office to report thereon to the Council at its twenty-seventh regular session;

18. *Decides* to continue its consideration of the human rights situation in the Democratic Republic of the Congo at its twenty-seventh regular session.

*37th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/28**

### **Technical assistance for the Sudan in the field of human rights**

*The Human Rights Council,*

*Guided* by the principles and objectives of the Charter of the United Nations and the Universal Declaration of Human Rights,

*Reaffirming* the obligation of all States to promote and protect human rights and fundamental freedoms,

*Recalling* General Assembly resolution 60/251 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

*Emphasizing* that States have the primary responsibility for the promotion and protection of all human rights,

*Noting* the developments taking place in the Sudan, and the record of the Government of the Sudan in the promotion and protection of human rights,

*Noting also* the challenges still facing the Sudan in conflict-affected areas, and calling upon all parties to stop the abuses and violations of human rights, in particular in the States of Darfur, South Kordofan and Blue Nile,

*Recalling* Human Rights Council resolutions 18/16 of 29 September 2011 and 21/27 of 28 September 2012,

1. *Takes note* of the report of the Independent Expert submitted to the Human Rights Council at its twenty-fourth session;<sup>61</sup>

2. *Expresses its appreciation* to the Independent Expert for his work and his recommendations;

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<sup>61</sup> A/HRC/24/31.

3. *Notes* that the Independent Expert commended the continued cooperation and support provided by the Government of the Sudan in the implementation of his mandate, including giving him access to all parts of the country, and encourages continuation of that cooperation;

4. *Notes with appreciation* the submission by the Government of the Sudan of its mid-term report on the implementation of the accepted recommendations of the universal periodic review and the cooperation between the Government and the United Nations Development Programme in the implementation of the accepted universal periodic review recommendations, which should be continued;

5. *Encourages* the Government of the Sudan to open an inclusive dialogue, to pursue the constitutional and political process transparently and also to ensure an atmosphere of fair and peaceful political participation in the preparation for the next elections;

6. *Takes note* of the adoption and launch by the Government of the Sudan of a national strategy for the promotion and protection of human rights in the country, and the establishment of the Truth, Justice and Reconciliation Commission in Darfur;

7. *Takes note with appreciation* of the work done by the National Human Rights Commission;

8. *Acknowledges* the steps taken by the Government of the Sudan to implement the recommendations accepted as highlighted by the Independent Expert in his report, and reminds all groups of their legal obligations and due diligence to protect human rights;

9. *Urges* the Government of the Sudan to rebuild a lasting climate of confidence and trust with civil society organizations and the international community, and to facilitate the promotion and protection of human rights in the country;

10. *Welcomes* the efforts made by the Government of the Sudan to strengthen cooperation with the Government of South Sudan, as indicated in the outcome of the most recent summit between the Presidents of the two States;

11. *Urges* Member States, relevant United Nations agencies and other stakeholders to support the national efforts of the Government of the Sudan in accordance with the present resolution with a view to further improving the situation of human rights in the country, and to respond to its request for technical assistance;

12. *Urges* the Government of the Sudan, with the support of relevant Member States, United Nations agencies and other stakeholders, to further its efforts for the promotion and protection of human rights, in particular to ensure freedom of association and peaceful assembly, including activities of civil society organizations, freedom of expression, including the press, freedom of religion, freedom from arbitrary arrests and detention, compliance by all parties with human rights and international humanitarian law, including with regard to the protection of civilians, timely and full access for humanitarian agencies, the rights of women and children, and access to justice for all Sudanese, including in conflict-affected areas, as recommended by the Independent Expert;

13. *Notes with concern* the humanitarian situation in the States of South Kordofan, Blue Nile and Darfur, and calls upon all parties to make every effort to immediately end violence and halt clashes, to facilitate access for humanitarian assistance, to take action to strengthen respect for the rule of law in the three States and to respect all human rights and fundamental freedoms;

14. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Sudan with the necessary technical support and training;

15. *Urges* 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;

16. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in the Sudan under agenda item 10 for a period of one year, requests the Independent Expert to continue his engagement with the Government of the Sudan, considering a full range of information with a view to implementing the projects that will further help the Sudan to fulfil its human rights obligations, and to submit a report to the Human Rights Council for consideration at its twenty-seventh session;

17. *Requests* the Independent Expert to also assist the Government of the Sudan in its strategy to implement the remaining accepted universal periodic review recommendations;

18. *Decides* to consider this issue further, in accordance with its programme of work under agenda item 10.

*37th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/29**

### **Advisory services and technical assistance for Cambodia**

*The Human Rights Council,*

*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms as enshrined in the Charter of the United Nations, as reaffirmed in the Universal Declaration of Human Rights and in accordance with their respective obligations under the International Covenants on Human Rights and other applicable human rights instruments,

*Recalling* General Assembly resolution 60/251 of 15 March 2006,

*Recalling also* Council resolutions 5/1 and 5/2 of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

*Recalling further* Council resolution 18/25 of 30 September 2011 and other relevant resolutions,

*Bearing in mind* the report of the Secretary-General on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights,<sup>62</sup>

*Recognizing* that the tragic history of Cambodia requires special measures to ensure the protection of human rights and the non-return to the policies and practices of the past, as stipulated in the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,

*Taking note* of the new developments in Cambodia, especially those associated with recent progress and efforts by the Government of Cambodia to promote and protect human

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<sup>62</sup> A/HRC/24/32.

rights, especially in the achievements and improvements of social, economic, political and cultural fields over recent years through its relevant national plans, strategies and frameworks:

1. *Reaffirms* the importance of the Extraordinary Chambers in the Courts of Cambodia as an independent and impartial body, and believes it will significantly contribute to eradicating impunity and establishing the rule of law by, inter alia, exploiting its potential as a model court of Cambodia;

2. *Welcomes* the progress made with regard to the Extraordinary Chambers, including the handing down of its judgement in case 001 against Kaing Guek Eav, on 3 February 2012, and the conclusion of the trial hearings in case 002/01 on 23 July 2013, and supports the position of the Government of Cambodia and the United Nations to proceed with the tribunal in a fair, efficient and expeditious manner, given the advanced age and frail health of the persons charged and the long overdue justice for the people of Cambodia;

3. *Expresses grave concern* over the financial situation of the Extraordinary Chambers, urges the Government of Cambodia to work with the United Nations and the States providing assistance to ensure the highest standards of administration of the Extraordinary Chambers, and stresses the need for the Government and the international community to provide all appropriate assistance to the Extraordinary Chambers;

4. *Welcomes* the positive engagement of the Government of Cambodia in the universal periodic review process as well as its acceptance of all the recommendations thereon and the progress so far on their implementation;

5. *Also welcomes* the reports of the Special Rapporteur on the situation of human rights in Cambodia<sup>63</sup> and the recommendations contained therein, and takes note of the need to maintain close and respectful consultations between the Government of Cambodia and the Special Rapporteur towards further improvements in the situation of human rights in the country and for the continued technical cooperation between the Office of the United Nations High Commissioner for Human Rights and the Government;

6. *Reaffirms* the need for the Government of Cambodia to strengthen efforts to consolidate the rule of law, including through the adoption and further implementation of essential laws and codes for establishing a democratic society;

7. *Welcomes* the efforts and progress made by the Government of Cambodia in promoting legal reform under the leadership of the Council of Legal and Judicial Reform, including adopting and/or enforcing basic laws, such as the civil procedure code, the civil code, the criminal procedure code and the penal code;

8. *Encourages* the Government of Cambodia to submit three basic draft laws to the National Assembly, namely the draft law on the status of judges and prosecutors, the draft law on the organization and functioning of the courts, and the draft amendment to the Law on the Organization and Functioning of the Supreme Council of the Magistracy, and urges the Government to further continue its efforts at judicial reform, including through the swift adoption and implementation of these three basic laws in order to ensure the independence, impartiality, transparency and effectiveness of the judicial system as well as the transfer of knowledge of court officials at the Extraordinary Chambers and the sharing of good practices at the Court;

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<sup>63</sup> A/HRC/21/63 and A/HRC/24/36.

9. *Stresses* the need for the Government of Cambodia to continue to enhance its efforts to investigate urgently and to prosecute, in accordance with due process of law and its obligations under international human rights treaties, all those who have perpetrated serious crimes, including violations of human rights;

10. *Welcomes* the efforts made by the Government of Cambodia in combating corruption, including the implementation of the penal code and the anti-corruption law, as well as the activities of the Anti-Corruption Unit, and encourages the Government to continue such efforts;

11. *Also welcomes* the efforts made by the Government of Cambodia in combating crimes, such as trafficking in persons, the exploitation of labour and the sexual exploitation of women and children, and urges the Government to make further efforts to this end, in concert with the international community, to combat outstanding key problems in this area;

12. *Takes note with concern* of the latest findings regarding gender-based violence in Cambodia, and encourages the Government of Cambodia to strengthen its efforts against gender-based violence, including by effectively enforcing existing laws and regulations;

13. *Welcomes* the efforts made by the Government of Cambodia to resolve land issues through, inter alia, the implementation of relevant laws and regulations, including a moratorium on economic land concessions, expresses concern at the outstanding issues in this area, and urges the Government to continue and enhance its efforts to resolve them equitably and expeditiously in a fair and open manner, taking into consideration the rights of and the actual consequences for the parties concerned and in accordance with relevant laws and regulations such as the 2001 Land law, the Law on Expropriation, the Circular on the Settlement of Illegal Temporary Building in Cities and Urban Areas and the National Housing Policy, as well as by strengthening the capacity and effectiveness of relevant institutions, such as the National Authority for Land Dispute Resolution and cadastral committees at the national, provincial and district levels;

14. *Also welcomes* the commitments made and the progress achieved by the Government of Cambodia to implement its obligations under international human rights treaties and conventions to which it is a party with regard to its commitment to establish a national human rights institution and to encourage that this be done upon sufficient consultation with relevant stakeholders; its efforts to ratify the International Convention for the Protection of All Persons from Enforced disappearance, in June 2013, and the Convention on the Rights of Persons with Disabilities, in December 2012; and urges the Government to continue to take steps to meet its obligations under those treaties and conventions to which it is a party and, to this end, to strengthen its cooperation with United Nations agencies, including the Office of the High Commissioner, through enhanced dialogue and the development of joint activities;

15. *Further welcomes* the efforts made by the Cambodian Human Rights Committee, especially in resolving complaints from individuals;

16. *Welcomes* the efforts and progress made by the Government of Cambodia in promoting decentralization and deconcentration reform, with the aim of achieving democratic development by strengthening subnational and grass-roots institutions;

17. *Also welcomes* the fact that the elections for the National Assembly, on 28 July 2013, were held in a generally smooth and peaceful manner, while taking note of the protests following the elections as well as the joint announcement between ruling and opposition parties on 16 September concerning the electoral reform, and urges the Government of Cambodia to make additional and continuous efforts to promote an

environment conducive to the conduct of legitimate political activities by all political parties, and to make further efforts to improve its electoral system in accordance with international standards so that its election process as a whole will be satisfactory and acceptable to all parties concerned;

18. *Stresses* the need for further progress and efforts by the Government of Cambodia to promote a pluralistic and democratic process in Cambodia through parliamentary debate according to the Constitution and, to this end, encourages the Government to work with the legislature with a view to promoting the latter's independence and effectiveness, including by ensuring the meaningful participation of parliamentarians from various political parties in its deliberations;

19. *Urges* the Government of Cambodia to take appropriate measures to encourage and enable civil society and the media to play a constructive role in consolidating democratic development in Cambodia, including by ensuring and promoting their activities, and in promoting equal access to the media by all parties;

20. *Stresses* the need for the Government of Cambodia to continue to take action to promote the rights and dignity of all Cambodians by protecting civil and political rights, including freedom of opinion and expression, and, to this end, to ensure that relevant laws, inter alia, the penal code, are interpreted and applied in a judicious manner so as to promote economic, social and cultural rights, in accordance with the rule of law;

21. *Invites* the Secretary-General, agencies of the United Nations system present in Cambodia and the international community, including civil society, to continue to work with the Government of Cambodia in strengthening democracy as well as ensuring the protection and promotion of the human rights of all people in Cambodia, including by providing assistance in, inter alia, the fields of:

(a) Drafting laws and assisting the establishment of an independent national human rights institution;

(b) Capacity-building to strengthen legal institutions, including by improving the quality of judges, prosecutors, lawyers and court staff, and drawing on the expertise gained by Cambodian nationals working in the Extraordinary Chambers in the Courts of Cambodia;

(c) Capacity-building to strengthen national institutions for criminal investigations and law enforcement, as well as providing the equipment necessary for these ends;

(d) Implementation of universal periodic review recommendations;

(e) Assisting the assessment of progress in human rights issues;

22. *Decides* to extend by two years the mandate of the Special Rapporteur on the situation of human rights in Cambodia, and requests the Special Rapporteur to report on the implementation of his mandate to the Council at its twenty-seventh and thirtieth sessions and to engage in a constructive manner with the Government of Cambodia for the further improvement of the situation of human rights in the country;

23. *Requests* the Secretary-General to report to the Human Rights Council at its twenty-seventh and thirtieth sessions on the role and achievements of the Office of the High Commissioner in assisting the Government and the people of Cambodia in the promotion and protection of human rights;

24. *Decides* to continue its consideration of the situation of human rights in Cambodia at its thirtieth session.

*37th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/30**

### **Assistance to Somalia in the field of human rights**

*The Human Rights Council,*

*Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights,

*Acknowledging* that peace and security, development and human rights are the pillars of the United Nations system,

*Reaffirming* its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

*Reaffirming also* previous Human Rights Council resolutions on Somalia,

*Recalling* Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

*Recognizing* the urgent need for a step-up in the scale, coherence and quality of all capacity development of and technical assistance to Somalia in the field of human rights,

*Recognizing also* the role women have played and will continue to play in community mobilization and peacebuilding in Somali society, and the importance of promoting their economic empowerment and participation in political and public decision-making processes, including within parliament,

1. *Expresses concern* at the reports of violations of human rights in Somalia, and underscores the need to end impunity, uphold human rights and hold accountable those who commit any such related crimes;

2. *Also expresses concern* at the abuses and violations perpetrated against women, including sexual violence, and emphasizes the need for accountability for all such abuses and violations;

3. *Expresses deep concern* at the continuing violations and abuses committed against children, including the recruitment and use of child soldiers, killing and maiming, rape and other sexual violence, abductions, attacks on schools and/or hospitals, and at the continued displacement of children as a result of armed conflict;

4. *Also expresses deep concern* at the continuing attacks and abuses against journalists in Somalia, urges all parties to refrain from violence against and harassment of journalists and to respect freedom of expression, and underscores the need to end impunity, uphold human rights and hold accountable those who commit any such related crimes;

5. *Strongly condemns* the grave and systematic human rights abuses perpetrated against the civilian population, including women, children, journalists and human rights defenders, by Al-Shabaab and its affiliates, and calls for their immediate cessation;

6. *Welcomes* the commitment of the Federal Government of Somalia to improving human rights in Somalia and, in this respect, also welcomes:

- (a) The adoption of the Post-Transition Human Rights Road Map for Somalia on 27 August 2013, its continuing development and realization;
- (b) The justice, police and armed forces reform plans presented at the Somalia Conference on 7 May 2013;
- (c) The continuing institutionalization of the promotion and protection of human rights in Somalia, including efforts to incorporate civilian protection and to promote human rights in security and justice sector reform plans;
- (d) The commitment of the Federal Government of Somalia to establish a national human rights commission in due course;
- (e) The joint communiqué, signed by the United Nations and the Federal Government of Somalia on 7 May 2013, on tackling the root causes of sexual violence in a sustainable manner;
- (f) The continued commitment of the Federal Government of Somalia to the universal periodic review process;
- (g) The accession of Somalia to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and its commitment to the implementation of the Convention with the technical support of the Organization for the Prohibition of Chemical Weapons and bilateral assistance provided by Member States;

7. *Underscores* the importance of coordinated international assistance to Somalia in the field of human rights and, in this respect, welcomes:

- (a) The endorsement of the Somali Compact on 16 September 2013;
- (b) The establishment of a high-level task force in March 2013 consisting of the Federal Government of Somalia and representatives of the Somali Federal Parliament, Somali civil society, the United Nations and the donor community, to guide and support the implementation of the Compact on the basis of mutual accountability;
- (c) The holding of the Somalia Conference on 7 May 2013 in London, and the communiqué thereof, noting especially the commitments to create sustainable and accountable security forces that respect human rights, to ensure the protection of women and children in conflict, to ensure equal access for all to a robust, impartial and effective justice system, and to ensure press and media safety and freedom;
- (d) The sustained and vital commitment of the African Union Mission in Somalia and the Intergovernmental Authority on Development;

8. *Recognizes* the importance of international assistance to Somalia, and stresses that the primary responsibility to promote and protect human rights in Somalia rests with the Federal Government of Somalia at the national and subnational levels;

9. *Encourages* States to provide timely and tangible bilateral assistance and to enhance cooperation with the Federal Government of Somalia at the national and subnational levels;

10. *Calls upon* the Federal Government of Somalia, with support from the international community:

- (a) To promote reconciliation and dialogue at both the local and national levels, recognizing the importance of assistance provided by the Intergovernmental Authority on Development;
- (b) To finalize and adopt a federal Constitution by December 2015;

- (c) To prepare for and hold credible elections in 2016;
- (d) To ensure the equitable participation of women, youth, minority groups and other marginalized groups in national political processes;
- (e) To hold public hearings on the draft law on the establishment of a national human rights commission, with the guiding intention of ensuring an independent institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) with a broad mandate and enforcement capability at the national and subnational levels;
- (f) To ensure the inclusion of human rights compliance mechanisms in instruments and institutions at both the national and subnational levels, and to recognize the importance of promoting and protecting human rights;
- (g) To harmonize national and subnational political policies and legal frameworks with applicable human rights obligations and their other commitments, including those referenced in the provisional Constitution and the migration and human rights agenda at the national and subnational levels, in order to achieve effective and consistent application of human rights for all and, in this regard, calls upon States Members of the United Nations to ensure timely and tangible assistance, taking into consideration the potential benefits of a political dividend;
- (h) To establish independent, accountable and efficient judicial institutions;
- (i) To seek tangible and timely assistance from, inter alia, regional bodies, to reform the Somali judiciary system, to select and enhance the capacity of Somali judges inside the country, with a particular focus on the promotion and protection of human rights and, in this regard, calls upon Member States to provide timely and tangible assistance;
- (j) To ensure accountability of State institutions and security forces, and those serving within them;
- (k) To increase awareness and training among the Somali security forces at the national and subnational levels on human rights, including the protection of civilians, with the timely and tangible support of the international community;
- (l) To ensure that comprehensive vetting procedures are put in place for personnel in the security forces and security institutions;
- (m) To issue clear and public orders that the Somali National Armed Forces, Somali National Police Force and allied militias should comply with applicable human rights obligations;
- (n) To guarantee a minimum level of protection for children, and to implement the action plan to end the recruitment and use of children in the Somalia National Armed Forces;
- (o) To implement, in a clear and accessible manner, a zero-tolerance policy on gender-based violence, particularly sexual violence, and to include prevention of sexual exploitation and other forms of abuse;
- (p) To ensure that individuals found to be responsible for and complicit in sexual violence, regardless of their status or rank, are held to account;
- (q) To initiate effective and impartial investigations into the killings of journalists, to prosecute all those responsible in a manner consistent with applicable domestic and international legal obligations, and to create security and space for a free press to operate;

(r) To treat disengaged combatants in accordance with applicable obligations under domestic and international law, in particular international human rights law;

(s) To ensure the protection and well-being of all internally displaced persons, including from sexual violence and exploitation, paying particular attention to ensuring that the human rights of internally displaced persons in Mogadishu are respected in relation to relocations, and to ensure a fully consultative process, providing prior notice and ensuring safe, sanitary new sites that have basic services, as well as unfettered access for humanitarian organizations;

(t) To facilitate full humanitarian access to people in need wherever they are in Somalia, and to safeguard the neutrality, impartiality and independence of humanitarian actors from political, economic and military interference, while paying particular attention to the rights, freedoms and needs of ethnic and religious minorities who require humanitarian assistance;

11. *Strongly commends* the engagement of the Independent Expert on the situation of human rights in Somalia and his latest report submitted to the Human Rights Council;<sup>64</sup>

12. *Stresses* the importance of technical assistance in building credible and impartial domestic capacity to undertake monitoring, investigations and public reporting to identify human rights concerns, inform appropriate remedies by duty-bearers and ascertain technical assistance needs;

13. *Also stresses* the important role of joint monitoring and reporting of the situation of human rights in Somalia by domestic and international experts, and the role that those monitoring human rights can play in evaluating and ensuring the success of technical assistance projects, which in turn must be for the benefit of all Somalis;

14. *Underlines* the importance of the realization by the United Nations Assistance Mission in Somalia of its mandate throughout Somalia and the need to ensure synergy with the work of the Office of the United Nations High Commissioner of Human Rights;

15. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in Somalia, under agenda item 10, for a period of two years;

16. *Requests* 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 with a view to assist Somalia in the implementation of:

- (a) Its domestic and international human rights obligations;
- (b) Human Rights Council resolutions;
- (c) Accepted universal periodic review recommendations;
- (d) Other human rights commitments, including the Post-Transition Human Rights Road Map and the process to establish an independent human rights commission in due course;

17. *Also requests* the Independent Expert to report to the Human Rights Council at its twenty-seventh session;

<sup>64</sup> A/HRC/24/40.

18. *Requests* the Office of the High Commissioner and other relevant United Nations agencies to provide the Independent Expert with all the human, technical and financial assistance necessary to carry out his mandate;

19. *Decides* to remain actively seized of the matter.

37th meeting  
27 September 2013

[Adopted without a vote.]

## **24/31**

### **Enhancement of technical cooperation and capacity-building in the field of human rights**

*The Human Rights Council,*

*Guided* by the purposes and principles of the United Nations, particularly with regard to achieving international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

*Reaffirming* the obligation of States under the Charter of the United Nations to promote universal respect for and observance of human rights and fundamental freedoms,

*Recognizing* that the enhancement of international cooperation is essential for the effective promotion and protection of human rights, which should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of States to prevent human rights violations and comply with their human rights obligations for the benefit of all human beings,

*Recalling* the mandate of the Human Rights Council to promote advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of States concerned, and provisions in Council resolutions 5/1 and 5/2 of 18 June 2007 and 16/21 of 25 March 2011 that aim to enable the Council to fulfil such a mandate,

*Reaffirming* Human Rights Council resolution 16/15 of 24 March 2011, in which the Council underlined the importance of international cooperation for the realization of the rights of persons with disabilities, as well as resolutions 18/18 of 29 September 2011 and 21/21 of 27 September 2012,

*Recalling* Human Rights Council resolution 19/26 of 23 March 2012 on the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing Countries in the work of the Human Rights Council,

1. *Encourages* Members and observers of the Human Rights Council to use, where relevant, the general debate under agenda item 10 as a platform to share experiences, challenges and information on assistance needed in the implementation of their human rights obligations and voluntary pledges and commitments, including accepted universal periodic review recommendations, as well as their achievements and good practices in the area of technical cooperation in the field of human rights;

2. *Emphasizes* that the discussion to promote technical cooperation and capacity-building in the Human Rights Council should be based on consultation with and the consent of the States concerned, and should take into account their needs, as well as the

fact that all human rights are universal, indivisible, interdependent and interrelated and aim to make a concrete impact on the ground;

3. *Affirms* that technical cooperation should be an inclusive exercise that engages and involves all national stakeholders, including government agencies and civil societies, at all stages;

4. *Reaffirms* the need for enhanced voluntary contributions for the relevant United Nations funds to support technical assistance and capacity-building, particularly the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the Voluntary Fund for Participation in Universal Periodic Review Mechanism and the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review, and encourages States to make contribution to these funds, especially those who have not yet done so;

5. *Welcomes* the panel discussion held under agenda item 10 at the twenty-second session of the Human Rights Council on the theme “Promoting technical cooperation for strengthening of the judiciary system and administration of justice in order to ensure human rights and rule of law”, underlining the importance of technical assistance provided by the Office of the United Nations High Commissioner for Human Rights and relevant United Nations agencies to strengthen the administration of justice of States, the impartiality and integrity of the judicial system as prerequisite of the rule of law, and challenges regarding pretrial detention, reduction of prison overcrowding, specific provisions for juvenile justice and equal access to justice for all, in particular women and children, and other groups marginalized by age, gender, physical and mental disabilities, as well as encouraging greater coordination within the United Nations system on the delivery of technical assistance to States so as to respond to the support needed and to create public confidence in a justice system that is accessible for all;

6. *Acknowledges* the challenges faced by persons with disabilities, who make up an estimated 15 per cent of the world’s population, of whom 80 per cent live in developing countries, and may not only be subject to multiple discrimination but also remain largely invisible in the implementation, monitoring and evaluation of the Millennium Development Goals;

7. *Takes note with appreciation* of the thematic study of the Office of the High Commissioner on the structure and roles of national mechanisms for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities<sup>65</sup> and the report of the Secretary-General entitled “The way forward: a disability-inclusive development agenda towards 2015 and beyond”,<sup>66</sup>

8. *Notes* the discussion held at the sixth session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, which noted the potential contribution of disability-inclusive development in the post-2015 development agenda while recognizing the potential of persons with disabilities can contribute to the fulfilment of human rights;

9. *Welcomes* regional consultations in preparation for, and the outcome document of, the high-level meeting held at the sixty-eighth session of the General Assembly on the realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities, which recognize the need to ensure accessibility for and inclusion of persons with disabilities in all aspects of

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<sup>65</sup> A/HRC/13/29.

<sup>66</sup> A/68/95.

development efforts and to provide a comprehensive reference for the elaboration of the post-2015 development agenda;

10. *Stresses* the importance of ensuring that disability-inclusive development is taken into consideration in the realization of internationally agreed development goals;

11. *Encourages* States parties to ensure the effective implementation of the Convention on the Rights of Persons with Disabilities, including, where appropriate, through harmonization of domestic legislation and policies with their obligations under the Convention, and, where appropriate, to consider requesting technical cooperation and capacity-building from the Office of the High Commissioner and the Committee on the Rights of Persons with Disabilities in such efforts, and encourages both the Office and the Committee to respond favourably to such requests;

12. *Encourages* all actors, with the participation of persons with disabilities and in cooperation with civil society organizations and organization of persons with disabilities, including through tripartite and South-South cooperation and public-private partnerships, to reinforce local, regional and international cooperation in support of national efforts for the adoption and implementation of appropriate measures, including legislative measures, to enhance the contribution of persons with disabilities in socioeconomic development;

13. *Decides*, in accordance with paragraphs 3 and 4 of Human Rights Council resolution 18/18, that the theme for the annual thematic panel discussion under agenda item 10 to be held during the twenty-sixth session of the Council shall be “Technical cooperation and capacity-building in advancing the rights of persons with disabilities through legal and institutional frameworks, including public-private partnerships”, and that the discussion shall be fully accessible to persons with disabilities;

14. *Encourages* organizations of persons with disabilities, national monitoring bodies and human rights institutions to participate actively in the session referred to in paragraph 13 above;

15. *Requests* the Office of the High Commissioner to prepare a report on the activities undertaken by the Office, other relevant United Nations agencies and, where applicable, regional organizations to support efforts by States to promote and protect the rights of persons with disabilities in their national legislation, policies and programmes, including to mainstream disability in development efforts, and requests that the report be made available in accessible, easy-to-read format on the website of the Office, for submission to the Human Rights Council at its twenty-sixth session, to serve as a basis for the thematic panel discussion, and to liaise with States, relevant United Nations bodies and agencies, relevant special procedures and other stakeholders, including, where applicable, those involved in technical cooperation projects that demonstrate best practices, constructive engagement and positive impact on the ground, with a view to ensuring their participation in the thematic panel discussion.

*37th meeting  
27 September 2013*

[Adopted without a vote.]

**24/32****Technical assistance and capacity-building for Yemen in the field of human rights**

*The Human Rights Council,*

*Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and the relevant human rights treaties,*

*Recalling Security Council resolutions 2014 (2011) of 21 October 2011 and 2051 (2012) of 12 June 2012 and Human Rights Council resolutions 18/19 of 29 September 2011, 19/29 of 23 March 2012 and 21/22 of 27 September 2012,*

*Recognizing that the promotion and protection of human rights are key factors in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability for the country,*

*Welcoming the progress in the political transition process based on the Gulf Cooperation Council initiative and its implementation mechanism that has started in Yemen, and looking forward to a successful conclusion of the National Dialogue Conference and to subsequent stages of the transition,*

*Welcoming also the ongoing implementation of the confidence-building measures contained in the 20 and 11 recommendation points contained in the reports on the preparation and the first phase of the National Dialogue Conference, in particular the measures to address the grievances of the citizens of Southern Yemen and Sada'a,*

*Welcoming further the commitment of the Government of Yemen to fully promote and protect human rights,*

*Welcoming the Cabinet approval of the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, and noting the intention of the Cabinet to accede to the Rome Statute of the International Criminal Court,*

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the human rights situation in Yemen<sup>67</sup> and of the debate held during the twenty-fourth session of the Human Rights Council, as well as the statement and comments by the Government of Yemen on the report and its willingness to cooperate with the United Nations and Office of the High Commissioner;

2. *Notes with appreciation* the efforts made by the Government of Yemen to implement Human Rights Council resolutions 18/19, 19/29 and 21/22;

3. *Welcomes* the establishment of a field presence of the Office of the High Commissioner, and notes the active cooperation of the Government with the Office and the steps taken towards the establishment of an independent national human rights institution;

4. *Looks forward* to steps by the Government of Yemen, in accordance with Human Rights Council resolution 19/29, towards the implementation of Republican Decree No. 140 of 2012, which establishes a committee to investigate allegations of violations of human rights in 2011 and which states that investigations shall be transparent and independent and adhere to international standards, and invites the Government of Yemen to provide soon a time frame for the early appointment of members of that committee;

5. *Also looks forward* to the early adoption of a law on transitional justice and national reconciliation that, while taking into account the recommendations of the National

<sup>67</sup> A/HRC/24/34.

Dialogue Conference, is in accordance with the international obligations and commitments of Yemen and consistent with best practices;

6. *Calls upon* all parties to release persons arbitrarily detained by them and to end any practice of unlawful detention of persons, and recalls Cabinet decision No. 180 (2012) to release all those imprisoned for their participation in the events of 2011;

7. *Welcomes* the measures of the Government of Yemen to end the recruitment and use of children, and looks forward to the implementation of those measures without further delay;

8. *Demands* that armed groups end the recruitment and use of children and release those who have already been recruited, and calls upon all parties to cooperate with the United Nations and other qualified groups for their reintegration into their communities, taking into consideration the relevant recommendations made by the Secretary-General in his report on children and armed conflict;<sup>68</sup>

9. *Calls upon* the Government of Yemen to investigate cases of violence against journalists, in accordance with its international obligations to respect the freedom of expression, peaceful assembly and association;

10. *Notes with appreciation* the considerable representation of women in the National Dialogue Conference, and encourages the Government of Yemen to continue its efforts to ensure that women are represented at all levels of the political process and that they are able to participate in public life, free of discrimination and intimidation;

11. *Encourages* the Government of Yemen to continue to implement the accepted recommendations contained in the reports of the High Commissioner<sup>69</sup> with the support of her Office, and calls upon the Government to address the recommendations contained in the report of the High Commissioner submitted to the Human Rights Council at its twenty-fourth session;<sup>67</sup>

12. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect human rights;

13. *Looks forward* to the Government continuing its efforts to promote and protect human rights;

14. *Calls on* the Government of Yemen to ensure, in the framework of scrupulous respect for due process-related rights, fair trial guarantees, including in cases involving the death penalty, and to ensure that the death penalty is not applied to minors, in conformity with commitments undertaken by the Government, including during its universal periodic review in 2009, and notes in this connection the establishment of the Specialized Forensic Technical Committee and the accelerated efforts of the Government to improve birth registration with international assistance;

15. *Encourages and supports* the efforts by the Government of Yemen to promote and protect the rights of children, and calls for early progress in ensuring that appropriate legislative, administrative, social and educational measures are in place to eliminate the occurrence of child, early and forced marriages;

16. *Invites* all bodies of the United Nations system, including the Office of the High Commissioner, and Member States, to assist the transitional process in Yemen, including by supporting the mobilization of resources to tackle the economic and social

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<sup>68</sup> A/67/845-S/2013/245.

<sup>69</sup> A/HRC/18/21, A/HRC/19/51 and A/HRC/21/37.

challenges faced by Yemen, in coordination with the international donor community and according to the priorities set by the Yemeni authorities;

17. *Calls upon* the international community to provide financial support for the Yemen humanitarian response plan of 2013;

18. *Requests* the High Commissioner to provide technical assistance and to work with the Government of Yemen, as needed, to identify additional areas of assistance to enable Yemen to fulfil its human rights obligations;

19. *Requests* the Office of the High Commissioner to present to the Human Rights Council, at its twenty-seventh session, a progress report on the situation of human rights in Yemen and on the follow-up to the present resolution and Council resolutions 18/19, 19/29 and 21/22.

*37th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/33**

### **Technical cooperation for the prevention of attacks against persons with albinism**

*The Human Rights Council,*

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

*Reaffirming* the Universal Declaration of Human Rights, and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant of Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

*Reaffirming also* that everyone has the right to life, liberty and security of person and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

*Recalling* the fundamental principle of equality and non-discrimination that underlies the Charter and international human rights instruments,

*Reaffirming* the right to health and education as enshrined in the Universal Declaration of Human Rights and relevant international human rights treaties,

*Taking note* of the work of the Special Representative of the Secretary-General on Violence against Children,

*Bearing in mind* Human Rights Council resolution 23/13 of 13 June 2013,

*Expressing grave concern* at the attacks against persons with albinism, including against women and children, which are often committed with impunity,

*Welcoming* the steps taken and the efforts made by the countries concerned, including the initiation of legal action against perpetrators of attacks against persons with albinism, public condemnation of attacks against persons with albinism, and public awareness-raising campaigns;

*Noting with appreciation* the preliminary report on persons with albinism submitted by the United Nations High Commissioner for Human Rights pursuant to Human Rights Council resolution 23/13,

*Inviting* the human rights treaty bodies and special procedures of the Human Rights Council to continue to give attention, within their respective mandates, to the situation of human rights of persons with albinism,

*Calling upon* States to ensure accountability through the conduct of impartial, speedy and effective investigations into attacks against persons with albinism falling within their jurisdiction, and to bring to justice those responsible, as well as to ensure that victims and family members have access to appropriate remedies,

*Convinced* of the need for effective action to combat and eliminate attacks against persons with albinism and to adopt specific measures to protect and preserve the rights to life and to security of persons with albinism, as well as their right not to be subject to torture and ill-treatment,

1. *Requests* the Human Rights Council Advisory Committee to prepare a study on the situation of human rights of persons living with albinism and to submit a report thereon to the Human Rights Council at its twenty-eighth session;

2. *Decides* to continue its consideration of the matter under the same agenda item at its twenty-eighth session.

37th meeting  
27 September 2013

[Adopted without a vote.]

## **24/34**

### **Technical assistance to the Central African Republic in the field of human rights**

*The Human Rights Council,*

*Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant human rights instruments,

*Recalling* General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007 and 23/18 of 13 June 2013,

*Bearing in mind* the situation in the Central African Republic since 24 March 2013,

*Reaffirming* that all States are under an obligation to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments to which they are party,

*In view* of the Bamako Declaration adopted on 3 November 2000 by the French-speaking States and Governments, which condemns all coups d'état and any seizure of power through violence, arms or other illegal means,

*In view also* of the final communiqué of the special meeting of the Heads of State and Government of the Economic Community of Central African States, held in N'Djamena on 21 December 2012, and the political agreement signed in Libreville on 11 January 2013,

*Taking into account* the efforts undertaken by States members of the Economic Community of Central African States, including those of the chair of the follow-up committee of the Economic Community of Central African States on the situation in the Central African Republic,

*Reaffirming* its commitment to the sovereignty, independence, unity and territorial integrity of the Central African Republic,

*Concerned* about the political, security and humanitarian situation in the Central African Republic, as well as the risk of clashes between communities and religions,

*Deeply concerned* about all human rights violations and violations of international humanitarian law following the events of 24 March 2013, including those involving summary executions, rape and other forms of sexual abuse, torture, looting and the destruction of property,

*Recalling* that such violence has led to the mass displacement of people,

*Bearing in mind* the establishment of a National Transitional Council and the appointment by this Council of a Head of State to oversee the transition,

*Bearing in mind also* the deployment of the Central African Multinational Force set up by the Economic Community of Central African States in the context of an operation to disarm the militias, train the Central African Armed Forces and secure the electoral process,

1. *Welcomes* the decisions of the Peace and Security Council of the African Union and the conclusions of the fourth special summit of the Heads of State and Government of the Economic Community of Central African States, held in N'Djamena on 18 April 2013, and those of the International Contact Group on the Central African Republic at its meeting on 3 May 2013 in Brazzaville;

2. *Takes note with appreciation* of the interim report of the United Nations High Commissioner for Human Rights;<sup>70</sup>

3. *Condemns* all human rights violations and violations of international humanitarian law, including those involving summary executions, arbitrary arrest and detention, rape and other forms of sexual abuse, the recruitment and use of children by armed groups, looting and the destruction of property;

4. *Calls 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;

5. *Welcomes* the initiatives taken by the Economic Community of Central African States to resolve the Central African crisis, including the decision taken at its special summits in N'Djamena on 3 and 18 April 2013 to set up an institutional transition mechanism in the Central African Republic for a period of up to 18 months;

6. *Supports* current efforts by the African Union and the Economic Community of Central African States to resolve the crisis in the Central African Republic and to bring about a definitive return to constitutional order, peace and security in that country;

7. *Encourages* the efforts of the Economic Community of Central African States, the African Union, the United Nations and the partners of the Central African Republic in the stabilization process, which led to the adoption of a road map on a transition lasting 18 months, a Government of national unity, a National Transitional Council, a Transition Charter and a Transitional Constitutional Court;

8. *Encourages* the transitional authorities to guarantee freedom of expression, and invites them to organize a free and transparent general election, as called for in the N'Djamena Agreement of 18 April 2013, and ensure adherence to its provisions that prohibit members of the transitional Government from running for office, and that the

<sup>70</sup> A/HRC/24/59.

election be organized with a view to creating conditions conducive to a return to constitutional order, to a lasting and inclusive reconciliation of the different components of the Central African population and to the consolidation of peace, while ensuring that women participate fully in the election and reconciliation processes;

9. *Requests* the support of all stakeholders and all international partners to meet the need for significant financial, humanitarian and technical assistance and for measures identified as urgent priorities by the Central African Republic;

10. *Calls upon* the 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, in strict compliance with the provisions of applicable international human rights law;

11. *Also calls upon* the transitional authorities to ensure respect for the rights and fundamental freedoms of all population groups and to take all necessary steps to ensure there is no impunity for the perpetrators of crimes, acts of violence or any other human rights violations;

12. *Emphasizes* 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, and for humanitarian organizations to continue to deliver appropriate humanitarian assistance to refugees and displaced persons and to respond to the challenges associated with the humanitarian crisis in the Central African Republic;

13. *Decides* to appoint an Independent Expert, for a period of one year, to monitor the situation of human rights in the Central Africa Republic, to make recommendations concerning technical assistance and capacity-building in the field of human rights;

14. *Requests* the Independent Expert to present a preliminary report to the Human Rights Council at its twenty-sixth session;

15. *Requests* the High Commissioner to provide the Independent Expert with the necessary financial and human resources to accomplish his/her mandate;

16. *Decides* to remain seized of this matter.

*37th meeting  
27 September 2013*

[Adopted without a vote.]

## **24/35**

### **Impact of arms transfers on human rights in armed conflicts**

*The Human Rights Council,*

*Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights,

*Reaffirming* that everyone has the right to life, liberty and security of person and is entitled to a social and international order, in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

*Recalling* the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the Geneva Conventions of 12 August 1949, the Additional Protocols thereto of 8 June 1977, other international human rights law and

international humanitarian law instruments and the Vienna Declaration and Programme of Action,

*Recalling also* General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1 and 5/2 and decision 5/101 of 18 June 2007, and resolution 16/21 of 25 March 2011,

*Recalling in particular* that the Human Rights Council has the mandate to, inter alia, serve as a forum for dialogue on thematic issues on all human rights,

*Acknowledging* that millions of people around the world are affected by systematic human rights violations and abuses in armed conflicts,

*Acknowledging also* that human rights law and international humanitarian law are complementary and mutually reinforcing,

*Recalling* the principles and provisions related to international human rights law and international humanitarian law, and to the promotion of responsible action by States, as contained in the Arms Trade Treaty adopted by the General Assembly on 2 April 2013,<sup>71</sup> as well as in other relevant instruments,

*Reaffirming* that all efforts should be made to ensure the cessation of all violations and abuses of, and the full respect for, international human rights law and international humanitarian law in armed conflicts,

1. *Expresses its deep concern* at the fact that arms transfers to those involved in armed conflicts may seriously undermine the human rights of civilians, especially women, children, the elderly, persons with disabilities and vulnerable groups;

2. *Notes with alarm* that such arms transfers can have a seriously negative impact on the human rights of women and girls, who may be disproportionately affected by the widespread availability of arms, as it may increase the risk of sexual and gender-based violence, and may also contribute to the recruitment and use of children in armed conflicts;

3. *Urges* all States to refrain from transferring arms to those involved in armed conflicts when said States assess, in accordance with their applicable national procedures and international obligations and standards, that such arms are sufficiently likely to be used to commit or facilitate serious violations or abuses of international human rights law or international humanitarian law;

4. *Invites* all relevant special procedures, commissions of inquiry and human rights treaty bodies to bear the present resolution in mind, within the framework of their respective mandates, when considering the situation of human rights in armed conflicts.

*37th meeting*  
*27 September 2013*

[Adopted by a recorded vote of 42 to 1, with 4 abstentions. The voting was as follows:

*In favour:*

Angola, Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Congo, Costa Rica, Côte d'Ivoire, Czech Republic, Ecuador, Estonia, Ethiopia, Gabon, Germany, Guatemala, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Kenya, Libya, Malaysia, Maldives, Montenegro, Pakistan, Peru, Philippines, Poland, Republic of Korea, Republic of

<sup>71</sup> Resolution 67/234 B.

Moldova, Romania, Sierra Leone, Spain, Switzerland, Thailand, Uganda, Venezuela (Bolivarian Republic of)

*Against:*

United States of America

*Abstaining:*

Kuwait, Mauritania, Qatar, United Arab Emirates]

## **II. Decisions adopted by the Human Rights Council at its twenty-fourth session**

### **24/101**

#### **Outcome of the universal periodic review: Turkmenistan**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Turkmenistan on 22 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Turkmenistan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/3), the views of Turkmenistan concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/3/Add.1 and A/HRC/24/2, chap. VI).

*19th meeting  
18 September 2013*

[Adopted without a vote.]

### **24/102**

#### **Outcome of the universal periodic review: Burkina Faso**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of

18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Burkina Faso on 22 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Burkina Faso, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/4), the views of Burkina Faso concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/2, chap. VI).

*19th meeting  
18 September 2013*

[Adopted without a vote.]

## **24/103**

### **Outcome of the universal periodic review: Cape Verde**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Cape Verde on 23 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Cape Verde, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/5), the views of Cape Verde concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/2, chap. VI).

*19th meeting  
18 September 2013*

[Adopted without a vote.]

## **24/104**

### **Outcome of the universal periodic review: Tuvalu**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Tuvalu on 24 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Tuvalu, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/8), the views of Tuvalu concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/8/Add.1 and A/HRC/24/2, chap. VI).

*20th meeting  
19 September 2013*

[Adopted without a vote.]

## **24/105**

### **Outcome of the universal periodic review: Colombia**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Colombia on 23 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Colombia, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/6), the views of Colombia concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/6/Add.1 and A/HRC/24/2, chap. VI).

*20th meeting  
19 September 2013*

[Adopted without a vote.]

## **24/106**

### **Outcome of the universal periodic review: Uzbekistan**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Uzbekistan on 24 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Uzbekistan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/7), the views of Uzbekistan concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/7/Add.1 and A/HRC/24/2, chap. VI).

*20th meeting  
19 September 2013*

[Adopted without a vote.]

## **24/107**

### **Outcome of the universal periodic review: Germany**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Germany on 25 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Germany, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/9), the views of Germany concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the

outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/9/Add.1 and A/HRC/24/2, chap. VI).

*22nd meeting  
19 September 2013*

[Adopted without a vote.]

## **24/108**

### **Outcome of the universal periodic review: Djibouti**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Djibouti on 25 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Djibouti, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/10), the views of Djibouti concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/2, chap. VI).

*22nd meeting  
19 September 2013*

[Adopted without a vote.]

## **24/109**

### **Outcome of the universal periodic review: Canada**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Canada on 26 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Canada, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/11), the views of Canada concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/11/Add.1 and A/HRC/24/2, chap. VI).

*22nd meeting  
19 September 2013*

[Adopted without a vote.]

## **24/110 Outcome of the universal periodic review: Bangladesh**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Bangladesh on 29 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Bangladesh, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/12), the views of Bangladesh concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/12/Add.1 and A/HRC/24/2, chap. VI).

*23rd meeting  
20 September 2013*

[Adopted without a vote.]

## **24/111**

### **Outcome of the universal periodic review: Azerbaijan**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Azerbaijan on 30 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Azerbaijan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/13), the views of Azerbaijan concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/13/Add.1 and A/HRC/24/2, chap. VI).

*23rd meeting  
20 September 2013*

[Adopted without a vote.]

## **24/112**

### **Outcome of the universal periodic review: Russian Federation**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of the Russian Federation on 29 April 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of the Russian Federation, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/14), the views of the Russian Federation concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not

sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/14/Add.1 and A/HRC/24/2, chap. VI).

*24th meeting  
20 September 2013*

[Adopted without a vote.]

### **24/113**

#### **Outcome of the universal periodic review: Cameroon**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Cameroon on 1 May 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Cameroon, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/15), the views of Cameroon concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/2, chap. VI).

*24th meeting  
20 September 2013*

[Adopted without a vote.]

### **24/114**

#### **Outcome of the universal periodic review: Cuba**

*The Human Rights Council,*

*Acting* in compliance with the mandate entrusted to the Human Rights Council by the General Assembly in its resolution 60/251 of 15 March 2006, Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

*Having conducted* the review of Cuba on 1 May 2013 in conformity with all relevant provisions contained in Council resolution 5/1,

*Decides* to adopt the outcome of the universal periodic review of Cuba, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/24/16), the views of Cuba concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/24/16/Add.1 and A/HRC/24/2, chap. VI).

24th meeting  
20 September 2013

[Adopted without a vote.]

#### **24/115**

### **Postponement of renewal of the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context**

At its 34th meeting, on 26 September 2013, the Human Rights Council, recalling Council resolution 16/21 of 25 March 2011 and General Assembly resolution 65/281 of 17 June 2011, in an effort to synchronize schedules for resolutions, mandates and presentation of reports by the special procedures, decided to postpone the renewal of the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context to its twenty-fifth session, and, for that reason, to extend, on an exceptional basis, the mandate of the Special Rapporteur until that session.

[Adopted without a vote.]

#### **24/116**

### **Panel discussion on the safety of journalists**

At its 34th meeting, on 26 September 2013, the Human Rights Council decided to adopt the text below:

*“The Human Rights Council,*

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

*Recalling* Human Rights Council resolution 21/12 of 27 September 2012 on the safety of journalists,

*Recalling also* all relevant resolutions of the Commission on Human Rights and the Human Rights Council, in particular Council resolution 12/16 of 2 October 2009 and all other resolutions on the right to freedom of opinion and expression, Council resolution 13/24 of 26 March 2010 on the protection of journalists in situations of armed conflict, and Council resolution 20/8 of 5 July 2012, on the promotion, protection and enjoyment of human rights on the Internet,

*Recalling further* all relevant reports by the special procedures of the Human Rights Council with regard to the safety of journalists, in particular the reports of the Special

Rapporteur on the promotion and protection of the right to freedom of opinion and expression<sup>72</sup> and the Special Rapporteur on extrajudicial, summary or arbitrary executions,<sup>73</sup> presented to the Human Rights Council at its twentieth session, and the interactive dialogue thereon,

*Deeply concerned* at the frequent violations and abuses of the human rights of journalists, including through killing, torture, enforced disappearance, arbitrary detention, expulsion, intimidation, harassment, threats and acts of other forms of violence, as well as through measures, such as surveillance, search and seizure, when aimed at hampering the work of journalists,

*Taking note with appreciation* of the report of the Office of the United Nations High Commissioner for Human Rights on the safety of journalists<sup>74</sup> presented to the Human Rights Council at its twenty-fourth session,

*Acknowledging* in particular the recommendation made in the report to continue to promote the issue of safety of journalists through the Human Rights Council and related panel discussions,

1. *Decides* to convene, at its twenty-sixth session, a panel discussion on the issue of the safety of journalists, with a particular focus on discussing the findings made in the report of the Office of the United Nations High Commissioner for Human Rights,<sup>74</sup> identifying challenges and further developing good practices for ensuring the safety of journalist by sharing information on initiatives undertaken to protect them;

2. *Requests* the Office of the High Commissioner to organize the panel discussion from within existing resources, in consultation with States, relevant United Nations bodies, funds and programmes, in particular the United Nations Educational, Scientific and Cultural Organization, treaty bodies, special procedures and regional human rights mechanisms, as well as with civil society, non-governmental organizations and national human rights institutions, with a view to ensuring their participation in the panel discussion;

3. *Also requests* the Office of the High Commissioner to prepare and submit a summary report on the panel discussion to the Human Rights Council at its twenty-seventh session.”

[Adopted without a vote.]

## **24/117**

### **High-level panel on the identification of good practices in combating female genital mutilation**

At its 35th meeting, on 27 September 2013, the Human Rights Council decided to adopt the following text:

*“The Human Rights Council,*

*Reaffirming* the purposes and principles of the Charter of the United Nations,

*Recalling* the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All

<sup>72</sup> A/HRC/20/17 and Add.1–3.

<sup>73</sup> A/HRC/20/22, Corr.1 and Add.1–4.

<sup>74</sup> A/HRC/24/23.

Forms of Discrimination against Women and the Convention on the Rights of the Child,

*Recalling* the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa,

*Recalling also* General Assembly resolution 67/146 of 20 December 2012 on intensifying global efforts for the elimination of female genital mutilation, further to the decision of the African Union, taken in Malabo on 1 July 2011, to support the adoption by the General Assembly at its sixty-sixth session of a resolution banning female genital mutilation,

*Deeply concerned* at the fact that, despite the intensification of efforts at the national, regional and international levels, and the emphasis placed on the abandonment of female genital mutilation, this practice persists in all regions of the world,

*Taking note* of the report of the Secretary-General on ending female genital mutilation,<sup>75</sup>

*Recalling*, in particular, the Vienna Declaration and Programme of Action, adopted on 25 June 1993 at the World Conference on Human Rights,<sup>76</sup> the International Conference on Population and Development and its Programme of Action,<sup>77</sup> and the Beijing Declaration and Platform for Action<sup>78</sup> and the related follow-up meetings,

*Recognizing* and underscoring the importance of the issue and the possibility of organizing international discussions on female genital mutilation, as recommended by the General Assembly in resolution 67/146,

1. *Decides* to organize a high-level panel discussion at its twenty-sixth session on the identification of good practices in combating female genital mutilation so that an exchange of views may take place concerning the progress made, good practices, and challenges and obstacles encountered in the effort to combat female genital mutilation, as well as the initiatives undertaken at the national, regional and international levels with a view to its eradication;

2. *Calls upon* the Office of the United Nations High Commissioner for Human Rights to organize a high-level panel discussion on the identification of good practices in combating female genital mutilation and to consult with States, institutions, the treaty bodies, special procedures mandate holders, the relevant regional human rights mechanisms, parliamentarians, civil society, including non-governmental organizations, and national human rights institutions with a view to ensuring their participation in the panel discussion;

3. *Also calls upon* the Office of the High Commissioner to prepare a summary report on the high-level panel discussion.”

[Adopted without a vote.]

<sup>75</sup> E/CN.6/2012/8.

<sup>76</sup> A/CONF.157/24 (part I), chap. III.

<sup>77</sup> *Report of the International Conference on Population and Development*, Cairo, 5–13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

<sup>78</sup> *Report of the Fourth World Conference on Women*, Beijing, 4–15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

**24/118****Establishment of a special fund for the participation of civil society in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights**

At its 37th meeting, on 27 September 2013, the Human Rights Council decided to adopt the text below:

*“The Human Rights Council,*

*Guided by the Charter of the United Nations,*

*Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action,*

*Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007,*

*Recalling also Human Rights Council resolution 6/13 of 28 September 2007 and all subsequent Council resolutions on the Social Forum, Council resolution 6/15 of 28 September 2007 and all subsequent Council resolutions on the Forum on Minority Issues, and Council resolution 17/4 of 16 June 2011 and all subsequent Council resolutions on the Forum on Business and Human Rights,*

*Acknowledging that civil society, including non-governmental organizations, play an important role at the national, regional and international levels in the promotion and protection of all human rights,*

*Noting the insufficiency of funding for the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights to ensure broad participation, particularly from relevant parts of civil society that may not be able to finance their own travel,*

1. *Requests* the Secretary-General to establish a special fund for the participation of civil society and other relevant stakeholders in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights, to be administered by the Office of the United Nations High Commissioner for Human Rights, in accordance with the financial regulations and rules of the General Assembly, which would be used to support the participation of civil society representatives and other relevant stakeholders in the annual meetings of the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights in accordance with the mandates of these forums, and requests the Office of the High Commissioner to report thereon;

2. *Decides* that the Special Fund for the Participation of Civil Society in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights should aim to facilitate the broadest possible participation of civil society representatives and other relevant stakeholders, and to give priority to the participation of local or national-level non-governmental organizations active in the relevant fields, with particular attention being paid to participants from least developed countries, and that the resources of the Special Fund should be utilized in such a manner as to ensure equal or adequate levels of support for each of the forums;

3. *Calls upon* States to support the participation of civil society and other relevant stakeholders in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights and, to that end, to make voluntary contributions to the Special Fund;

4. *Encourages* intergovernmental and non-governmental organizations and other private or public entities to make voluntary contributions to the Special Fund.”

[Adopted without a vote.]

### **III. President’s statements made at the twenty-fourth session**

#### **PRST/24/1**

#### **Reports of the Advisory Committee**

At the 37th meeting, on 27 September 2013, the President of the Human Rights Council read out the following statement:

“The Human Rights Council takes note of the reports of the Advisory Committee on its tenth and eleventh sessions (A/HRC/AC/10/3 and A/HRC/AC/11/2) and the recommendation contained in action 11/1, paragraph 4.

It is my understanding that, after consulting with Member States, the present statement does not set any precedent with regard to future reports of the Advisory Committee, which will be dealt with in accordance with Human Rights Council resolutions 5/1 and 16/21.”

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## **Part Two**

### **Summary of proceedings**

#### **I. Organizational and procedural matters**

##### **A. Opening and duration of the session**

1. The Human Rights Council held its twenty-fourth session at the United Nations Office at Geneva from 9 to 27 September 2013. The President of the Human Rights Council opened the session.
2. In accordance with rule 8 (b) of the rules of procedure of the Human Rights Council, as contained in part VII of the annex to Council resolution 5/1, the organizational meeting of the twenty-fourth session was held on 29 August 2013.
3. The twenty-fourth session consisted of 37 meetings over 15 days (see paragraph 13 below).

##### **B. Attendance**

4. The 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 other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations (see annex I).

##### **C. Agenda and programme of work**

5. At its 1st meeting, on 9 September 2013, the Human Rights Council adopted the agenda and programme of work of the twenty-fourth session.

##### **D. Organization of work**

6. At the 1st meeting, the President outlined the modalities for general debates, which would be three minutes for member States and two minutes for observer States and other observers.
7. At the 3rd meeting, on 10 September 2013, the President outlined the modalities for the individual interactive dialogue with special procedures mandate holders under agenda item 3 and agenda item 10, which would be 10 minutes for the initial presentation by the mandate holder of the report, 3 minutes for Member States, 2 minutes for observer States and other observers (total time for non-governmental organizations is 10 minutes) and 5 minutes for the mandate holder's concluding remarks.
8. At the 4th meeting, on 10 September 2013, the President outlined the modalities for the clustered interactive dialogue with special procedures mandate holders under agenda item 3, which would be 10 minutes for the initial presentation by the mandate holder of the report, 5 minutes for Member States, 3 minutes for observer States and other observers (total time for non-governmental organizations is 20 minutes in a cluster of two mandate holders), and 5 minutes for the mandate holder's concluding remarks.

9. At the 5th meeting, on 11 September 2013, the President outlined the modalities for panel discussions which were summarized in the concept notes, which would be five or seven minutes for panellists and two minutes for States Members of the Human Rights Council, observer States and other observers.

10. At the 10th meeting, the President announced that no objection had been received to the proposal of the Bureau to for a new system for the inscription on the list of speakers for interactive dialogues and panel discussions to be installed in Room XX. The Council adopted the proposal.

11. At the 17th meeting, the President referred to the note verbale received from the Permanent Mission of the Central African Republic on 10 September 2013 in which a request was made for the Human Rights Council to hold an interactive debate on the human rights situation in the country during the twenty-fourth session. The Council decided to hold an interactive dialogue on the human rights situation in the Central African Republic on 25 September 2013.

12. At the 19th meeting, on 18 September 2013, the President outlined the modalities for the consideration of the outcomes of the universal periodic review under agenda item 6, which would be 20 minutes for the State concerned to present its views; where appropriate, 2 minutes for the national human rights institution with “A” status of the State concerned; up to 20 minutes for States Members of the Human Rights Council, observer States and United Nations agencies to express their views on the outcome of the review, with varying speaking times according to the number of speakers in accordance with the modalities set out in the Appendix to resolution 16/21; and up to 20 minutes for stakeholders to make general comments on the outcome of the review.

## **E. Meetings and documentation**

13. The Human Rights Council held 37 fully serviced meetings during its twenty-fourth session.

14. The texts of the resolutions, decisions and President’s statements adopted by the Human Rights Council are contained in part one of the present report.

## **F. Visits**

15. At the 1st meeting, on 9 September 2013, the Minister for Justice and Human Rights of Honduras, Ana Pineda, delivered a statement to the Human Rights Council.

16. Also at the 1st meeting, on 9 September 2013, the Prime Minister of Thailand, Yingluck Shinawatra, delivered a statement to the Human Rights Council.

17. At the 7th meeting, on 11 September 2013, the Minister for Foreign Affairs of Georgia, Maia Panjikidze, delivered a statement to the Human Rights Council.

18. At the 11th meeting, on 13 September 2013, the Union Minister for Foreign Affairs of Myanmar, Wunna Maung Lwin, delivered a statement to the Human Rights Council.

19. Also at the 11th meeting the Minister for Law, Constitutional Affairs and Human Rights of Lesotho, Haae Phoofolo, delivered a statement to the Human Rights Council.

20. At the 15th meeting, on 17 September 2013, the Minister for Justice of Namibia, Utoni Nujoma, delivered a statement to the Human Rights Council.

21. At the 26th meeting, on 23 September 2013, the Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society [*Commissaire aux droits de*

*l'homme, l'action humanitaire et aux relations avec la société civile de la Mauritanie, qui fera une intervention devant ce Conseil*"] of Mauritania, Mohamed Abdallahi Ould Khattra, delivered a statement to the Human Rights Council.

## G. Election of members of the Human Rights Council Advisory Committee

22. At its 34th meeting, on 26 September 2013, the Human Rights Council elected, pursuant to its resolutions 5/1 and 16/21, six experts to the Human Rights Council Advisory Committee. The Council had before it a note by the Secretary-General (A/HRC/24/17 and Add.1) containing the nomination of candidates for election, in accordance with Council decision 6/102, and the biographical data of the candidates.

23. The candidates were as follows:

<i>Nominating Member State</i>	<i>Expert nominated</i>
<b>African States</b>	
Egypt	Hoda Elsadda
Uganda	Alfred Ntunduguru Karokora
<b>Asia-Pacific States</b>	
China	Yishan Zhang
Japan	Kaoru Obata
<b>Eastern European States</b>	
Russian Federation	Mikhail Alexandrovich Lebedev
<b>Western European and other States</b>	
Spain	Fernando M. Mariño Menendez
Switzerland	Jean Ziegler

24. One seat for a member of the Advisory Committee from the Latin American and Caribbean States remained vacant given that no nomination was received from the region.

25. The number of candidates for three regional groups, namely the Group of Asia-Pacific States, the Group of African States, and the Group of Eastern European States, corresponded to the number of seats available in each of these groups. The practice of holding a secret ballot pursuant to paragraph 70 of Human Rights Council resolution 5/1 was dispensed with and Hoda Elsadda, Alfred Ntunduguru Karokora, Yishan Zhang, Kaoru Obata and Mikhail Alexandrovich Lebedev were elected as members of the Advisory Committee by consensus.

26. At the same meeting, the representatives of Pakistan (on behalf of the Organisation of Islamic Cooperation) and the United States of America made statements in relation to the election.

27. Also at the same meeting, following a vote by secret ballot, Jean Ziegler was elected as member of the Advisory Committee for the Group of Western European and other States.

## H. Adoption of the report on the session

28. At the 36th meeting, on 27 September 2013, after the action on all draft proposals was completed, the representatives of Bahrain (on behalf of the Gulf Cooperation Council), China, Colombia, Cuba, Egypt, Russian Federation, Singapore, State of Palestine (on behalf of the Group of Arab States) and the United Kingdom of Great Britain and Northern Ireland made statements as observer States with regard to adopted resolutions.

29. Also at the same meeting, the Rapporteur and Vice-President of the Human Rights Council made a statement in connection with the draft report of the Council (A/HRC/24/2) and the annual report of the Council to the General Assembly (A/68/53 and Add.1).

30. Also at the same meeting, the draft report of the Human Rights Council (A/HRC/24/2) was adopted ad referendum and the Council decided to entrust the Rapporteur with the finalization of the report.

31. Also at the same meeting, the observer for the International Service for Human Rights (also on behalf of Canadian HIV/AIDS Legal Network, International Federation for Human Rights Leagues, International Lesbian and Gay Association, International Rehabilitation Council for Torture Victims, Human Rights House Foundation, East and Horn of Africa Human Rights Defenders Project, Cairo Institute for Human Rights Studies, International Commission of Jurists, Amnesty International, CIVICUS - World Alliance for Citizen Participation and Conectas Direitos Humanos) made statements in connection with the session.

32. At the same meeting, the President of the Human Rights Council made a closing statement.

## I. Consideration of and action on draft proposals

### **Postponement of the renewal of the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context**

33. At the 34th meeting, on 26 September 2013, the representative of Germany introduced the decision A/HRC/24/L.4 sponsored by Germany and Finland. Subsequently Japan joined the sponsors.

34. 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. The Chief of OHCHR Finance and Budget Section made a statement in relation to the budgetary implications of the draft resolution.

35. At the same meeting, the draft decision was adopted without a vote (for the text of the decision, see part one, chapter III, decision 24/115).

## II. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

### A. Update by the United Nations High Commissioner for Human Rights

36. At the 1st meeting, on 9 September 2013, the United Nations High Commissioner for Human Rights made a statement providing an update of the activities of her Office.

37. During the ensuing general debate, at the 1st and 2nd meetings, on the same day, and at the 3rd meeting, on 10 September 2013, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Angola, Argentina, Austria, Benin, Botswana, Brazil, Chile, the Congo, the Czech Republic, Ecuador, Estonia, Ethiopia, Gabon (on behalf of the Group of African States), Germany, Guatemala, India, Indonesia, Iran (Islamic Republic of)<sup>79</sup> (on behalf of the Non-Aligned Movement), Ireland, Italy, Japan, Kuwait, Libya, Lithuania<sup>79</sup> (on behalf of the European Union, Albania, Iceland, Montenegro and the former Yugoslav Republic of Macedonia), Malaysia, Maldives, Pakistan<sup>79</sup> (also on behalf of the Organization of Islamic Cooperation), Peru, Poland, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Sierra Leone, Spain, Switzerland (also on behalf of Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, the former Yugoslav Republic of Macedonia, Malta, Mexico, Monaco, Montenegro, the Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay), Thailand, the United Arab Emirates, United States of America and Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Canada, China, Colombia, Cuba, the Democratic Republic of the Congo, Denmark (also on behalf of Finland, Iceland, Norway and Sweden), Egypt, Equatorial Guinea, France, Greece, Iceland, Iran (Islamic Republic of), Iraq, Jordan, Mexico, Mongolia, Morocco, Myanmar, Nepal, New Zealand, Nigeria, Norway, Paraguay, Russian Federation, Saudi Arabia, Slovakia, South Africa, South Sudan, Sri Lanka, Syrian Arab Republic, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland and Uruguay;

(c) Observer for an intergovernmental organization: Council of Europe;

(d) Observers for non-governmental organizations: Amnesty International, Canadian HIV/AIDS Legal Network, Canners International Permanent Committee, France Libertés: Fondation Danielle Mitterrand, Human Rights Watch, International Association for Democracy in Africa, International Federation for Human Rights Leagues, International Institute for Non-aligned Studies, International Institute for Peace, International Organization for the Elimination of All Forms of Racial Discrimination, International Service for Human Rights, Lawyers' Rights Watch Canada (also on behalf of International Movement Against All Forms of Discrimination and Racism (IMADR)), Liberation, Mouvement contre le racisme et pour l'amitié entre les peuples, Union of Arab Jurists,

<sup>79</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

United Nations Watch, Women's Human Rights International Association, World Environment and Resources Council (WERC), World Muslim Congress.

38. At the 2nd meeting, on 9 September 2013, statements in exercise of the right of reply were made by the representatives of Bahrain and Egypt.

39. At the 3rd meeting, on 10 September 2013, statements in exercise of the right of reply were made by the representative of Iraq.

## **B. Reports of the Office of the High Commissioner and the Secretary-General**

40. At the 10th meeting, on 13 September 2013, the Deputy High Commissioner presented thematic reports prepared by OHCHR and the Secretary-General.

41. At its 11th and 12th meetings, on the same day, the Human Rights Council held a general debate on thematic reports presented by the Deputy High Commissioner (see chapter III, D below).

42. At the 32nd meeting, on 25 September 2013, the Deputy High Commissioner presented country-specific reports of the High-Commissioner and the Secretary-General submitted under agenda item 2.

43. At its 32nd meeting, on the same day, and the 33rd meeting on 26 September 2013, the Human Rights Council held a general debate on country-specific reports presented by the Deputy High Commissioner (see chapter X, D below).

### **III. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

#### **A. Special Representative of the Secretary-General for Children and Armed Conflict**

44. At the 3rd meeting, on 10 September 2013, the Special Representative of the Secretary-General for Children and Armed Conflict, Leila Zerrougui, presented the oral update of her annual report (A/HRC/24/45).

45. During the ensuing interactive dialogue, at the 3rd and 4th meetings, on 10 September 2013, the following made statements and asked the Special Representative questions:

(a) Representatives of States Members of the Human Rights Council: Cuba<sup>80</sup> (also on behalf of the Community of Latin American and Caribbean States), Gabon (on behalf of the Group of African States), Germany, Indonesia, Ireland, Italy, Kuwait, Maldives, Pakistan, Poland, Qatar, Republic of Korea, Slovenia<sup>80</sup> (also on behalf of Austria and Croatia), State of Palestine<sup>80</sup> (also on behalf of the Group of Arab States), Switzerland, Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Belgium, Chad, China, Colombia, Democratic Republic of the Congo, Egypt, France, Georgia, Greece, Latvia, Luxembourg, Morocco, Nigeria, Paraguay, Portugal, the Russian Federation, Sierra Leone, Slovakia, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for the Holy See;

(d) Observer for the International Committee of the Red Cross

(e) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

(f) Observer for an intergovernmental organization: European Union, Organization of the Islamic Cooperation;

(g) Observers for non-governmental organizations: Canners International Permanent Committee, European Union of Public Relations, Women's International League for Peace and Freedom, Women's World Summit Foundation, World Environment and Resources Council.

46. At the 4th meeting, on 10 September 2013, the Special Representative answered questions and made her concluding remarks.

47. Also at the same meeting, a statement in exercise of the right of reply was made by the representative of Libya.

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<sup>80</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

## B. Interactive dialogue with special procedures mandate holders

### **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**

48. At the 4th meeting, on 10 September 2013, the Chairperson of 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, Anton Katz, presented the Working Group's report (A/HRC/24/45 and Add.1-2).

49. At the same meeting, the representatives of Honduras and Somalia made statements as the countries concerned.

50. During the ensuing interactive dialogue at the 4th meeting, on the same day, and the 6th meeting, on 11 September 2013, the following made statements and asked the Chairperson of the Working Group questions:

(a) Representatives of States Members of the Human Rights Council: Ecuador, Indonesia, Pakistan, Switzerland, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Bolivia (Plurinational State of), China, Cuba, Djibouti, Egypt, Russian Federation, South Africa, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, State of Palestine;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: Commission to Study the Organization of Peace, International Commission of Jurists, Servas International.

### **Independent Expert on the promotion of a democratic and equitable international order**

51. At the 4th meeting, on 10 September 2013, the Independent Expert on the promotion of a democratic and equitable international order, Alfred de Zayas, presented his report (A/HRC/24/38).

52. During the ensuing interactive dialogue, at the 4th meeting on the same day and the 6th meeting, on 11 September 2013, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Ecuador, Ethiopia, Gabon (on behalf of the Group of African States), India, Indonesia, Pakistan, Romania, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Belarus, China, Cuba, Djibouti, Egypt, Morocco, Serbia, State of Palestine;

(c) Observers for non-governmental organizations: Mouvement contre le racisme et pour l'amitié entre les peuples, Centre Europe - Tiers Monde - Europe-Third World Centre, African Technology Development Link, United Schools International, Servas International, Indian Council of South America (CISA) (also on behalf of Centre International des Formations en Droits Humains, International Organization for the Right to Education and Freedom of Education (OIDEL), Organisation Mondiale des associations pour l'éducation prénatale, France Libertés : Fondation Danielle Mitterrand, International Human Rights Association of American Minorities (IHRAAM), Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE Internationale), International Organization for the Right to Education and Freedom of Education (OIDEL) (also on behalf of International Catholic Child Bureau, Associazione Comunita Papa Giovanni XXIII, Dominicans for Justice and Peace - Order of

Preachers), Verein Sudwind Entwicklungspolitik and International Association of Democratic Lawyers.

53. At the 6th meeting, on 11 September 2013, the Special Rapporteur answered questions and made his concluding remarks.

**Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes**

54. At the 6th meeting, on 11 September 2013, the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Marc Pallemmaerts, presented his report (A/HRC/24/39 and Add.1).

55. At the same meeting, the representative of Hungary made a statement as the country concerned.

56. During the ensuing interactive dialogue, at the 6th and 7th meetings, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Benin, Brazil, Côte d'Ivoire, Cuba<sup>81</sup> (also on behalf of the Community of Latin American and Caribbean States), Ecuador, Gabon (on behalf of the Group of African States), Guatemala, India, Indonesia, Malaysia, Maldives, Pakistan (on behalf of the Organization of Islamic Cooperation), Sierra Leone, Spain, United States of America;

(b) Representatives of observer States: Algeria, China, Djibouti, France, Morocco, Nigeria, Saudi Arabia, South Africa, Uruguay, State of Palestine;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: Amnesty International, Franciscans International (also on behalf of Sisters of Mercy of the Americas), Human Rights Now, United Nations Watch.

57. At the 7th meeting, on 11 September 2013, the Special Rapporteur answered questions and made his concluding remarks.

**Special Rapporteur on the human right to safe drinking water and sanitation**

58. At the 6th meeting, on 11 September 2013, the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque, presented her report (A/HRC/24/44 and Add.1–3).

59. At the same meeting, the representative of Thailand made a statement as the country concerned.

60. During the ensuing interactive dialogue, at the 6th and 7th meetings, on the same day, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Angola, Brazil, Cuba<sup>81</sup> (on behalf of the Community of Latin American and Caribbean States), Ecuador, Gabon (on behalf of the Group of African States), Germany, India, Indonesia, Kuwait, Malaysia, Maldives, Pakistan (on behalf of the Organization of Islamic Cooperation), Republic of Moldova, Romania, Sierra Leone, Spain, State of Palestine<sup>81</sup> (on

<sup>81</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

behalf of the Group of Arab States), Switzerland, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Bolivia (Plurinational State of), China, Djibouti, Egypt, France, Latvia, Morocco, Netherlands, New Zealand, Nigeria, Norway, Paraguay, Portugal, Saudi Arabia, Slovenia, South Africa, Togo, Uruguay;

(c) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF)

(d) Observer for an intergovernmental organization: European Union;

(e) Observers for non-governmental organizations: Franciscans International (also on behalf of Sisters of Mercy of the Americas), United Nations Watch, Verein Sudwind Entwicklungspolitik, World Barua Organization (WBO).

61. At the 7th meeting, the Special Rapporteur answered questions and made her concluding remarks.

### **Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence**

62. At the 9th meeting, on 12 September 2013, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, presented his report (A/HRC/24/42 and Add.1).

63. At the same meeting, the representative of Tunisia made a statement as the country concerned.

64. During the ensuing interactive dialogue, at the 9th meeting, on the same day, and the 10th meeting on 13 September 2013, the following made statements and asked the special rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Argentina, Austria, Côte d'Ivoire, Cuba<sup>82</sup> (also on behalf of the Community of Latin American and Caribbean States), Czech Republic, Germany, Indonesia, Ireland, Maldives, Morocco<sup>82</sup> (on behalf of the International Organization of la Francophonie), Republic of Korea, Romania, Sierra Leone, Spain, Switzerland, Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Armenia, Australia, Belgium, Colombia, Egypt, Finland, France, Nepal, Netherlands, Paraguay, Rwanda, Sri Lanka, Sudan, Sweden, Togo;

(c) Observer for the International Committee of the Red Cross

(d) Observer for an intergovernmental organization: European Union;

(e) Observers for non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies, Centro de Estudios Legales y Sociales (CELS) (by video message), Colombian Commission of Jurists, Foodfirst Information and Action Network (FIAN), Human Rights Now, International Federation of Human Rights (FIDH), International Organization for the Elimination of All Forms of Racial Discrimination, Lawyers' Rights Watch Canada, Verein Sudwind Entwicklungspolitik.

65. At the 10th meeting, the Special Rapporteur answered questions and made his concluding remarks.

<sup>82</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

### **Special Rapporteur on contemporary forms of slavery, including its causes and consequences**

66. At the 9th meeting, on 12 September 2013, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian, presented her report (A/HRC/24/43 and Add.1-2).

67. At the same meeting, the representatives of Kazakhstan and Madagascar made statements as countries concerned.

68. During the ensuing interactive dialogue, at the 9th meeting, on the same day, and the 10th meeting on 13 September 2013, the following made statements and asked the special rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Côte d'Ivoire, Cuba<sup>83</sup> (also on behalf of the Community of Latin American and Caribbean States), Ethiopia, Gabon (on behalf of the Group of African States), Germany, Indonesia, Ireland, Malaysia, Qatar, Republic of Korea, Sierra Leone, Spain, State of Palestine<sup>83</sup> (on behalf of the Group of Arab States), Thailand, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Albania, Algeria, Armenia, Australia, Belarus, Colombia, Egypt, France, Greece, Latvia, Lebanon, Nepal, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for the Holy See;

(d) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

(e) Observer for an intergovernmental organization: European Union;

(f) Observer for non-governmental organizations: International Humanist and Ethical Union.

69. At the 10th meeting, the special rapporteur answered questions and made her concluding remarks.

70. At the 11th meeting, on 13 September 2013, a statement in exercise of the right of reply was made by the representative of Mauritania.

### **Special Rapporteur on the rights of indigenous peoples**

71. At the 17th meeting, on 18 September 2013, the Special Rapporteur on the rights of indigenous peoples, James Anaya, presented his report (A/HRC/24/41, and Add.1-4).

72. At the same meeting, the Chairperson-Rapporteur of the Expert Mechanism on the Rights of Indigenous Peoples, Wilton Littlechild, presented the reports of the Expert Mechanism (A/HRC/24/49, 50 and 51) (see chapter V, C below).

73. At the same meeting, the Representative of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations, Legborsi Saro Pyagbara, made a statement.

74. At the same meeting, the representatives of the El Salvador and Namibia made statements as the countries concerned.

<sup>83</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

75. During the ensuing interactive dialogue, the following made statements and asked questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Chile, Congo, Ecuador, Estonia, Guatemala, Malaysia, Peru, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Australia, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Cuba, Denmark, El Salvador, Finland, Mexico, Nepal, Norway, Paraguay, Russian Federation, Sri Lanka, Sweden;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: Colombian Commission of Jurists, France Libertés: Fondation Danielle Mitterrand, Indian Council of South America, International Indian Treaty Council, Lawyers' Rights Watch Canada, Permanent Assembly for Human Rights, Women's International League for Peace and Freedom.

76. At the same meeting, the Special Rapporteur answered questions and made his concluding remarks.

77. At the same meeting, the Chairperson-Rapporteur of the Expert Mechanism of the Rights of Indigenous Peoples answered questions and made his concluding remarks.

## C. Panels

### **Panel discussion on the human rights of children of parents sentenced to the death penalty or executed**

78. At its 5th meeting, on 11 September 2013, the Human Rights Council held a half-day panel discussion on the human rights of children of parents sentenced to the death penalty or executed, in accordance with Council resolution 22/11.

79. The Deputy High Commissioner for Human Rights made an opening statement for the panel, on behalf of the High Commissioner. The Director of Research and Right to Development Division of the Office of the High Commissioner for Human Rights read a statement on behalf of Marta Santos Pais, the Special Representative of the Secretary General on Violence against Children. Bertrand de Crombrughe, Permanent Representative of Belgium to the United Nations Office in Geneva, moderated the discussion.

80. At the same meeting, the panellists Jorge Cardona Llorens, Sandra Jones, Francis Ssuubi and Nisreen Zerikat made statements.

81. The ensuing panel discussion was divided into two slots, which were held at the same meeting, on the same day. During the first speaking slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Angola, Argentina, Cuba<sup>84</sup> (also on behalf of the Community of Latin American and Caribbean States), Ireland, Italy, Pakistan (also on behalf of Bahrain, Botswana, Egypt, Kuwait, Oman, Saudi Arabia, Qatar, Sudan, United Arab Emirates, Uganda and Yemen), Spain;

(b) Representatives of observer States: Algeria, Australia, France, Norway, Sweden;

<sup>84</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

(c) Observers for non-governmental organizations: Penal Reform International, Verein Sudwind Entwicklungspolitik and Friends World Committee for Consultation (Quakers) (also on behalf of Defence for Children International and the International Catholic Child Bureau).

82. At the end of the first speaking slot the panellists answered questions and made comments.

83. The following made statements during the second speaking slot:

(a) Representatives of States Members of the Human Rights Council: Austria, Montenegro, Poland, Republic of Moldova, Switzerland, Thailand, United Arab Emirates;

(b) Representatives of observer States: Belgium, Egypt, Morocco, New Zealand, Portugal, South Africa, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for an intergovernmental institution: European Union;

(d) Observers for non-governmental organizations: Amnesty International and Servas International.

84. At the same meeting, the panellists answered questions and made concluding remarks.

#### **Panel discussion on the rights of indigenous peoples**

85. At its 16th meeting, on 17 September 2013, the Human Rights Council held a half-day panel discussion on the rights of indigenous peoples, in accordance with Council resolution 18/8.

86. The Deputy High Commissioner for Human Rights made an opening statement for the panel, on behalf of the High Commissioner. Ulises Canchola Gutierrez, Deputy Permanent Representative of the Permanent Mission of Mexico to the United Nations and other International Organizations in Geneva, made introductory remarks and moderated the discussion.

87. At the same meeting, the panellists John Henriksen, International Chief Wilton Littlechild, Soyata Maiga, Tania Pariona and Raja Devasish Roy made statements.

88. The ensuing panel discussion was divided into two slots, which were held at the same meeting, on the same day. During the first speaking slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Congo, Cuba<sup>85</sup> (on behalf of the Community of Latin American and Caribbean States), Ireland, Malaysia, United States of America;

(b) Representatives of observer States: Australia, Bolivia (Plurinational State of), Finland, Norway, Paraguay, Russian Federation;

(c) Observers for non-governmental organizations: Asia Indigenous Peoples Pact, Canners International Permanent Committee, European Disability Forum.

89. At the end of the first speaking slot the panellists answered questions and made comments.

90. The following made statements during the second speaking slot:

<sup>85</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

(a) Representatives of States Members of the Human Rights Council: Chile, Ecuador, Estonia, Peru, State of Palestine<sup>86</sup> (on behalf of the Group of Arab States), Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Denmark, New Zealand;

(c) Observer for United Nations entities, specialized agencies and related organizations: International Labour Organization (ILO);

(d) Observer for an intergovernmental organization: European Union, International Development Law Organization (IDLO);

(e) Observers for non-governmental organizations: Indian Law Resource Centre, International Indian Treaty Council, New South Wales Aboriginal Land Council.

91. At the same meeting, the panellists answered questions and made concluding remarks.

#### **D. General debate on agenda item 3**

92. At the 10th meeting, on 13 September 2013, the Chairperson-Rapporteur of the Working Group on the Right to Development, Tamara Kunanayakam, presented the report of the Working Group on its fourteenth session (A/HRC/24/37).

93. At its 10th and 11th meeting, on the same day, and its 12th meeting on 16 September 2013, the Human Rights Council held a general debate on thematic reports under agenda items 2 and 3, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Albania<sup>86</sup> (also on behalf of Bolivia (Plurinational State of), Germany, Spain and Thailand), Argentina, Austria (also on behalf of Albania, Algeria, Australia, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Montenegro, Morocco, Netherlands, New Zealand, Nigeria, Norway, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, State of Palestine, Sweden, Switzerland, Timor-Leste, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay), Bahrain<sup>86</sup> (on behalf of the Gulf Cooperation Council), Benin, Chile, Cuba<sup>86</sup> (on behalf of the Community of Latin American and Caribbean States), Ecuador (also on behalf of Bolivia (Plurinational State of), Cuba, the Group of African States, the Group of Arab States, Kyrgyzstan, Nicaragua, Pakistan, Peru, Sri Lanka and Venezuela (Bolivarian Republic of)), Estonia, Ethiopia, Gabon (on behalf of the Group of African States), Germany (also on behalf of Austria, Hungary, Liechtenstein, Norway and Switzerland), Iran<sup>86</sup> (Islamic Republic of) (on behalf of the Non-Aligned Movement), Ireland, Lithuania<sup>86</sup> (European Union and Albania, Georgia, Iceland, Montenegro, Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine), Malaysia, Montenegro, Pakistan (also on behalf of the Organization of Islamic Cooperation, Bolivia (Plurinational State of), China, Cuba, Ecuador, Indonesia, Iran (Islamic Republic of), Russian Federation, Uganda, Venezuela (Bolivarian Republic of) and Zimbabwe), Poland, Qatar, Sierra Leone, Spain, State of

<sup>86</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

Palestine<sup>87</sup> (on behalf of the Group of Arab States), Switzerland, Thailand, United States of America, Uruguay<sup>87</sup> (also on behalf of Argentina, Austria, Belgium, Botswana, Chile, Colombia, Cyprus, Denmark, Estonia, Finland, France, Greece, Honduras, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Paraguay, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden), Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Afghanistan, Algeria, Belgium, China, Cuba, Denmark, Djibouti, Egypt, Iran (Islamic Republic of), Iraq, Kyrgyzstan, Lebanon, Morocco, Myanmar, Netherlands, Russian Federation, Saudi Arabia, Singapore, South Africa, Sri Lanka, Sudan, United Kingdom of Great Britain and Northern Ireland, State of Palestine;

(c) Observer for the Holy See and the Sovereign Military Order of Malta;

(d) Observer for United Nations entities, specialized agencies and related organization: United Nations Children's Fund (UNICEF);

(e) Observers for intergovernmental organizations: African Union, Council of Europe, International Organization of la Francophonie;

(f) Observer for a national human rights institution: Human Rights Commission of Malaysia (SUHAKAM) (by video message);

(g) Observers for non-governmental organizations: Action Canada for Population and Development (also on behalf of Federation for Women and Family Planning), Agence Internationale pour le Developpement, Amnesty International, Asian Legal Resource Centre, Associazione Comunita Papa Giovanni XXIII (also on behalf of Caritas Internationalis (International Confederation of Catholic Charities), Company of the Daughters of Charity of St. Vincent de Paul, Franciscans International, Dominicans for Justice and Peace - Order of Preachers, Edmund Rice International Limited, Fondazione Marista per la Solidarieta Internazionale ONLUS, International Catholic Child Bureau, International Catholic Migration Commission, International Volunteerism Organization for Women, Education and Development - VIDES, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, New Humanity, VIVAT International), Canners International Permanent Committee, Center for Environmental and Management Studies, Centre for Human Rights and Peace Advocacy, Charitable Institute for Protecting Social Victims, The, Civicus - World Alliance for Citizen Participation, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC), Commission to Study the Organization of Peace, European Union of Public Relations, Foodfirst Information and Action Network (FIAN), France Libertés : Fondation Danielle Mitterrand, Global Helping to Advance Women and Children, Human Rights House Foundation, Indian Law Resource Centre (also on behalf of Bank Information Center, Center for International Environmental Law (CIEL), Human Rights Watch, The Democracy Center), Institute for Women's Studies and Research, International Association for Democracy in Africa, International Association of Jewish Lawyers and Jurists, International Buddhist Relief Organisation, International Commission of Jurists, International Educational Development, Inc., International Fellowship of Reconciliation, International Muslim Women's Union, International Organization for the Elimination of All Forms of Racial Discrimination, International Service for Human Rights, Iranian Elite Research Center, Islamic Women's Institute of Iran, Japanese Workers' Committee for Human Rights, Lawyers' Rights Watch Canada, Liberation, Mouvement contre le racismisme et pour l'amitié entre les peuples, Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale - OCAPROCE Internationale,

<sup>87</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

Organization for Defending Victims of Violence (also on behalf of Islamic Women's Institute of Iran), Presse Embleme Campagne, Prevention Association of Social Harms (PASH), Reporters Sans Frontières International - Reporters Without Borders International, Save the Children International (also on behalf of World Vision International), Society for Threatened Peoples, Society Studies Centre (MADA ssc) (also on behalf of Maarif Foundation for Peace and Development), Soka Gakkai International (also on behalf of Al-Hakim Foundation, Asian Forum for Human Rights and Development, Foundation for GAIA, Human Rights Education Associates (HREA), International Federation of University Women, International Longevity Center Global Alliance, Ltd., International Movement Against All Forms of Discrimination and Racism (IMADR), Myochikai (Arigatou Foundation), Teresian Association), Under The Same Sun Fund, Union of Arab Jurists, United Nations Watch, United Schools International, United Towns Agency for North-South Cooperation, World Environment and Resources Council (WERC).

94. At the 12th meeting, on 16 September 2013, statements in exercise of the right of reply were made by the representatives of China and Mauritania.

## **E. Consideration of and action on draft proposals**

### **Promoting human rights and through sport and the Olympic ideal**

95. At the 34th meeting, on 26 September 2013, the representative of the Russian Federation introduced draft resolution A/HRC/24/L.1, sponsored by Brazil, Congo, Greece, Japan, Lebanon, Morocco, Republic of Korea and Russian Federation and co-sponsored by Armenia, Australia, Austria, Belarus, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Chile, Costa Rica, Croatia, Cuba, Cyprus, Ecuador, Estonia, Gabon (on behalf of the Group of African States), Germany, Guatemala, Honduras, Hungary, Italy, Jordan, Latvia, Luxembourg, Maldives, Netherlands, Pakistan (on behalf of the Organization of Islamic Cooperation), Poland, Portugal, Romania, Slovenia, Spain, Sri Lanka, State of Palestine (on behalf of the Group of Arab States), Thailand, Turkey and Venezuela (Bolivarian Republic of). Subsequently, Belgium, Canada, China, Colombia, El Salvador, France, India, Jamaica, Malta, Monaco, Montenegro, Nicaragua, Peru, Republic of Moldova, Serbia, Slovakia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Viet Nam joined the sponsors.

96. At the same meeting, the representative of the United States of America made general comments in relation to the draft resolution.

### **Local government and human rights**

97. At the 34th meeting, on 26 September 2013, the representative of the Republic of Korea introduced draft resolution A/HRC/24/L.2, sponsored by Chile, Egypt, Republic of Korea and Romania and co-sponsored by Australia, Austria, Colombia, Germany, Greece, Hungary, Italy, Japan, Norway, Paraguay, Peru, Spain, Sri Lanka and Thailand. Subsequently, Angola, Bosnia and Herzegovina, Bulgaria, Croatia, Djibouti, Ecuador, El Salvador, France, Honduras, India, Indonesia, Ireland, Jordan, Lebanon, Luxembourg, Maldives, Malta, Morocco, Panama, Poland, Portugal, Republic of Moldova, Rwanda, Saudi Arabia, South Africa, State of Palestine, Switzerland, Togo, Tunisia, United States of America and Uruguay joined the sponsors.

98. At the same meeting, the representative of Switzerland made general comments in relation to the draft resolution.

99. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/2).

### **Special Rapporteur on contemporary forms of slavery**

100. At the 34th meeting, on 26 September 2013, the representative of the United Kingdom of Great Britain and Northern Ireland introduced draft resolution A/HRC/24/L.3, sponsored by the United Kingdom of Great Britain and Northern Ireland and co-sponsored by Argentina, Australia, Austria, Belgium, Bulgaria, Chile, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Finland, Germany, Greece, Hungary, Iceland, Ireland, Japan, Latvia, Luxembourg, Maldives, Netherlands, Paraguay, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Angola, Armenia, Belarus, Bosnia and Herzegovina, Botswana, Brazil, Canada, Costa Rica, El Salvador, Estonia, France, Guatemala, Honduras, Italy, Liechtenstein, Lithuania, Malta, Montenegro, Morocco, Nicaragua, Norway, Peru, Poland, Portugal, Romania, Rwanda, Saint Kitts and Nevis, Senegal, Serbia, Sierra Leone, Thailand, the former Yugoslav Republic of Macedonia, Turkey and United States of America joined the sponsors.

101. 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.

102. Also at the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/3).

### **The right to development**

103. At the 34th meeting, on 26 September 2013, the representative of Iran (Islamic Republic of), on behalf of the Non-Aligned Movement, introduced draft resolution A/HRC/24/L.6, sponsored by Iran (Islamic Republic of) (on behalf of the Non-Aligned Movement). Subsequently, Brazil, China, El Salvador, State of Palestine (on behalf of the Group of Arab States) and Uruguay joined the sponsors.

104. At the same meeting, the representative of Iran (Islamic Republic of), on behalf of the Non-Aligned Movement, orally revised the draft resolution.

105. At the same meeting, the representative of Venezuela (Bolivarian Republic of) made general comments in relation to the draft resolution.

106. 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.

107. At the same meeting, the representatives of Estonia, on behalf of States members of the European Union that are members of the Council, Japan and the United States of America, made statements in explanation of vote before the vote.

108. Also at the same meeting, at the request of the representative of the United States of America, a recorded vote was taken on the draft resolution as orally revised. The draft resolution, as orally revised, was adopted by 46 votes to 1, with 0 abstention.

109. For the text as adopted and voting results, see part one, chapter I, resolution 24/4.

### **The rights to freedom of peaceful assembly and of association**

110. At the 34th meeting, on 26 September 2013, the representatives of Mexico and the United States of America, introduced draft resolution A/HRC/24/L.7, sponsored by Czech Republic, Indonesia, Lithuania, Maldives, Mexico, Nigeria and United States of America and co-sponsored by Albania, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Malta, Montenegro, Netherlands, Norway,

Paraguay, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and United Kingdom of Great Britain and Northern Ireland. Subsequently, Angola, Botswana, Brazil, Canada, Egypt, Guatemala, Libya, New Zealand, Panama, Republic of Korea, Republic of Moldova, San Marino, Senegal, Serbia, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Ukraine and Uruguay joined the sponsors.

111. At the same meeting, the representative of the United States of America orally revised the draft resolution.

112. At the same meeting, the President announced that the amendments A/HRC/24/L.55 and A/HRC/24/L.56 to draft resolution A/HRC/24/L.7 had been withdrawn as notified to the Secretariat prior to the consideration of this draft resolution.

113. 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.

114. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/5).

115. At the 37th meeting, on 27 September, the representative of Venezuela (Bolivarian Republic of) made a statement in explanation of vote after the vote.

#### **The right of everyone to the enjoyment of the highest attainable standard of physical and mental health**

116. At the 34th meeting, on 26 September 2013, the representative of Brazil introduced draft resolution A/HRC/24/L.8, sponsored by Brazil and co-sponsored by Argentina, Austria, Bolivia (Plurinational State of), Botswana, Chile, Colombia, Costa Rica, Cyprus, Denmark, Estonia, Finland, France, Greece, Guatemala, Italy, Libya, Mexico, New Zealand, Norway, Peru, Portugal, Romania, Slovenia, Spain, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Algeria, Andorra, Angola, Armenia, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Cape Verde, Côte d'Ivoire, Croatia, Cuba, El Salvador, Equatorial Guinea, Iceland, India, Ireland, Jamaica, Lesotho, Luxembourg, Madagascar, Malta, Montenegro, Namibia, Netherlands, Nicaragua, Paraguay, Philippines, Sierra Leone, South Africa, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo and United States of America joined the sponsors.

117. At the same meeting, the representatives of Estonia, on behalf of States members of the European Union that are members of the Council, and the United States of America, made general comments in relation to the draft resolution.

118. 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.

119. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/6).

#### **Arbitrary detention**

120. At the 34th meeting, on 26 September 2013, the representative of France introduced draft resolution A/HRC/24/L.15, sponsored by France and co-sponsored by Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, Germany, Greece, Honduras, Hungary, Ireland, Italy, Latvia, Lebanon, Lithuania, Luxembourg,

Mexico, Montenegro, Netherlands, Norway, Paraguay, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Albania, Angola, Botswana, El Salvador, Ghana, Iceland, Japan, Maldives, Malta, Monaco, Morocco, New Zealand, Panama, Peru, Republic of Korea, Republic of Moldova, Saint Kitts and Nevis, Senegal, Serbia, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Ukraine and United States of America joined the sponsors.

121. 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.

122. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/7).

### **Equal political participation**

123. At the 34th meeting, on 26 September 2013, the representative of the Czech Republic introduced draft resolution A/HRC/24/L.18/Rev.1, sponsored by Botswana, Czech Republic, Indonesia, Netherlands and Peru and co-sponsored by Angola, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, Denmark, Ecuador, Estonia, France, Finland, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mexico, Montenegro, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Republic of Moldova, Romania, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Sri Lanka, Sweden, Thailand, Timor-Leste, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland. Subsequently, Albania, Benin, Canada, Guatemala, Guinea, India, Japan, Liechtenstein, Namibia, Philippines, Republic of Korea, Rwanda, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Ukraine, United States of America, Uruguay joined the sponsors.

124. At the same meeting, the representative of Switzerland made general comments in relation to the draft resolution.

125. 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.

126. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/8).

### **Human rights and indigenous peoples: mandate of the Special rapporteur on the rights of indigenous peoples**

127. At the 34th meeting, on 26 September 2013, the representative of Mexico introduced draft resolution A/HRC/24/L.21, sponsored by Guatemala and Mexico and co-sponsored by Austria, Congo, Cuba (on behalf of the Community of Latin American and Caribbean States), Denmark, Estonia, Finland, Germany, Greece, Hungary, Lebanon, New Zealand, Norway, Russian Federation, Spain and Sweden. Subsequently, Angola, Australia, Benin, Bosnia and Herzegovina, Canada, Côte d'Ivoire, Cyprus, Djibouti, Iceland, Lithuania, Montenegro, Namibia, Poland, Senegal, Slovenia, Togo and United States of America joined the sponsors.

128. 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.

129. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/9).

#### **Human rights and indigenous peoples**

130. At the 34th meeting, on 26 September 2013, the representatives of Guatemala introduced draft resolution A/HRC/24/L.22, sponsored by Guatemala and Mexico and co-sponsored by Australia, Austria, Congo, Cuba (on behalf of the Community of Latin American and Caribbean States), Denmark, Estonia, Finland, Germany, Greece, Hungary, New Zealand, Norway, Spain. Subsequently, Angola, Benin, Canada, Côte d'Ivoire, Cyprus, Djibouti, Iceland, Lithuania, Montenegro, Poland, Senegal, Slovenia, Sri Lanka, Sweden, Togo, United States of America joined the sponsors.

131. At the same meeting, the representative of the United States of America made general comments in relation to the draft resolution.

132. 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.

133. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/10).

#### **Preventable mortality and morbidity of children under 5 years of age as a human rights concern**

134. At the 34th meeting, on 26 September 2013, the representatives of Ireland and Botswana introduced draft resolution A/HRC/24/L.27, sponsored by Austria, Botswana, Ireland, Mongolia and Uruguay and co-sponsored by Albania, Armenia, Australia, Belarus, Benin, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Iceland, Italy, Kyrgyzstan, Libya, Luxembourg, Mexico, Montenegro, Norway, Paraguay, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan and Yemen. Subsequently, Andorra, Angola, Belgium, Brazil, Bulgaria, Burkina Faso, Canada, Cape Verde, Côte d'Ivoire, Czech Republic, Hungary, Kazakhstan, Latvia, Lithuania, Maldives, Malta, Monaco, Netherlands, New Zealand, Nicaragua, Panama, Peru, Republic of Korea, Republic of Moldova, Rwanda, Serbia, Sierra Leone, Singapore, Thailand, Togo, Turkey and Venezuela (Bolivarian Republic of) joined the sponsors.

135. 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.

136. At the same meeting, the representatives of Japan and the United States of America made statements in explanation of vote before the vote.

137. Also at the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/11).

#### **Human rights in the administration of justice, including juvenile justice**

138. At the 34th meeting, on 26 September 2013, the representative of Austria introduced draft resolution A/HRC/24/L.28, sponsored by Austria and co-sponsored by Andorra, Argentina, Belgium, Benin, Botswana, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Mexico, Mongolia, Montenegro, Morocco, Netherlands, Nigeria, Norway, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey,

Uruguay. Subsequently, Angola, Bosnia and Herzegovina, Egypt, El Salvador, Libya, Liechtenstein, Maldives, Monaco, Nicaragua, Republic of Korea, Republic of Moldova, Russian Federation, San Marino, Senegal, Serbia, the former Yugoslav Republic of Macedonia and Ukraine joined the sponsors.

139. 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.

140. At the same meeting, the representatives of Japan and the United States of America made statements in explanation of vote before the vote.

141. Also at the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/12).

#### **The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination**

142. At the 34th meeting, on 26 September 2013, the representative of Cuba introduced draft resolution A/HRC/24/L.29, sponsored by Cuba and co-sponsored by Belarus, Bolivia (Plurinational State of), Djibouti, Dominican Republic, Ecuador, Eritrea, Ethiopia, Honduras, Pakistan, Panama, Russian Federation, South Africa, State of Palestine, Venezuela (Bolivarian Republic of) and Zimbabwe. Subsequently, Algeria, Angola, Botswana, Democratic People's Republic of Korea, El Salvador, Equatorial Guinea, Nicaragua, Senegal, Syrian Arab Republic and Uruguay joined the sponsors.

143. At the same meeting, the representative of Venezuela (Bolivarian Republic of) made general comments in relation to the draft resolution.

144. Also at the same meeting the representatives of Argentina, the United States of America, Switzerland and Estonia, on behalf of States members of the European Union that are members of the Council made statements in explanation of vote before the vote.

145. At the same meeting at the request of the representative of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 31 votes to 15 with one abstention.

146. For the text as adopted, see part one, chapter I, resolution 24/13.

#### **Human rights and unilateral coercive measures**

147. At the 35th meeting, on 27 September 2013, the representative of Iran (Islamic Republic of), on behalf of the Non-Aligned Movement, introduced draft resolution A/HRC/24/L.5/Rev.1, sponsored by Iran (Islamic Republic of) (on behalf of the Non-Aligned Movement), and co-sponsored by State of Palestine (on behalf of the Group of Arab States). Subsequently, Brazil joined the sponsors.

148. At the same meeting, the representative of Venezuela (Bolivarian Republic of) made general comments in relation to the draft resolution.

149. 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.

150. At the same meeting, the representatives of Estonia, on behalf of States members of the European Union that are members of the Council, made a statement in explanation of vote before the vote.

151. Also at the same meeting, at the request of the representative of Estonia, a recorded vote was taken on the draft resolution. The draft resolution was adopted by 31 votes to 15, with 1 abstention.

152. For the text as adopted and voting results, see part one, chapter I, resolution 24/14.

#### **World Programme for Human Rights Education**

153. At the 35th meeting, on 27 September 2013, the representative of Costa Rica introduced draft resolution A/HRC/24/L.12/Rev.1, sponsored by Costa Rica, Italy, Morocco, Philippines, Senegal, Slovenia and Switzerland and co-sponsored by Andorra, Angola, Argentina, Armenia, Austria, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Colombia, Congo, Côte d'Ivoire, Croatia, Cyprus, Djibouti, Equatorial Guinea, Estonia, Germany, Greece, Guatemala, Hungary, Latvia, Lithuania, Luxembourg, Mexico, Peru, Portugal, Qatar, Romania, Slovakia, the former Yugoslav Republic of Macedonia and Venezuela (Bolivarian Republic of). Subsequently, Albania, Chile, Ecuador, France, Georgia, Honduras, Indonesia, Japan, Maldives, Montenegro, Poland, Republic of Korea, Republic of Moldova, San Marino, Serbia, Spain, State of Palestine (on behalf of the Group of Arab States), Thailand, Togo, Turkey, Ukraine and Uruguay joined the sponsors.

154. 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 decision.

155. At the same meeting, the representative of the United States of America, made a statement in explanation of vote before the vote.

156. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/15).

#### **The role of prevention in the promotion and protection of human rights**

157. At the 35th meeting, on 27 September 2013, the representative of Ukraine introduced draft resolution A/HRC/24/L.14/Rev.1, sponsored by Hungary, Maldives, Morocco, Ukraine and Uruguay and co-sponsored by Angola, Armenia, Australia, Austria, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cambodia, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Djibouti, Equatorial Guinea, Estonia, Georgia, Germany, Greece, Guatemala, Ireland, Latvia, Lithuania, Malta, Montenegro, Peru, Poland, Republic of Moldova, Rwanda, Slovakia, Spain, Sweden, Thailand and United States of America. Subsequently, Argentina, Benin, Botswana, Brazil, Cyprus, Denmark, El Salvador, France, Honduras, Indonesia, Italy, New Zealand, Nicaragua, Portugal, Republic of Korea, San Marino, Senegal, Serbia, Sierra Leone, State of Palestine (on behalf of the Group of Arab States) and Togo joined the sponsors.

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

159. 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.

160. At the same meeting, the draft resolution as orally revised was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/16).

### **Conscientious objection to military service**

161. At the 35th meeting, on 27 September 2013, the representative of Croatia introduced draft resolution A/HRC/L.23, sponsored by Costa Rica, Croatia and Poland and co-sponsored by Austria, Belgium, Bosnia and Herzegovina, Czech Republic, Ecuador, Estonia, France, Georgia, Germany, Honduras, Hungary, Ireland, Italy, Latvia, Luxembourg, Montenegro, Panama, Romania, Slovakia, Slovenia, Spain, Switzerland and United Kingdom of Great Britain and Northern Ireland. Subsequently, Albania, Australia, Bulgaria, Denmark, Lithuania, New Zealand, Nicaragua, Norway, Portugal, San Marino, Serbia, Sweden, the former Yugoslav Republic of Macedonia and Uruguay joined the sponsors.

162. At the same meeting, the representative of Croatia orally revised the draft resolution.

163. At the same meeting representatives of the United States of America and the Republic of Korea made statements in explanation of the vote before the vote.

164. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/17).

165. At the 37th meeting, on 27 September, the representative of Chile made a statement in explanation of vote after the vote.

### **The human right to safe drinking water and sanitation**

166. At the 35th meeting, on 27 September 2013, the representatives of Germany and Spain introduced draft resolution A/HRC/24/L.31, sponsored by Germany and Spain and co-sponsored by Albania, Andorra, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Greece, Honduras, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Mexico, Montenegro, Morocco, Netherlands, Nigeria, Norway, Paraguay, Poland, Portugal, Qatar, Romania, Slovakia, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Armenia, El Salvador, Gabon (on behalf of the Group of African States), Ireland, Liechtenstein, Monaco, Nicaragua, Panama, Peru, Republic of Moldova, San Marino, Serbia, Switzerland and Ukraine joined the sponsors.

167. At the same meeting, the representatives of Ecuador and Brazil made general comments in relation to the draft resolution.

168. Also at the same meeting, the representative of the United States of America made general comments in relation to the draft resolution, disassociating the delegation from the consensus on preambular paragraph 15 of the draft resolution.

169. Also at the same meeting the representative of Argentina made a statement in explanation of vote before the vote.

170. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/18).

### **Regional arrangements for the promotion and protection of human rights**

171. At the 35th meeting, on 27 September 2013, the representative of Belgium introduced draft resolution A/HRC/24/L.35, sponsored by Armenia, Belgium, Mexico, Senegal and Thailand and co-sponsored by Austria, Bosnia and Herzegovina, Chile, Costa Rica, Croatia, Cyprus, Estonia, Finland, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Montenegro, Netherlands, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Slovakia, Slovenia, Spain, Switzerland, Turkey and Uruguay. Subsequently, Bulgaria, Denmark, France, Gabon (on behalf of the Group of

African States), Indonesia, Nicaragua, Republic of Korea, Republic of Moldova and Serbia joined the sponsors.

172. 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.

173. At the same meeting, the representative of Japan made general comments in relation to the draft resolution.

174. Also at the same meeting, the representative of the United States of America made general comments in relation to the draft resolution, disassociating the delegation from the consensus on the draft resolution.

175. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/19).

#### **The human rights of older persons**

176. At the 35th meeting, on 27 September 2013, the representative of Argentina introduced draft resolution A/HRC/24/L.37/Rev.1, sponsored by Argentina and Brazil and co-sponsored by Bosnia and Herzegovina, Cuba (on behalf of the Community of Latin American and Caribbean States), Djibouti, Ethiopia and Turkey. Subsequently, Albania, Angola, Cambodia, Côte d'Ivoire, Ireland, Morocco, Mozambique, Namibia, Portugal, Senegal, Slovenia, State of Palestine, Timor-Leste, Togo and Tunisia joined the sponsors.

177. At the same meeting, the representatives of Estonia, on behalf of States members of the European Union that are members of the Council, and Switzerland made general comments in relation to the draft resolution.

178. 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.

179. Also at the same meeting the representatives of Japan and the United States of America made statements in explanation of vote before the vote.

180. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/20).

#### **Civil society space: creating and maintaining, in law and in practice, a safe and enabling environment**

181. At the 35th meeting, on 27 September 2013, the representative of Ireland, Japan and Tunisia introduced draft resolution A/HRC/24/L.24, sponsored by Chile, Ireland, Japan, Sierra Leone and Tunisia and co-sponsored by Albania, Australia, Austria, Belgium, Benin, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Honduras, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Peru, Romania, Slovenia, Spain, Sweden, Switzerland and United States of America. Subsequently, Angola, Argentina, Brazil, Bulgaria, Canada, Côte d'Ivoire, France, Guatemala, Maldives, Mexico, Montenegro, New Zealand, Poland, Portugal, Republic of Korea, Republic of Moldova, Senegal, Slovakia, State of Palestine, Turkey, United Kingdom of Great Britain and Northern Ireland and Uruguay joined the sponsors.

182. At the same meeting, the representative of Ireland orally revised the draft resolution.

183. At the same meeting, the representative of Cuba announced that the amendment A/HRC/24/L.50 had been withdrawn.

184. Also at the same meeting, the representative of Cuba introduced amendments A/HRC/24/L.51 and A/HRC/24/L.52 to the draft resolution A/HRC/24/L.24. Amendment A/HRC/24/L.51 was sponsored by Algeria, China, Cuba, Djibouti, Ethiopia, India, Pakistan, Russian Federation, South Africa, Uganda and Venezuela (Bolivarian Republic of). Amendment A/HRC/24/L.52 was sponsored by Algeria, Cuba, Egypt, Ethiopia, India, Pakistan, Saudi Arabia, South Africa, Uganda and Venezuela (Bolivarian Republic of).

185. At the same meeting, the representative of Pakistan announced that the amendment A/HRC/24/L.53 had been withdrawn

186. Also at the same meeting, the representative of Pakistan introduced amendment A/HRC/24/L.54 to the draft resolution A/HRC/24/L.24. Amendment A/HRC/24/L.54 was sponsored by Algeria, China, Cuba, Ecuador, Egypt, Ethiopia, India, Pakistan, Russian Federation, Saudi Arabia, South Africa, United Arab Emirates and Venezuela (Bolivarian Republic of).

187. At the same meeting, the representatives of Austria, Chile, Costa Rica, Japan, Switzerland and the United States of America made general comments in relation to the draft resolution and amendments.

188. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution and the amendments.

189. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.51. The amendment was rejected by 12 votes to 28, with 7 abstentions.

190. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.52. The amendment was rejected by 11 votes to 28, with 8 abstentions.

191. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.54. The amendment was rejected by 14 votes to 27, with 6 abstentions.

192. At the same meeting, the representatives of Brazil, Ethiopia, India, Pakistan and Qatar made statements in explanation of vote before the vote in relation to the draft resolution A/HRC/24/L.24 as orally revised. Ethiopia, India, Pakistan and Qatar made general comments disassociating themselves from the consensus on the draft resolution.

193. At the same meeting, the draft resolution, as orally revised, was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/21).

194. At the 37th meeting, on 27 September, the representative of Malaysia made a statement in explanation of vote after the vote.

#### **Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps**

195. At the 37th meeting, on 27 September 2013, the representative of Sierra Leone introduced draft resolution A/HRC/24/L.34/Rev.1, sponsored by Argentina, Canada, Ethiopia, Finland, Honduras, Italy, Maldives, Montenegro, Netherlands, Poland, Sierra Leone, Switzerland and Uruguay and co-sponsored by Albania, Angola, Armenia, Australia, Austria, Belgium, Benin, Bolivia (Plurinational State of), Bulgaria, Chad, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Estonia, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Jordan, Kyrgyzstan, Latvia, Liechtenstein, Luxembourg, Malta, Morocco,

Norway, Panama, Paraguay, Peru, Portugal, Romania, Rwanda, Singapore, Slovakia, Slovenia, Somalia, South Sudan, Spain, State of Palestine, Sweden, Tajikistan, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen. Subsequently, Algeria, Andorra, Bahamas, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Cambodia, Congo, Cuba, Democratic Republic of the Congo, El Salvador, Eritrea, France, Ghana, Guinea, Haiti, Jamaica, Japan, Kenya, Lebanon, Lithuania, Madagascar, Monaco, Mozambique, Namibia, Nepal, New Zealand, Nicaragua, Republic of Korea, Republic of Moldova, Senegal, Serbia, Timor-Leste, Togo, Uganda, Ukraine, Venezuela (Bolivarian Republic of) and Zambia joined the sponsors.

196. At the same meeting the representative of Sierra Leone orally revised the draft resolution.

197. At the same meeting, the representative of the India made general comments in relation to the draft resolution.

198. 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.

199. At the same meeting, the draft resolution as orally revised was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/23).

#### **Impact of arms transfers on human rights in armed conflict**

200. At the 37th meeting, on 27 September 2013, the representatives of Ecuador, Costa Rica and Peru introduced draft resolution A/HRC/24/L.32/Rev.1, sponsored by Costa Rica, Ecuador and Peru and co-sponsored by Angola, Chile, Dominican Republic, Honduras, Guatemala, Libya, Mexico, Panama, Switzerland and Uruguay. Subsequently, Argentina, Brazil, Congo, Djibouti, Kenya, Liechtenstein, Morocco, Namibia, Nigeria, Republic of Moldova, Sierra Leone, State of Palestine and Togo joined the sponsors.

201. At the same meeting, the representatives of Ecuador, Costa Rica and Peru orally revised the draft resolution.

202. At the same meeting, the representative of Switzerland made general comments in relation to the draft resolution.

203. At the same meeting the representatives of Estonia, on behalf of States members of the European Union that are members of the Council, Indonesia, Japan, Pakistan the Republic of Korea and the United States of America made statements in explanation of vote before the vote.

204. At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution as orally revised was adopted by 42 votes to one with 4 abstentions. For the text as adopted, see part one, chapter I, resolution 24/35).

#### **Panel discussion on the safety of journalists**

205. At the 34th meeting, on 26 September 2013, the representative of Austria introduced draft decision A/HRC/24/L.13, sponsored by Austria, Brazil, Morocco, Tunisia and Switzerland and co-sponsored by Australia, Belgium, Benin, Botswana, Bulgaria, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Equatorial Guinea, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kazakhstan, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Paraguay, Peru, Poland, Portugal, Qatar,

Romania, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Yemen. Subsequently, Albania, Angola, Argentina, Bosnia and Herzegovina, Canada, Cape Verde, Côte d'Ivoire, El Salvador, Kenya, Namibia, Republic of Korea, Republic of Moldova, Russian Federation, San Marino, Senegal, Serbia, Sierra Leone, Somalia, State of Palestine (on behalf of the Group of Arab States), the former Yugoslav Republic of Macedonia, Turkey and Ukraine joined the sponsors.

206. 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.

207. At the same meeting, the draft decision was adopted without a vote (for the text of the decision, see part one, chapter II, decision 24/116).

#### **High-level panel on the identification of good practices in combatting female genital mutilation**

208. At the 35th meeting, on 27 September 2013, the representative of Gabon, on behalf of the Group of African States, introduced draft decision A/HRC/24/L.11, sponsored by Chile, Gabon (on behalf of the Group of African States) and Guatemala. Subsequently, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Honduras, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay joined the sponsors.

209. 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 decision.

210. At the same meeting, the draft decision was adopted without a vote (for the text as adopted, see part one, chapter I, decision 24/117).

## **IV. Human rights situations that require the Council's attention**

### **A. Report of the Special Rapporteur on the human rights of internally displaced persons**

211. At the 12th meeting, on 16 September 2013, the Special Rapporteur on the human rights of internally displaced persons, pursuant to Human Rights Council resolution 23/26, presented the report he submitted to the General Assembly on the very dire situation of internally displaced persons in the Syrian Arab Republic in terms of safety and their basic rights and livelihood, in accordance with Assembly resolution 67/262 (A/HRC/24/58).

### **B. Interactive dialogue with the commission of inquiry on the Syrian Arab Republic**

212. At the 12th meeting, on 16 September 2013, the Chairperson of the independent international commission of inquiry on the Syrian Arab Republic, Paulo Pinheiro, presented the report of the commission of inquiry (A/HRC/24/46), pursuant to Human Rights Council resolution 23/1.

213. At the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

214. During the ensuing interactive dialogue at the 12th and 13th meetings, on the same day, and the 14th meeting on 17 September 2013, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Angola, Argentina, Austria, Bahrain<sup>88</sup> (on behalf of the Gulf Cooperation Council), Benin, Botswana, Brazil, Chile, Cuba<sup>88</sup> (also on behalf of the Community of Latin American and Caribbean States), Czech Republic, Ecuador, Estonia, Germany, Guatemala, Indonesia, Ireland, Italy, Japan, Kuwait, Libya, Malaysia, Maldives, Poland, Qatar, Republic of Korea, Romania, Sierra Leone, Switzerland, Thailand, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Albania, Australia, Belarus, Belgium, Canada, China, Croatia, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, France, Iran (Islamic Republic of), Jordan, Latvia, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Paraguay, Portugal, Russian Federation, Saudi Arabia, Slovakia, South Africa, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for the Holy See;

(d) Observer for United Nations entities, specialized agencies and related organization: United Nations Children's Fund (UNICEF);

(e) Observer for an intergovernmental organization: European Union;

(f) Observers for non-governmental organizations: Amnesty International, BADIL Resource Center for Palestinian Residency and Refugee Rights, Cairo Institute for Human Rights Studies, Center for Inquiry, CIVICUS - World Alliance for Citizen

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<sup>88</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

Participation, International Association of Jewish Lawyers and Jurists, International Commission of Jurists, Presse Embleme Campagne, Syriac Universal Alliance, The Federation Syriaque International, Union of Arab Jurists, Verein Sudwind Entwicklungspolitik, Women's International League for Peace and Freedom.

215. At the 14th meeting, the Chairperson of the commission of inquiry answered questions and made concluding remarks. At the same meeting, the Special Rapporteur on the human rights of internally displaced persons made concluding remarks.

### **C. Interactive dialogue with the commission of inquiry on the Democratic People's Republic of Korea**

216. At the 14th meeting, on 17 September 2013, the Chairperson of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, Michael Donald Kirby, presented an oral update, pursuant to Human Rights Council resolution 22/13.

217. At the same meeting, the representative of the Democratic People's Republic of Korea made a statement as the country concerned.

218. During the ensuing interactive dialogue at the 14th meeting on the same day, the following made statements:

(a) Representatives of States Members of the Human Rights Council: Czech Republic, Germany, Ireland, Japan, Poland, Republic of Korea, Switzerland, Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Australia, Belarus, Canada, China, Cuba, France, Iran (Islamic Republic of), Lao People's Democratic Republic, Myanmar, New Zealand, Slovakia, Sudan, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, Viet Nam;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: Human Rights Watch, Jubilee Campaign, United Nations Watch.

219. At the 14th meeting, the Chairperson of the commission of inquiry answered questions and made concluding remarks.

### **D. General debate on agenda item 4**

220. At its 15th, on 17 September 2013, and at its 21st meeting, on 19 September 2013, the Human Rights Council held a general debate on agenda item 4, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Austria, Czech Republic, Ecuador, Germany, Ireland, Japan, Lithuania<sup>89</sup> (on behalf of the European Union and Iceland, Liechtenstein, Montenegro, the former Yugoslav Republic of Macedonia), Montenegro, Spain, State of Palestine<sup>89</sup> (on behalf of the Group of Arab States), Switzerland, United States of America;

(b) Representatives of observer States: Armenia, Australia, Azerbaijan, Belarus, Belgium, Canada, China, Cuba, Democratic People's Republic of Korea, Denmark, France,

<sup>89</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

Iran (Islamic Republic of), Iraq, Myanmar, Netherlands, New Zealand, Norway, Slovakia, Slovenia, United Kingdom of Great Britain and Northern Ireland, Uruguay;

(c) Observers for non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Agence Internationale pour le Développement, Agir Ensemble pour les Droits de l'Homme, Amnesty International, Asian Forum for Human Rights and Development, Asian Legal Resource Centre, Association for Progressive Communications (APC), Auspice Stella, Baha'i International Community, British Humanist Association, Cairo Institute for Human Rights Studies, Center for Inquiry, Centre for Human Rights and Peace Advocacy, The Charitable Institute for Protecting Social Victims, CIVICUS - World Alliance for Citizen Participation, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC), Franciscans International (also on behalf of VIVAT International), General Arab Women Federation, Helsinki Foundation for Human Rights, Human Rights House Foundation, Human Rights Law Centre, Human Rights Watch, Imam Ali's Popular Students Relief Society, Institute for Women's Studies and Research, International Association of Democratic Lawyers (IADL), International Buddhist Relief Organisation, International Committee for the Indians of the Americas (Switzerland), International Commission of Jurists, International Educational Development Inc., International Federation for Human Rights Leagues, International Humanist and Ethical Union, International Lesbian and Gay Association, International Muslim Women's Union, International Organization for the Elimination of All Forms of Racial Discrimination, Islamic Women's Institute of Iran, Jubilee Campaign, Liberal International (World Liberal Union), Liberation, Maarij Foundation for Peace and Development, Mouvement contre le racisme et pour l'amitié entre les peuples, Nonviolent Radical Party, Transnational and Transparty, Organization for Defending Victims of Violence, Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale – OCAPROCE Internationale, Presse Embleme Campagne, Prevention Association of Social Harms (PASH), Rencontre Africaine pour la defense des droits de l'homme, Reporters Sans Frontiers International - Reporters Without Borders International, Society of Iranian Women Advocating Sustainable Development of Environment, Sudanese Women General Union, Transparency International, United Nations Watch, Union of Arab Jurists, United Towns Agency for North-South Cooperation, World Barua Organization (WBO), Women's Human Rights International Association, World Muslim Congress, Verein Sudwind Entwicklungspolitik.

221. At the 21st meeting, on 19 September 2013, statements in exercise of the right of reply were made by the representatives of Armenia, Azerbaijan, China, Cuba, Ecuador, Uzbekistan, Egypt, Eritrea, Iran (Islamic Republic of), Japan, Nepal, Iraq, Russian Federation, Sri Lanka, Sudan, Turkmenistan, Venezuela (Bolivarian Republic of), Zimbabwe.

222. At the same meeting, statements in exercise of a second right of reply were made by the representatives of Armenia and Azerbaijan.

#### **D. Consideration of and action on draft proposals**

##### **The continuing grave deterioration of the human rights and humanitarian situation in the Syrian Arab Republic**

223. At the 36th meeting, on 27 September 2013, the representative of the United States of America introduced draft resolution A/HRC/24/L.38, sponsored by France, Germany, Italy, Jordan, Kuwait, Morocco, Qatar, Saudi Arabia, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America and co-sponsored by Albania, Australia, Bahrain, Belgium, Bosnia and Herzegovina, Botswana, Canada, Denmark,

Djibouti, Hungary, Luxembourg, Maldives, Montenegro, Norway, Republic of Korea, Slovenia, Spain, United Arab Emirates and Yemen. Subsequently, Andorra, Austria, Bulgaria, Chile, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Estonia, Finland, Greece, Iceland, Ireland, Japan, Latvia, Lithuania, Malta, Mexico, Monaco, Netherlands, New Zealand, Oman, Poland, Portugal, Republic of Moldova, Romania, Saint Kitts and Nevis, San Marino, Senegal, Slovakia, Sweden, the former Yugoslav Republic of Macedonia and Tunisia joined the sponsors.

224. At the same meeting, the representative of the United States of America orally revised the draft resolution.

225. Also at the same meeting, the representatives of Brazil, Estonia, on behalf of States members of the European Union that are members of the Council, Indonesia and Switzerland made general comments in relation to the draft resolution.

226. At the same meeting, the representative of the Syrian Arab Republic made a statement as the country concerned.

227. Also at the same meeting, the representatives of Argentina, the Bolivarian Republic of Venezuela, Ecuador, India and Pakistan made statements in explanation of vote before the vote.

228. At the request of the representative of the Bolivarian Republic of Venezuela, a recorded vote was taken on the draft resolution. The draft resolution as orally revised was adopted by 40 votes to one with 6 abstentions.

229. For the text as adopted, see part one, chapter I, resolution 24/22.

## **V. Human rights bodies and mechanisms**

### **A. Complaint procedure**

230. At its 26th meeting, on 23 September 2013, the Human Rights Council held a closed meeting of the complaint procedure.

231. At the 28th meeting, on 24 September 2013, the President made a statement on the outcome of the meetings, stating that the Human Rights Council had examined, in a closed meeting, the report of the Working Group on Situations on its twelfth session, under the complaint procedure established pursuant to Human Rights Council resolution 5/1. No case was referred by the Working Group on Situations to the Human Rights Council for action at its twenty-fourth session.

### **B. Expert Mechanism on the Rights of Indigenous Peoples**

232. At the 17th meeting, on 18 September 2013, the Chairperson-Rapporteur of the Expert Mechanism on the Rights of Indigenous Peoples, Wilton Littlechild, presented the reports of the Expert Mechanism (A/HRC/24/49, 50 and 51).

233. At the same meeting, and at the 18th meeting, on 18 September 2013, the Human Rights Council held an interactive dialogue on the human rights of indigenous peoples (see chapter III, B above).

### **C. Interactive dialogue with the Advisory Committee**

234. At the 18th meeting, on 18 September 2013, the Chairperson of the Advisory Committee, Wolfgang Heinz, presented the Committee's reports (A/HRC/24/47 and 48).

235. During the ensuing interactive dialogue, at the same meeting the following made statements:

(a) Representatives of States Members of the Human Rights Council: Gabon (on behalf of the Group of African States), Maldives, United States of America, Venezuela (Bolivarian Republic of),

(b) Representatives of observer States: Algeria, Djibouti, Morocco;

(c) Observer for an intergovernmental institution: European Union;

236. At the 18th meeting, the Chairperson of the Advisory Committee answered questions and made concluding remarks.

### **D. General debate on agenda item 5**

237. At its 18th meeting, on 18 September 2013, the Human Rights Council held a general debate on agenda item 5, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Lithuania<sup>90</sup> (on behalf of the European Union, Albania, Armenia, Georgia, Bosnia and Herzegovina,

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<sup>90</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

Montenegro, Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.), Latvia<sup>91</sup> (also on behalf of Albania, Andorra, Argentina, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Lebanon, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uruguay), Italy, Ireland, Sierra Leone, Switzerland;

(b) Representatives of observer States: China, Cuba, South Africa, Hungary;

(c) Observer for an intergovernmental institution: Council of Europe;

(d) Observers for non-governmental organizations: Center for Environmental and Management Studies, Centre for Human Rights and Peace Advocacy, Commission to Study the Organization of Peace, Commonwealth Human Rights Initiative, East and Horn of Africa Human Rights, Defenders Project, European Union of Public Relations, France Libertes: Fondation Danielle Mitterrand, Helios Life Association, Indian Council of South America, International Association for Democracy in Africa, International Association of Schools of Social Work, International Buddhist Relief Organisation, International Commission of Jurists, International Service for Human Rights, Kham Rehabilitation Center for Victims of Torture, Liberation, Maarif Foundation for Peace and Development, United Schools International, Verein Sudwind Entwicklungspolitik, World Barua Organization (WBO), World Environment and Resources Council (WERC).

238. At the 18th meeting, on the same day, statements in exercise of the right of reply were made by the representatives of Argentina and Malaysia.

## **E. Consideration of and action on draft proposals**

### **Cooperation with the United Nations, its representatives and mechanisms in the field of human rights**

239. At the 37th meeting, on 27 September 2013, the representative of Hungary introduced draft resolution A/HRC/24/L.17/Rev.1, sponsored by Hungary and co-sponsored by Albania, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Iceland, Ireland, Italy, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mexico, Montenegro, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, United States of America and Uruguay. Subsequently Andorra, Benin, Côte d'Ivoire, Japan, Monaco, Republic of Moldova, Senegal, Swaziland, Timor-Leste, Togo and Ukraine joined the sponsors.

240. At the same meeting, the representative of Hungary orally revised the draft resolution.

<sup>91</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

241. At the same meeting, the representative of the Russian Federation announced that the amendments A/HRC/24/L.42 and A/HRC/24/L.49 had been withdrawn.

242. Also at the same meeting, the representative of the Russian Federation introduced amendment A/HRC/24/L.40 to the draft resolution A/HRC/24/L.17/Rev.1. Amendment A/HRC/24/L.40 was sponsored by Algeria, Belarus, China, Cuba, Egypt, Ethiopia, India, Pakistan, Russian Federation, South Africa and Venezuela (Bolivarian Republic of). Subsequently, Bangladesh and Malaysia joined the sponsors.

243. Also at the same meeting, the representative of Venezuela (Bolivarian Republic of) introduced amendments A/HRC/24/L.41 and A/HRC/24/L.43 to the draft resolution A/HRC/24/L.17/Rev.1. Amendment A/HRC/24/L.41 was sponsored by Algeria, Belarus, China, Cuba, Egypt, Ethiopia, India, Pakistan, Russian Federation, South Africa, Venezuela (Bolivarian Republic of). Subsequently, Bangladesh and Malaysia joined the sponsors. Amendment A/HRC/24/L.43 was sponsored by Algeria, Belarus, China, Cuba, Egypt, Ethiopia, India, Pakistan, Russian Federation, South Africa and Venezuela (Bolivarian Republic of). Subsequently, Bangladesh and Malaysia joined the sponsors.

244. Also at the same meeting, the representative of China introduced amendment A/HRC/24/L.44 to the draft resolution A/HRC/24/L.17/Rev.1. Amendment A/HRC/24/L.44 was sponsored by Algeria, Belarus, China, Cuba, Egypt, Ethiopia, India, Pakistan, Russian Federation, South Africa and Venezuela (Bolivarian Republic of). Subsequently, Bangladesh and Malaysia joined the sponsors.

245. At the same meeting, the representative of India announced that the amendment A/HRC/24/L.45 had been withdrawn.

246. Also at the same meeting, the representative of India introduced amendments A/HRC/24/L.46 and A/HRC/24/L.48 to the draft resolution A/HRC/24/L.17/Rev.1. Amendment A/HRC/24/L.46 was sponsored by Algeria, Belarus, China, Cuba, Ethiopia, India, Indonesia, Pakistan, Russian Federation, South Africa and Venezuela (Bolivarian Republic of). Subsequently, Bangladesh and Malaysia joined the sponsors. Amendment A/HRC/24/L.48 was sponsored by Algeria, Belarus, China, Cuba, Egypt, Ethiopia, India, Pakistan, Russian Federation, South Africa and Venezuela (Bolivarian Republic of). Subsequently, Bangladesh and Malaysia joined the sponsors.

247. At the same meeting, the representative of India orally revised the draft amendment A/HRC/24/L.46.

248. Also at the same meeting, the representative of Pakistan introduced amendment A/HRC/24/L.47 to the draft resolution A/HRC/24/L.17/Rev.1. Amendment A/HRC/24/L.47 was sponsored by Algeria, Belarus, China, Cuba, Ethiopia, India, Indonesia, Pakistan, Russian Federation, South Africa and Venezuela (Bolivarian Republic of). Subsequently, Bangladesh and Malaysia joined the sponsors.

249. At the same meeting, the representatives of Austria, Costa Rica, Germany, Ethiopia, Maldives and Switzerland made general comments in relation to the draft resolution and amendments.

250. Also at the same meeting, in accordance with rule 153 of the rules of procedures of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications of the draft resolution and the amendments.

251. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.40. The amendment was rejected by 15 votes to 30, with 2 abstentions.

252. Also at the same meeting, the representative of Switzerland made a statement in explanation of vote before the vote in relation to A/HRC/24/L.41.

253. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.41. The amendment was rejected by 15 votes to 28, with 4 abstentions.

254. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.43. The amendment was rejected by 15 votes to 28, with 4 abstentions.

255. Also at the same meeting, the representative of Switzerland made a statement in explanation of vote before the vote in relation to A/HRC/24/L.44

256. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.44. The amendment was rejected by 17 votes to 27, with 3 abstentions.

257. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.46 as orally revised. The amendment as orally revised was rejected by 16 votes to 27, with 4 abstentions.

258. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.47. The amendment was rejected by 16 votes to 27, with 4 abstentions.

259. Also at the same meeting, at the request of Ireland, a recorded vote was taken on amendment A/HRC/24/L.48. The amendment was rejected by 16 votes to 27, with 4 abstentions.

260. At the same meeting, the representatives of India, Indonesia, Malaysia, Pakistan, the United States of America and Venezuela (Bolivarian Republic of) made statements in explanation of vote before the vote in relation to the draft resolution A/HRC/24/L.24 as orally revised.

261. Also at the same meeting, at the request of the representative of India, a separate vote on the deletion of operative paragraph 8 of the draft resolution A/HRC/24/L.24 as orally revised was taken. The motion to delete operative paragraph 8 from the draft resolution A/HRC/24/L.24 as orally revised was rejected by 30 votes to 15 against, with 2 abstentions.

262. Also at the same meeting, at the request of the representative of Venezuela (Bolivarian Republic of), a recorded vote was taken on the draft resolution as orally revised. The draft resolution, as orally revised, was adopted by 31 votes to 1, with 15 abstentions.<sup>92</sup>

263. For the text as adopted and voting results, see part one, chapter I, resolution 24/24.

### **The Social Forum**

264. At the 37th meeting, on 27 September 2013, the representative of Cuba introduced draft resolution A/HRC/24/L.30, sponsored by Cuba and co-sponsored by Argentina, Belarus, Bolivia (Plurinational State of), Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Honduras, Jordan, Lebanon, Morocco, Panama, Peru, Qatar, South Africa, Sri Lanka, State of Palestine, Venezuela (Bolivarian Republic of) and

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<sup>92</sup> The representative of Gabon subsequently stated that there had been an error in its vote and that it had intended to vote in favour.

Zimbabwe. Subsequently, Bangladesh, Botswana, Colombia, Democratic People's Republic of Korea, Indonesia, Malaysia, Nicaragua, Rwanda, Senegal, State of Palestine (on behalf of the Group of Arab States), Togo, Uruguay and Viet Nam joined the sponsors.

265. At the same meeting, the representative of Venezuela (Bolivarian Republic of) made general comments in relation to the draft resolution.

266. Also at the same meeting, the representatives of Estonia, on behalf of States members of the European Union that are also members of the Council, Japan, Montenegro and the United States of America made general comments in relation to the draft resolution, disassociating their delegations from the consensus on the draft resolution.

267. Also at the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/25).

#### **Establishment of a special fund for the participation of civil society in the Social Forum, the Forum on Minority Issues and the Forum on Business and Human Rights**

268. At the 37th meeting, on 27 September 2013, the representatives of Austria, Cuba and Norway introduced draft resolution A/HRC/24/L.16, sponsored by Austria, Cuba and Norway and co-sponsored by Bolivia (Plurinational State of), Costa Rica, Djibouti, Dominican Republic, Hungary, Ireland, Jordan, Lebanon, Luxembourg, Spain and State of Palestine. Subsequently, Albania, Botswana, Côte d'Ivoire, Democratic Republic of the Congo, El Salvador, Libya, Maldives, Morocco, Nicaragua, Peru, South Africa, Switzerland, Thailand, Togo, United States of America, Uruguay and Venezuela (Bolivarian Republic of) joined the sponsors.

269. At the same meeting, the draft resolution was adopted without a vote (for the text of the decision, see part one, chapter II, decision 24/118).

#### **Reports of the Advisory Committee**

270. At the 37th meeting, on 27 September 2013, the President of the Human Rights Council introduced draft President's statement A/HRC/24/L.57.

271. At the same meeting, the President's Statement was adopted without a vote (for the text of the statement, see part one, chapter III, PRST 24/1).

## VI. Universal periodic review

272. Pursuant to General Assembly resolution 60/251, Human Rights Council resolutions 5/1 and 16/21, Human Rights Council decision 17/119 and President's statements PRST/8/1 and PRST/9/2 on modalities and practices for the universal periodic review process, the Human Rights Council considered the outcome of the reviews conducted during the thirteenth session of the Working Group on the Universal Periodic Review held from 21 May to 4 June 2012.

### A. Consideration of universal periodic review outcomes

273. In accordance with paragraph 4.3 of President's statement PRST/8/1, the following section contains a summary of the views expressed on the outcome by States under review, Member and Observer States of the Human Rights Council, as well as general comments made by other relevant stakeholders before the adoption of the outcome by the plenary.

#### Turkmenistan

274. The review of Turkmenistan was held on 22 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Turkmenistan in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/TKM/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/TKM/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/TKM/3).

275. At its 19th meeting, on 18 September 2013, the Council considered and adopted the outcome of the review of Turkmenistan (see section C below).

276. The outcome of the review of Turkmenistan comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/3), the views of Turkmenistan concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/3/Add.1*).

#### 1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

277. The delegation, which was led by His Excellency Ambassador Esen Aydogdyev, Permanent Representative of Turkmenistan to the United Nations Office in Geneva, reiterated its sincere appreciation to all the delegations which were engaged in the constructive dialogue during Working Group. It also expressed special gratitude to the members of the Troika – Botswana, Ecuador and the Philippines – and to the Secretariat.

278. Turkmenistan attached great importance to the work of the Human Rights Council in the promotion and protection of human rights and expressed its support. It believed that the Universal Periodic Review reinforced its commitment to genuine progress in the field of human rights on the ground.

279. Turkmenistan received 183 recommendations during the review of which 85 were accepted at the Working Group session and 90 were taken for consultations and further consideration. The Interagency Commission on the implementation of the international obligations on human rights and international humanitarian law, relevant Government agencies, the National Human Rights Institution and national non-governmental organizations were actively engaged in the consideration of the outstanding recommendations.

280. After the deliberations and consultations, the Government had decided to fully accept 166 recommendations and partially accept one of the 183 recommendations. Sixteen recommendations did not enjoy its support.

281. The majority of the recommendations were in line with the human rights agenda of Turkmenistan and related to: the ratification of international treaties and implementation of the international human rights instruments that it has ratified; the promotion of and increasing of awareness on human rights issues with training for the judiciary and law enforcement bodies on human rights and the prevention of torture; gender equality and the protection of women, children and minorities; the fight against trafficking; the realization of the rights of freedom of expression and access to information; the creation of the independent National Human Rights Institution and; invitations to the Special Rapporteurs.

282. Of the 16 recommendations which did not enjoy Turkmenistan's support, some were not supported due to the lack of evidence cited in the recommendations, for example, recommendations 114.2-114.6, and a number contradict Turkmenistan's legal and cultural foundations.

283. The recommendations related to the Rome Statute of the International Criminal Court would require careful consideration and analysis by the various branches of the Government and legislature before action could be taken on them.

284. The delegation then highlighted some of the main accepted recommendations.

285. Turkmenistan will consider ratification of the Optional Protocol to the Convention against Torture and Other, Cruel, Inhuman or Degrading Treatment or Punishment. Ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is being explored. The ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and of the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure are also in the process of detailed consideration.

286. The recommendations relating to establishing a national human rights institution in line with the Paris Principles were accepted as well as recommendations 113.30-113.47 on the consideration of invitations to the Special Rapporteurs.

287. Turkmenistan accepted recommendations calling for the furthering of the protection of the rights of women. The State provides equal rights for men and women to enjoy the civil and political rights stipulated in the international instruments ratified by the country.

288. The Law on Combating Human Trafficking is aimed at providing guarantees of individual freedom, protection of society against human trafficking, including the trafficking of women. Work on the adoption of new laws on gender equality, women's participation in public affairs and on domestic violence would continue.

289. Turkmenistan accepted recommendations 113.70-113.72 and the competent authorities will verify all complaints regarding human rights violations.

290. Recommendations 113.76-113.79 were accepted. Under the Constitution citizens have the right to form political parties and associations within the framework of the law.

291. According to the Constitution citizens have the right to freedom of opinion and expression, the right to obtain information, if it does not present a state or other secret protected by law.

292. The Law on Media adopted last year guarantees the freedom of the media. No one can prevent the media from the dissemination of information of public interest, except in accordance with the law. Citizens have the right to use any form of media to express an opinion and the freedom to seek, receive and disseminate information cannot be restricted, except in accordance with the law. The Law also provides unhindered access to reports of the foreign media.

293. Turkmenistan accepted recommendation 113.90. The Law on Political Parties adopted in 2012 regulates the rights of citizen to form political parties.

294. The delegation reiterated that Turkmenistan, whose priority is the consistent creation of favourable conditions for the realization of the rights and freedoms of every citizen, will, in cooperation with the United Nations human rights bodies and relevant stakeholders, including national non-governmental organizations, ensure the implementation of the recommendations received within the second cycle of the Universal Periodic Review.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

295. During the adoption of the outcome of the review of Turkmenistan, 14 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>93</sup> are posted on the extranet of the Human Rights Council, if available.

296. Uzbekistan welcomed the constructive approach of Turkmenistan to the Universal Periodic Review process and assessed positively its steps towards securing human rights and freedoms in the framework of its international obligations and national legislation. It noted the acceptance of both of Uzbekistan's recommendations which related to improving access to quality services in the field of health and education and continuing efforts towards realising the Millennium Development Goals. It was convinced that the commitment of the Government to its international obligations would strengthen the system of human rights protection. It wished Turkmenistan success in the implementation of the recommendations.

297. The Venezuela (Bolivarian Republic of) thanked the Turkmenistan delegation for the presentation and stated that the Turkmen Government had dedicated itself to full and open cooperation with the Universal Periodic Review. It approved of the Government's responses, especially in relation to its successful social programmes which were receiving more than 75 per cent of the national budget. It considered that Turkmenistan had successfully completed its second review under this important mechanism especially in its efforts in the field of economic, social and cultural rights and increasing the quality of life, especially for the most vulnerable.

298. Viet Nam thanked the delegation for the presentation and was encouraged to see that Turkmenistan had maintained a good momentum in the protection and promotion of human rights since the April session and had seriously implemented all the accepted recommendations, including two from Viet Nam on fundamental rights and gender equality as well as on the welfare system for vulnerable groups. It noted that Turkmenistan had maintained a constructive, open and responsible participation in the process. It urged the adoption of the report of the Working Group and wished Turkmenistan success in implementation.

<sup>93</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

299. Afghanistan thanked the Ambassador for his statement and recognized the positive engagement of Turkmenistan with the Human Rights Council and in the Universal Periodic Review process and commended it for the accepting the majority of the recommendations, including those suggested by Afghanistan. It endorsed the adoption of the report of the Working Group and wished the Government success in the implementation and follow-up phase.

300. Algeria noted the acceptance of the majority of the recommendations received which showed the excellent cooperation of the country and how open it is to the Universal Periodic Review. It welcomed the acceptance by Turkmenistan of its recommendation relating to pursuing efforts to increase the participation of women in political and public life. This could serve as a beacon in strengthening inclusion and combating discrimination. It was also pleased by the acceptance of its recommendation to set up a national human rights institution; the importance of these institutions has been well established.

301. Belarus appreciated highly Turkmenistan's efforts in encouraging the protection of human rights including legislative measures taken towards the further democratization of state and public life. It noted with satisfaction that Turkmenistan had accepted the majority of the recommendations. It was convinced that implementation would allow the Government to achieve further successes in the realization of human rights and basic freedoms. It welcomed Turkmenistan's accession to new international agreements and its delivery of periodic reports to the treaty bodies. It noted that among the recommendations accepted there were some concerning accession to other treaties.

302. China appreciated the response from the Turkmenistan delegation and commended Turkmenistan for its constructive participation in the Universal Periodic Review and the commitments it has made to implement the recommendations it has accepted. It welcomed the acceptance of its own recommendations relating to education and health, strengthening the building of a social security system and endeavouring to eliminate poverty. It also commended Turkmenistan's new achievements in sustainable economic and social development. China supported the adoption of the report.

303. Cuba thanked the delegation for its presentation and additional comments. Turkmenistan had demonstrated a positive attitude during the review. It recognized the country's progress in the framework of the new Constitution, the dissemination of the human rights instruments, the protection and promotion of the rights of children and women as well as its achievements towards the prevention of HIV/AIDS and in the education system. It welcomed the acceptance of the majority of the recommendations, including its own. Cuba recommended the adoption of the report of the Working Group and wished Turkmenistan success in the implementation of measures.

304. Djibouti noted the exhaustive nature of the Working Group report which gave a very complete picture of the situation of human rights in Turkmenistan. It commended Turkmenistan for having taken advantage of the favourable economic situation and for maintaining its efforts, even during the economic crisis. This demonstrated the Government's willingness to improve the economic, social and cultural wellbeing of its citizens and to further the achievement of their relevant rights. It referred to Turkmenistan's process of harmonizing legislation and its accession to a number of international human rights instruments and its demonstrated commitment to honour the recommendations.

305. Iran (Islamic Republic of) welcomed the delegation and thanked Turkmenistan for its informative report. It praised Turkmenistan's active participation in the Universal Periodic Review mechanism which had demonstrated its commitment to the promotion and protection of human rights. It noted the considerable detailed information on the progress in implementation of the recommendations of the first cycle. Four recommendations had been presented by Iran and accepted by Turkmenistan and it was confident that they would be

faithfully implemented. It recommended the adoption of the outcome and wished the Government success in the implementation of the recommendations.

306. Malaysia appreciated the commitment, transparency and forthcoming engagement of Turkmenistan in the process and was pleased with the updates and responses provided by the delegation during the review. It commended Turkmenistan for the implementation of the various strategic and long-term national programmes and activities in the areas of economic, social and cultural rights. It noted that Malaysia's recommendations had been duly considered and accepted. It recommended the adoption of the report and wished Turkmenistan the best for the implementation of the accepted recommendations.

307. The Maldives welcomed Turkmenistan's ongoing commitment to engage positively in the Universal Periodic Review. It appreciated the country's significant progress in fulfilling its commitments to implement the recommendations. It noted that the country had taken some noteworthy measures for the protection of the rights of and combating trafficking of women and children among other issues. It applauded Turkmenistan for making full use of the Universal Periodic Review and called for the adoption of the report of the working group. It wished Turkmenistan well in the implementation of the recommendations.

308. Morocco thanked the delegation for the detailed presentation. It commended Turkmenistan for its positive and constructive cooperation with the Universal Periodic Review Mechanism which was shown clearly by its acceptance of the overwhelming majority of the recommendations. It took note of the information on the recommendations which were pending and thanked Turkmenistan for the acceptance of its two recommendations. One concerned the continuation of efforts to train the judiciary and bodies implementing laws in the area of human rights and increasing awareness in this area and the other recommendation concerned the setting up of a national human rights institution.

309. Nigeria thanked Turkmenistan for its active participation in the process and commended its cooperation with the Human Rights Council. It noted with admiration the collaboration with OHCHR in the monitoring of the implementation of its obligations under the relevant international instruments and urged Turkmenistan to maintain and strengthen it. It also noted with satisfaction that Turkmenistan had accepted Nigeria's recommendations urging that legislation under consideration for adoption be consistent with international law and Turkmenistan's international obligations and believed that this would go a long way to strengthen the promotion and protection of human rights.

### **3. General comments made by other relevant stakeholders**

310. During the adoption of the outcome of the review of Turkmenistan, 5 other stakeholders made statements.

311. Human Rights Watch was deeply disappointed that the Government rejected many of the recommendations that cut to the core its repressive policies and that it continued to deny the existence of widely-recognized problems, including the longstanding use of imprisonment as a tool for political retaliation. Because human rights defenders cannot work openly, and the lack of external scrutiny, it was impossible to estimate the number of political prisoners. It regretted the rejection of recommendations which would have had a real impact on freedom of expression, including protection for journalists and media workers, and of the recommendation to decriminalize sexual relations between consenting adults of the same sex. It called for an end to the blocking of websites offering a plurality of views and the creation of a country specific mechanism by the Human Rights Council.

312. Amnesty International, welcomed the acceptance of recommendation to guarantee freedom of expression, association and peaceful assembly and improvements in national

legislation, but was concerned that there had been no genuine attempt to guarantee these rights in practice. Journalists, human rights defenders and other activist continued to be subjected to harassment, arbitrary detention, torture and other ill-treatment, and imprisonment after unfair trials. Turkmenistan had also failed to reform the registration process for non-governmental organizations and not allowed them to work freely. It was deeply disappointed that recommendations to provide information on the whereabouts of prisoners had been rejected and that there were relatives who had had no news of their relatives for 10 years. It welcomed the acceptance of the recommendations relating to torture, but noted that impunity for perpetrators of torture prevailed.

313. The International Fellowship of Reconciliation (IFOR) was concerned that calls to release conscience objectors to military service were rejected. It called for the creation of appropriate alternatives to military service and for the release of the nine objectors currently imprisoned, all of whom were willing to perform an alternative service. IFOR was also disturbed at the rejection of the recommendation to release all prisoners of conscience. It was expecting an explanation from the delegation of the Government's assertion that there were no laws restricting the activities of religious organizations and wanted to know how this could be reconciled with the recently adopted code on administrative offences. IFOR hoped that this would be addressed in Turkmenistan's closing remarks.

314. Recontre Africaine pour la defense des droit de l'homme commended Turkmenistan for accepting the majority of the recommendations and took note of its openness to human rights mechanisms since the first Universal Periodic Review. It welcomed the ratification of a number of international instruments, including the Optional Protocol to the Convention for the Elimination of All forms of Discrimination against Women and measures to criminalize trafficking in persons. It hoped that the reflection on the issuing of invitations to the Special Procedures would result in effective cooperation. It urged the authorities to create favourable conditions for an inclusive dialogue on the better protection of ethnic and religious minorities. Efforts should be made on the promotion of pluralism in the media and the implementation of the 2013 law on freedom of the press.

315. Sudwind regretted that an English version of Turkmenistan's addendum had not been available. It welcomed Turkmenistan's accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons and it supported recommendations to increase efforts to implement it. It urged Turkmenistan to offer human rights education to border guards in order to prevent incidents such as the killing last year of an Iranian Turkmen fisherman who had lost his way due to bad weather and poor equipment. It noted that old agreements to allow Turkmens from the Islamic Republic of Iran to visit relatives had been replaced with more restrictive measures under which they were regarded as tourists and could be fined if they did not stay in a hotel.

#### **4. Concluding remarks of the State under review**

316. The delegation thanked all the delegations and organizations which took part in the discussion of Turkmenistan's Universal Periodic Review. It was especially grateful to the delegates for their acknowledgement of the country's achievements and progress in the promotion and protection of human rights. It stated that the second review and the interactive session would undoubtedly have a positive impact towards furthering progress in the promotion and protection of human rights in Turkmenistan.

317. The country is continuously tackling the issues of creating the economic conditions and opportunities to fully enjoy the right to a dignified and prosperous life. Turkmenistan is convinced that the progress in this area will concurrently bring about continued progress in the realization of political, civil, economic, social and cultural rights. The country's drive to bring its national legislation into line with its international obligations is laying a firm legal foundation for the enjoyment of human rights.

318. The delegation reiterated Turkmenistan's commitment and support for the Universal Periodic Review which allows countries to chart a specific road map for improvements in the area of human rights.

### **Burkina Faso**

319. The review of Burkina Faso was held on 22 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Burkina Faso in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/BFA/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/BFA/2 and Corr.1);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/BFA/3).

320. At its 19th meeting, on 18 September 2013, the Council considered and adopted the outcome of the review of Burkina Faso (see section C below).

321. The outcome of the review of Burkina Faso comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/4), the views of Burkina Faso concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

## **1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

322. Ms. Julie Prudence Somda-Nigna, Minister for Human Rights and the promotion of Civic Responsibility expressed thanks to all those delegations that contributed to the interactive dialogue on Burkina Faso and also to the President of the Council, the High Commissioner, members of the Troika (Benin, Indonesia and Ireland), the Secretariat and also civil society organizations for their alternative reports.

323. Burkina Faso had already accepted most of the recommendations made to it during the April 2013 session of the Working Group. Those recommendations which were not accepted did not adapt easily to the present cultural and socio-economic realities of Burkina Faso. The delegation reiterated its readiness to continue efforts with a view to ensuring human rights and to cooperate with different mechanisms of the Human Rights Council.

324. Burkina Faso had already taken steps necessary for the implementation of the recommendations it accepted. The Government had begun a campaign to convey the results of the UPR to public and private actors throughout the country. The Government had organized communications sessions for its partners, the press and for staff of the Ministry of Human Rights and the promotion of Civic Responsibility. It had also planned communications sessions for ministerial departments, institutions, civil society organizations, and for members of the National Committee for follow-up on the implementation of UPR recommendations. The different recommendations made had been regrouped and distributed to the Ministries directly concerned for integration into their respective plans of action with a view to their implementation. Following these activities, a drafting committee placed under the authority of the National Committee for follow-up would undertake a review of the national plans of plan for the implementation of UPR recommendations in order to take account of the new recommendations emanating from the second cycle UPR review.

325. The delegation provided clarification and complimentary information concerning the eighteen recommendations which were not accepted. Those recommendations which did not enjoy Burkina Faso's support essentially dealt with two important questions: abolition of the death penalty by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights and abolition/removal of provisions on the death penalty under the Criminal Code; and ratification of the new Optional Protocol to the Convention on the Rights of the Child on a communications procedure (CRC-OP-IC).

326. Regarding abolition of the death penalty, the Government had worked tirelessly to earn support from different sectors of society on the issue, but they did not always see the merits of abolition. The Ministry of Human Rights and promotion of Civil Responsibility continued its advocacy on the matter with other Ministerial department, Parliament and other national institutions. At this stage, the recommendations concerning abolition of the death penalty could not, unfortunately, be accepted by Burkina Faso. The question would continue to be the subject of consultations in the hope of a favourable outcome within the next few months, with the support of civil society organizations.

327. Concerning ratification of CRC-OP-IC, the Government was currently studying the possibility of proceeding with this. Given the important efforts Burkina Faso was already making to ensure full enjoyment of the rights of the child, in spite of the various constraints faced, the Government could not at present support the recommendation at the risk of not being in a position to fulfil significantly the treaty obligations stemming from this instrument.

328. Burkina Faso hoped that with the assistance of the international community it would be in a position to deal with the various constraints outlined in the national report. It was because of those persistent limitations that Burkina Faso was not in a position to accept the small number of recommendations.

329. Burkina Faso observed that many achievements had been made by the country since the first periodic review. It would spare no effort to make a contribution, however modest, to enable the UPR mechanism to tackle the challenges it must face. UPR was a new hope for improving the human rights situation in the world, particularly for developing countries.

330. Burkina Faso reaffirmed its readiness to implement all of the recommendations it accepted but in spite of the efforts of the Government, certain factors were a serious hindrance to the enjoyment of human rights, in particular economic, social and cultural rights for a majority of the population. The delegation referred specifically to persistent poverty, a lack of resources, climate change and socio-cultural burdens. There were major challenges to be faced in the strategic areas of education, literacy and health including maternal and child health. For those reasons, Burkina Faso would appreciate all cooperation for implementing the recommendations emanating from the country's second periodic review.

331. Burkina Faso remained convinced that the UPR would contribute considerably to progress on human rights in the world and to strengthen their universality.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

332. During the adoption of the outcome of the review of Burkina Faso, 14 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>94</sup> are posted on the extranet of the Human Rights Council, if available.

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<sup>94</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

333. Maldives appreciated the large number of recommendations enjoying the support of Burkina Faso. Note was also take of the myriad of activities underway to strengthen national institutions, harmonize domestic legislation and implement national policies. Such initiatives would undoubtedly be greatly enhanced by Burkina Faso's initiative to fully update its reporting obligations. Maldives hoped that Burkina Faso would continue its constructive and friendly engagement with the Council.

334. Morocco commended Burkina Faso for its commitment to human rights and its involvement with the Universal Periodic Review (UPR), having accepted eighty-five per cent of the recommendations made to it. Morocco supported the Burkinabe authorities' reforms to establish a legislative and political environment favourable to development and the enjoyment of human rights. National policies on human rights and on justice constituted important steps for consolidating human rights. Morocco welcomed the strategy for accelerated growth and sustainable development. That economic policy constituted a broad platform for the enjoyment of economic and social rights and for achieving the Millennium Development Goals. Morocco also commended Burkina Faso for its efforts to incorporate human rights education at different school levels. Morocco expressed confidence in Burkina Faso's success in facing its human rights challenges and, despite them, was consolidating progress and was continuing to move towards the effective enjoyment of human rights.

335. Nigeria expressed admiration for Burkina Faso's commitment to submit an interim report to the Council in 2015 on the progress made in the implementation of the UPR recommendations. Nigeria believed that was a sign of Burkina Faso's commitment to cooperate with the Council and of its determination to continue promoting and protecting the human rights of its citizens. Nigeria urged Burkina Faso to continue building on its considerable progress in the field of human rights.

336. The Philippines applauded Burkina Faso for supporting recommendations calling for its ratification of several international human rights conventions and for continuing to implement anti-corruption measures and policies in order to improve the delivery of social services to its people. The Philippines appreciated Burkina Faso's ready acceptance of its recommendation to continue creating an enabling environment for women and girls and gender equality as well as addressing the problem of social exclusion that hindered the full realization of women's rights. The Philippines believed the acceptance of the recommendations it made would reinforce the welcomed programmes of Burkina Faso to combat child trafficking and child labour.

337. The Sudan thanked the delegation for its positive reaction to the recommendations made to it. The Sudan noted that Burkina Faso accepted 133 recommendations made during the interactive dialogue in the Working Group, which was a reflection of the country's determination to continue to work for human rights and to uphold its UPR commitments. The Sudan appreciated the acceptance of the two recommendations it made and that the UPR offered an excellent opportunity to evaluate progress.

338. Togo congratulated Burkina Faso for its commitment to the UPR process and its support for the universal values of human rights. Progress achieved was welcomed in the adoption of policies and strategies to improve the promotion of all human rights. Togo particularly commended Burkina Faso's decision to submit an interim report in 2015 on progress achieved in implementing the UPR recommendations. Togo thanked Burkina Faso for having accepted the recommendations it made and invited the international community to continue giving support and assistance to Burkina Faso.

339. The United Arab Emirates commended Burkina Faso for its report. The United Arab Emirates supported the efforts made by Burkina Faso to promote a culture of human rights and fundamental freedoms through measures taken in all areas for the promotion of human

dignity, achieving social equality and promoting the rule of law. The United Arab Emirates further welcomed Burkina Faso's commitment to work with international institutions and the international community.

340. Venezuela (Bolivarian Republic of) highlighted Burkina Faso's strengthened efforts to address its structural inequalities. Significant achievements were referred to, including the primary education schooling rate which rose from 46.5% in 2001 to 79.1% in 2012. Venezuela (Bolivarian Republic of) expressed its appreciation at the willingness of the Government of Burkina Faso to implement the recommendations accepted during the first UPR cycle, despite the socioeconomic challenges facing the country. Finally, it encouraged the Government of Burkina Faso to continue deepening social policies in order to achieve the inclusion of the neediest sectors of the population for which the support and solidarity of the international community was needed.

341. Viet Nam highly appreciated Burkina Faso's determination to promote human rights and that it placed the enjoyment of human rights at the centre of its development despite persisting socio-economic constraints. Progress achieved in various areas was welcomed, including education for girls and access to drinking water and sanitation. Burkina Faso's acceptance of many recommendations was appreciated, including those made by Viet Nam.

342. Algeria stated that Burkina Faso's commitment to human rights was reflected at the normative level in the recent accession to a number of international instruments and the adoption of national laws which aimed to promote and protect human rights. Tangible efforts in several human rights areas were identified, including the creation of a Ministry for Human Rights and the Promotion of Civic Responsibility, a National Human Rights Commission, a National Council to Combat Female Circumcision and a National Council for the Advancement of Women. Algeria appreciated Burkina Faso's acceptance of the recommendations it made and wished to reiterate its appeal to the international community to provide the necessary technical assistance and capacity building to enable Burkina Faso to tackle the challenges it faced in relation to the promotion and protection of human rights.

343. Benin expressed appreciation to Burkina Faso for the quality of its report which stressed the determination of Burkina Faso to honour its commitments through the implementation of international instruments to which it was a party as well as through the progress obtained in the areas of education, health and gender promotion as well as the protection of the rights of children and persons with disabilities. Benin encouraged the authorities of Burkina Faso to pursue that path and for the international community to assist in those efforts.

344. Botswana appreciated Burkina Faso's committed efforts to eradicate female genital mutilation (FGM) and commended Burkina Faso for its acceptance of many recommendations to eradicate FGM and other harmful traditional practices. Botswana also welcomed the voluntary pledge to submit an interim report in 2015 on the progress made in the implementation of the UPR recommendations, which clearly demonstrated Burkina Faso's commitment to the UPR process and human rights in general.

345. Djibouti welcomed the progress made by Burkina Faso since its second review last April. Djibouti noted that Burkina Faso had accepted most of the recommendations made by States, some of which were already implemented such as the establishment of a comprehensive job creation programme intended especially for young people. Reference was also made to judicial reform to ensure the independence of the judiciary as well as access to justice especially for the most vulnerable groups.

346. Equatorial Guinea noted Burkina Faso's commitment to implement the recommendations from the second UPR cycle and considerable progress made at different levels. The Government had strengthened its legal framework by ratifying international human rights treaties and promoting human rights laws at the national level. Burkina Faso

had established a number of public sector policies and strategies that contributed to the effectiveness of human rights action. Additionally, significant progress had been made in reducing inequalities between men and women, including through constitutional revision. Equatorial Guinea concluded by congratulating Burkina Faso for its increased cooperation with human rights mechanisms. Burkina Faso closely collaborated with special procedures as a member of the Human Rights Council and with the High Commissioner with a view to strengthening capacities.

### 3. General comments made by other relevant stakeholders

347. During the adoption of the outcome of the review of Burkina Faso, 4 delegations made statements.

348. International Federation for Human Rights Leagues (FIDH) and its member organization the Mouvement Burkinabé des Droits de l'Homme et des Peuples (MBDHP) welcomed Burkina Faso's acceptance of important recommendations, particularly for criminalizing all forms of violence against women, the stepping up of efforts to put an end to female genital mutilation and the adoption of a children's code in line with the Convention on the Rights of the Child. However, they denounced the ongoing attacks on freedom of press and opinion, and recommended the decriminalization of press offenses and the outright repeal of Act No. 026-2008/AN of 8 May 2008 on the Suppression of Acts of vandalism during demonstrations. They remained concerned as to the independence of the judiciary and stated that the authorities must investigate complaints of torture and ill-treatment by state officials. They called on the Government to bring its practice into line with its commitments by improving detention conditions, including in matters of infrastructure, food and health care, and the application of the rules on separation of prisoners. Finally, they encouraged Burkina Faso to issue a standing invitation to all special procedures mandate holders and to review its position on the recommendations to this effect made during the UPR process.

349. Franciscans International welcomed the acceptance by Burkina Faso of those recommendations regarding the more equitable distribution of safe drinking water and the setting of the right to water as a national priority. Despite those efforts, Franciscans International found that poor wastewater management, combined with pollution from mining, affected rivers and water tables. This caused waterborne diseases, which the Ministry of Agriculture and Hydrology, noted was the major cause of infant mortality. Franciscans International encouraged the Government to take effective measures to implement the accepted recommendations. In particular, it recommended that the government: improve access to services by providing equitable access, specifically in rural and peri-urban areas; ensure the participation of local communities in decision making relating to the establishment of water infrastructure, and the authorities must ensure a key role for women in those processes; and adopt criminal, civil and administrative provisions, in an appropriate manner, to punish those responsible for the pollution of clean sources of water and for poor wastewater management.

350. Save the Children International spoke on behalf of the Coalition au Burkina Faso pour les Droits de l'Enfant (COBUFADE). They welcomed the efforts made by the Government to protect the rights of the child and for its acceptance of UPR recommendations concerning the adoption of Children's Code and the strengthening of efforts to combat all forms of violence and exploitation of children. However, they drew attention to two issues. Obtaining reliable data on child protection was difficult, despite the importance of such information for the implementation of policies, legislation and adequate measures to respond to violations. They urged the Government to establish and make operational a permanent system of monitoring and collecting information on the situation of children and to allocate sufficient resources to its realization by increasing the budget of the

Ministry of Social Action and National Solidarity by 15% by the end of 2017. They also expressed concern over the rejection of the recommendation on the total and explicit abolition of corporal punishment. According to the national study on violence against children, 80.2% of children surveyed were victims of violence. The violence happened in places where children should feel safe, with 86.6% of acts of violence in the home and 53.8% at school. The Government must enact legislation prohibiting and punishing all forms of violence against children everywhere, including in the family.

351. Rencontre Africaine pour la Défense des Droits de l'Homme (RADDHO) commended Burkina Faso for its cooperation with the UPR mechanism and its willingness to implement many recommendations. It greatly appreciated the positive role Burkina Faso played in contributing to peace and stability in western Africa. It encouraged Burkina Faso to continue on that path of peace and constructive engagement with all neighbouring countries. RADDHO was concerned, however, by the continuous violence and discrimination against women, including domestic violence and the abhorrent practice of Female Genital Mutilation (FGM) which still persisted. RADDHO called on the Government not only to redouble its efforts to address FGM but also to promote education and increase understanding of that harmful practice both in rural and urban areas. RADDHO also called on Burkina Faso to exert its utmost efforts to combat child trafficking and child labour and encouraged it to increase public awareness human rights campaigns, including by providing training to law enforcement in the country.

#### **4. Concluding remarks of the State under review**

352. The delegation thanked all speakers, particularly for the encouraging remarks on the efforts made by Burkina Faso to ensure the enjoyment of human rights and for the comments made in a spirit of dialogue with a view to improving the human rights situation.

353. Burkina Faso reaffirmed its commitment to cooperating with the different international bodies and hoped for assistance from all international and national actors for the implementation of the recommendations made.

354. Responding to observations made, the delegation highlighted that it had already provided information on freedom of the press. On the issue of its reporting obligations to the human rights treaty bodies, Burkina Faso was presenting reports on migrant workers and combatting racial discrimination and a report to the Committee on the Rights of the Child.

355. The delegation noted the reported lack of statistics concerning the rights of the child detention and would take steps to investigate that matter.

356. Regarding violence against women, the delegation highlighted that a law would soon be adopted against such violence. On female genital mutilation, the Government was actively supporting the adoption of a resolution by the United Nations system to combat that practice.

#### **Cape Verde**

357. The review of Cape Verde was held on 23 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Cape Verde in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/CPV/1 and Corr.1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/CPV/2);

(c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/CPV/3).

358. At its 19 meeting, on 18 September 2013, the Council considered and adopted the outcome of the review of Cape Verde (see section C below).

359. The outcome of the review of Cape Verde comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/5), the views of Cape Verde concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

**1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

360. H.E. José Luis Monteiro, Permanent representative of Cape Verde to the United Nations at Geneva presented additional information on the review to the Human Rights Council. It was stated that the report of the Working Group of the Universal Periodic Review on Cape Verde reflects faithfully and with a wealth of details the substance of the work that took place last April. This work was supported by substantive documents, in particular the National Report, which was introduced in a detailed presentation by the Minister of Justice of Cape Verde. It was noted that the discussions that followed were extremely constructive and addressed a wide range of issues.

361. Cape Verde reiterated its gratitude to the Secretariat and to the members of the Troika, Burkina-Faso, Kazakhstan and Guatemala, for their support.

362. Cape Verde stated that the exchanges that took place during the Working Group demonstrated that the country has come a long way in the promotion and protection of human rights, and that it is determined to continue along this path.

363. It was recalled that the delegation of Cape Verde had accepted the totality of the recommendations that had been addressed to it immediately during the Working Group. Cape Verde noted this fact with satisfaction as it demonstrates that the concerns of its partners are very similar to its own. It was noted, nonetheless, that the implementation of the recommendations poses a significant challenge for the institutional capacities of the country's Administration and, in certain cases, also places a burden on its economic resources. It was explained that, given the fact that the country's Administration is not supposed to grow, Cape Verde is obliged to seek to further improve its efficiency so as to attain these goals, as well as others, which arise with increasing complexity in the management of national development. Progress in the areas of organization and systematisation are particularly important in this quest for efficiency. Such progress is therefore a priority and certain more immediate action in this direction is already underway.

364. Cape Verde indicated that the different relevant national departments are already working to carry out their part of the implementation of the recommendations, and to contribute to the formulation of a global action plan for their implementation, together with procedures to monitor, coordinate and motivate at the various operational and political levels. The formulation of a global plan should provide a more inclusive and integrated framework for the implementation of national action on human rights in the country, as well as stimulate the generation of plans of action in more specific areas that do not yet have such plans and where it would be important to adopt such action.

365. It was then highlighted that coordination between institutions is also important with a view to achieving another important goal, that of bringing up to date the presentation of

national reports to treaty bodies. The modalities and procedures of such coordination are being examined with a view to the adoption of a decision and acting in the near future.

366. Cape Verde then stated that the issue of the establishment of a national human rights institution in accordance with the Paris Principles is an urgent matter. It was noted that draft legislation already exists. However, the consultations which precede the placing of this draft on the Parliament's agenda concluded that it was necessary to attain a better understanding of the relations on all levels between this institution and the Office of the Ombudsman. This last is an independent organ provided for in the Constitution and designated by Parliament which should be set up in the very near future.

367. Cape Verde noted that the institutional issues mentioned are considered to be priority areas regarding which the Government would wish to receive technical assistance which would include the sharing of experiences with the country's authorities so as provide them with more solid knowledge regarding the options currently being considered. It was indicated that on these, as well as other issues, Cape Verde plans to contact soon the Office of the High Commissioner for Human Rights (OHCHR), which has always manifested its availability to provide such support.

368. Cape Verde then recalled that during the Working Group, the Minister of Justice had verbally issued a standing invitation to the Human Rights Council's Special Procedures to visit the country and indicated that this invitation will be formally communicated in writing very soon.

369. In conclusion, Cape Verde reiterated its support for the report of the Working Group. It highlighted that this report could guide efforts, in partnership, between Cape Verde and the international community in the promotion of human rights in the country and serve as a framework for monitoring the implementation of such efforts. It reiterated its acceptance of all recommendations and stated that it will work with its partners to make these a reality.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

370. During the adoption of the outcome of the review of Cape Verde 14 delegations made statements.

371. Cuba thanked Cape Verde for the timely information provided to the Human Rights Council with regards the recommendations received during the Working Group. It noted that during the review progress achieved with regards to equal access to different levels of educations, efforts to provide the country with a legal framework for the protection of the rights of the child as well as measures to achieve the full implementation of public policies for the promotion of gender equality and against violence, among others, had been acknowledged. It thanked Cape Verde for its acceptance of so many recommendations, and in particular those made by Cuba. It recommended the adoption of the report.

372. Gabon welcomed the fact that Cape Verde has ratified numerous universal human rights instruments and encouraged the country to continue efforts to eliminate gender stereotypes through the implementation of awareness raising programmes for society on the issue of gender equality. While applauding the remarkable progress made in the area of education, Gabon recommended that Cape Verde continue to adopt measures to provide education free of charge in order to provide access to pre-school education for children from underprivileged families. Gabon wished Cape Verde every success in the implementation of recommendations.

373. Maldives welcomed the delegation of Cape Verde a fellow member of the Alliance of Small Island States (AOSIS). It applauded the Government's commitment to the UPR, a

clear sign of which is the acceptance of all the recommendations made during the Working Group session. Maldives noted with appreciation that Cape Verde will soon issue a standing invitation to special procedures mandate holders, as it had recommended at the First Cycle. It encouraged Cape Verde to work with OHCHR and other stakeholders to fulfil its obligations under international human rights treaties and to seek OHCHR's assistance, as necessary.

374. Morocco supported the authorities' commitment to restabilising a legislative and political environment that is favourable to the enjoyment of the rule of law and human rights. It congratulated the National Commission for Human Rights and Citizenship (CNDHC) for its key role in the implementation of public policies in these areas and the elaboration of new statutes in accordance with the Paris Principles. It also congratulated the authorities for the reform of the education system to ensure universal and mandatory education up to the tenth year of schooling and noted progress in schooling rates for girls in the primary system. Morocco supported Cape Verde's request for technical assistance.

375. Mozambique noted with satisfaction Cape Verde's successful implementation of the recommendations received during the First Cycle. It considered that Cape Verde had shown remarkable improvement since it submitted its first report in 2008. Mozambique stated that Cape Verde, an important member of the Community of the Portuguese speaking countries (CPLP) has been an example of political commitment to the promotion of human rights for its citizens noting its ratification of nine core United Nations human rights treaties. It praised Cape Verde for its constructive engagement with the UPR and for its decision to accept all recommendations it had received.

376. Nigeria commended Cape Verde for its cooperation with the Human Rights Council and noted with admiration that it had collaborated with OHCHR in monitoring the implementation of its obligations under the relevant international human rights instruments. It urged Cape Verde to maintain its cooperation with the Council and its commitment to promoting the human rights of its citizens.

377. The Philippines noted Cape Verde's significant resource constraints, which hampered its implementation of human rights programmes. It welcomed the acceptance of its recommendation to continue cooperative engagement with its regional and international partners and ensure adequate resources for implementing human rights policies and programmes. It also welcomed the acceptance of recommendations to create a National Commission on Human Rights and Citizenship in accordance with the Paris Principles. It noted the great importance accorded by Cape Verde to human rights as manifested in its acceptance of all recommendations.

378. Togo welcomed Cape Verde's commitment to issuing a standing invitation to the special procedures of the Human Rights Council. It thanked Cape Verde for its readiness to implement the recommendations made by Togo. It supported Cape Verde's call to the international community to support it in the implementation of the recommendations received through economic, social and environmental policies which favour sustainable development and the strengthening of human rights.

379. Viet Nam expressed its understanding of the difficulties faced by an island developing State, poor in natural resources such as Cape Verde and thus welcomed the progress achieved in the promotion of human rights, particularly in the implementation of accepted recommendations. It noted results attained in areas such as equality between men and women and education. It also welcomed the acceptance of so many recommendations including those made by Viet Nam in area issue of the rule of law and MDGs. It supported the adoption of the report.

380. Algeria stated that Cape Verde has shown great openness and cooperation during the Second UPR Cycle. The acceptance of the totality of the recommendations made, including

those considered to be in the process of implementation, attests to this. Algeria congratulated Cape Verde for having accepted the two recommendations it had made to continue efforts aimed at supporting the National Commission on Human Rights and Citizenship to bring it into conformity with the Paris Principles as well as strengthening cooperation with treaty bodies. Algeria remained convinced that the implementation of these measures will have an undeniable positive impact on the protection of human rights in the country.

381. Angola was pleased with the continuing commitment of Cape Verde to the Human Rights Council and its mechanisms. It noted that Cape Verde is an example in Africa, particularly in the area of economic, social and cultural rights. It welcomed the decision by Cape Verde to accept all recommendations made by member States. Angola called on the international community and the Human Rights Council to take into account the situation of the country and provide technical assistance to support the implementation of the recommendations it has accepted.

382. Benin noted with satisfaction the Cape Verde had undertaken several legislative reforms and ratified several human rights instruments, notably in the areas of education, health, housing, among others. It encouraged Cape Verde to continue its reforms and invited the international community to support these with a view to the full implementation of human rights.

383. Botswana thanked Cape Verde for the comprehensive information provided. It appreciated initiatives in ensuring gender equality, and the elimination of gender-based violence. It noted the development of a national plan for combating gender-based violence and the support network for victims of domestic violence as well as the Programme of Action for the Promotion of Gender Equality and the action of Cape Verdean Association of Women Jurists.

384. China commended efforts and achievements made by Cape Verde in human rights and expressed appreciation for its acceptance of recommendations it had made. It appreciated efforts to continue to promote economic, social and cultural rights and strengthen the social protection system. It appealed to the international community to understand that as a developing country Cape Verde faces challenges in the promotion and protection of human rights. China stated that the international community should continue to provide constructive assistance to Cape Verde.

### **3. General comments made by other relevant stakeholders**

385. During the adoption of the outcome of the review of Cape Verde three other stakeholders made statements

386. Rencontre Africaine pour la défense des droits de l'homme (RADDHO) stated that despite being geographically at a disadvantage, Cape Verde can set a good example to other developing countries in Africa in combatting poverty and developing its economy. It expressed concern about the prevalence of violence against women, children and the persistence of widespread discrimination against women. Existing discriminatory stereotypes against women lead to an increase in discrimination in both public and private life. It was also concerned about violence against children and called on the Government to exert efforts by enacting measures to combat violence and raising awareness on this issue. It added that harsh conditions in prisons are alarming and called on the Government to take all measures necessary to improve these. It also encouraged the Government to introduce apprenticeships programmes designed to stem early withdrawal from school by disadvantaged children.

387. International Fellowship of Reconciliation noted that though the issue of conscription had not featured in the review, Cape Verde is to be commended for including

in its Constitution an article providing that conscientious objectors and those unfit for military service can perform civic service. It noted however, that in its declaration on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Cape Verde indicated that it had a system of “voluntary recruitment” which was available with parental consent to children aged 17. It urged Cape Verde to join the growing global consensus that 18 should be the minimum age for military service in all circumstances. It called on Cape Verde to support the active engagement of its civil society with the UPR process.

388. Commission to Study the Organization of Peace noted that Cape Verde is a socially and politically stable country. It also noted that it had received the second-highest ranking for governance performance in the 2012 Ibrahim Index of African Governance. It added that while government authorisation is needed to publish newspapers there is freedom of the press. It referred to a report that indicated that there were no reported incidents of religious intolerance though as the majority of the population belong to the Roman Catholic Church, it enjoys a somewhat privileged status. It also noted legal guarantees for freedom of assembly and the right to unionize as well as the fact that approximately a quarter of the workforce is unionized though collective bargaining is reportedly rare.

#### **4. Concluding remarks of the State under review**

389. In conclusion, Cape Verde thanked participants for their comments, which were all extremely encouraging and constructive.

390. With regards to the few critical observations, Cape Verde indicated that these would be examined by the Government though it did not agree entirely with certain of the statements made. An example given was the concern raised regarding discrimination against women in public life. It was explained that it is true that certain challenges continue to exist, such as violence against women, as acknowledged during the review by the delegation which also described measures taken in response, as well as discriminatory stereotypes in society. However, Cape Verde wishes to state that it is not true that discrimination is a practice in the public space. On the issue of conditions in prisons and detention centres, Cape Verde declared that to describe them as “alarming” would be a great exaggeration.

391. In conclusion, Cape Verde thanked all of those who had participated in the dialogue, noting the many statements of encouragement received. It stated that this would not be interpreted as a “blank check” as the Government is committed to doing its utmost to implement the recommendations and continue the process of improvement of the human rights situation in the country.

#### **Tuvalu**

392. The review of Tuvalu was held on 24 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Tuvalu in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/TUV/1 and Corr.1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/TUV/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/TUV/3).

At its 20th meeting, on 19 September 2013, the Council considered and adopted the outcome of the review of Tuvalu (see section C below).

393. The outcome of the review of Tuvalu comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/8), the views of Tuvalu concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/8/Add.1*).

**1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

394. The delegation of Tuvalu, chaired by the Attorney General, Ms. Ese Apinelu, delivered its statement through a video conference recorded from OHCHR Regional Office for the Pacific in Suva, Fiji. Due to pressing national commitments Tuvalu was unable to avail itself to be present at the Human Rights Council and thanked for the opportunity afforded to deliver its statement by alternative means.

395. Tuvalu remained committed to fulfilling its Universal Periodic Review obligations. In that regard, the Attorney General outlined the new developments occurred since the review in April 2013 and updated on action taken concerning those recommendations that enjoyed Tuvalu's support. Likewise, the delegate provided a response on those recommendations that needed Tuvalu's confirmed position.

396. The representative of Tuvalu informed that the country was having a High Level Dialogue on the new government's Road Map of Action, which included measures that needed immediate attention. She also announced that the new government was sworn into office in August 2013.

397. Concerning the recommendations that did not enjoy Tuvalu's support during the 16<sup>th</sup> Working Group session, the delegate highlighted that eighteen recommendations were now core components of the Road Map for the new government. These included matters relating to the ratification of international human rights treaties, possible amendments to the Constitution to prohibit gender discrimination and the review of religious laws. As a positive consideration of those matters, Tuvalu affirmed that it will continue to consider recommendations that did not have its support.

398. As indicated during the 16<sup>th</sup> Working Group session, Tuvalu examined two recommendations from Uruguay and Slovakia, whose responses were going to be delivered at the 24<sup>th</sup> session of the Human Rights Council. The Attorney General announced that both recommendations enjoyed the support of Tuvalu.

399. The Attorney General explained that the laws of the country provided that any child born in its territory might be eligible for Tuvalu citizenship and that any child born in the country or abroad and either parent was a Tuvaluan could acquire Tuvalu citizenship. Despite the fact that current laws already provided a mechanism for acquiring Tuvalu nationality, the above mentioned two recommendations were thus supported as they had a positive approach to children's issues. She called on the international community or United Nations bodies to help Tuvalu in implementing these recommendations.

400. The representative of Tuvalu reported that some of the recommendations that enjoyed the support had been fully implemented while others were in progress. She emphasized, however, that the lack of human, financial and technical resources was one of the main challenges affecting Tuvalu's ability to implement the recommendations.

401. On the recommendation made by the United States of America to organize a by-election for the electoral district of Nukufetau, the delegate informed that the by-election for Nukufetau was held on 28<sup>th</sup> June and that the new candidate was sworn into office. Similarly, another by-election for the constituency of Nui was completed on the 10<sup>th</sup>

September but, due to transportation problems, the new member of Parliament was yet to be transported to the mainland to be sworn in.

402. On the recommendation made by France, Maldives, New Zealand, Azerbaijan and Italy to continue the efforts to raise awareness on the Family Protection and Domestic Violence Bill and to enact the Bill, the Attorney General mentioned that the Department of Women, in association with the office of the Attorney-General, conducted its first community consultation on the capital on the 5<sup>th</sup> June. The women representatives in this consultation accepted the protection given to families in a domestic household, as indicated in the Bill, but student representatives raised that the Bill did not cover protection of children in boarding schools and that the definition of household did not extend to educational institutions, such as the boarding school.

403. The second round of consultations in the outer islands was carried out from the 23<sup>rd</sup> to 25<sup>th</sup> June but it covered only three islands due to problems with fuel shortage and the lack of transportation. With the assistance of the South Pacific Community (SPC/RRRT) the consultation to the Northern islands was completed and the recommendations and views of the community will be presented to the Cabinet.

404. Given the prolong absence of boats, the delegate noted that most islands were without basic food items and that the shortage of fuel added another problem for health matters as outer islands relied on diesel generators for their health clinics. In such situation, consultations on the Bill became secondary to the immediate need of ensuring fuel and basic food items for all people.

405. Concerning the recommendation made by Australia and New Zealand to continue to fully implement the Police Powers and Duties Act, the Attorney General updated the Human Rights Council that the Police department, with the assistance of the New Zealand Police force, had progressed to implement the Police Powers and Duties Act, through police training and awareness. The police officers had also improved their roles to control violence against women and children thanks to continuous patrol and operations, involving themselves in a domestic violence crisis and being attentive to reports of any violence. New Zealand Police and Tuvalu Police Force were currently working together to improve the implementation of the Police Powers and Duties Act.

406. Most police officers on the outer island were not aware of the Act, being thus a key aim of the Police Department to travel to the outer islands to train police officers on their powers under this Act. In that regard, transportation was again a challenge.

407. With regards to the recommendations to ratify human rights international agreements, the government of Tuvalu arranged for a high level dialogue with its partners to fulfil its goals under the National Strategy for Sustainable Development (Te Kakeega II), which included the ratification of human rights international agreements.

408. The delegate of Tuvalu called upon the international community to provide technical, financial and bilateral assistance in order for Tuvalu to successfully implement the approved recommendations. Specific assistance was requested to train citizens on human rights to make them aware of their rights, as well as to train the government officials and leaders on human rights in order to understand the need to promote and protect human rights.

409. The Attorney General requested the international community to assist Tuvalu in combating the severe impacts of climate change as well as called upon to commit to reduce emission levels. Lastly, she called on those countries that had laws addressing statelessness to provide Tuvalu with legal and technical assistance to enable the successful amendment to its citizenship/stateless laws.

**2. Views expressed by Member and observer States of the Council on the review outcome**

410. During the adoption of the outcome of the review of Tuvalu, 9 delegations made statements.

411. Algeria stressed the importance that Tuvalu granted to the Universal Periodic Review and congratulated the country for having accepted the majority of the recommendations, which reflected the cooperative nature of such mechanism. It appreciated particularly that Tuvalu had accepted two recommendations made by Algeria concerning the adoption of a national plan for children and early childhood, and the efforts to promote women rights and gender equality, with particular attention to the access of women to justice and women participation in public life. The implementation of these two recommendations will contribute to the protection of human rights. Algeria invited the international community and the High Commissioner for Human Rights to facilitate the participation for small countries in the Universal Periodic Review. Algeria recommended the adoption of Tuvalu's outcome.

412. Cuba noted that, as a developing country, Tuvalu faced shortages and financial constraints. Nevertheless, it highlighted that such condition had not been an obstacle for the Government of Tuvalu to protect and promote human rights. During the review, Cuba highlighted measures taken by Tuvalu to promote the rights of persons with disabilities and persons living with HIV/AIDS, to improve the access to health and measures headed towards combatting domestic violence. It congratulated Tuvalu for having accepted the majority of recommendations and wished the country all success in its implementation, particularly regarding those measures on education and health. Cuba recommended the adoption of Tuvalu's outcome.

413. Djibouti congratulated Tuvalu's commitment with the Universal Periodic Review and stressed that, despite its constraints, Tuvalu had initiated a process to harmonize its legislation through national consultations. It highlighted the difficulties faced by Tuvalu due to climate change and called on the international community to support Tuvalu throughout its efforts to improve human rights. It noted that international cooperation was key in order that the Universal Periodic Review remained a universal mechanism. Djibouti also noted the utility of such mechanism to improve human rights worldwide. It welcomed the initiatives already put in place by Tuvalu, such as the fight against violence against women and violence at schools, and the dialogue surrounding freedom of religion. It commended the visit of the Special Rapporteur on the human right to safe drinking water and sanitation. Djibouti encouraged Tuvalu to continue implementing the recommendations and to continue its efforts to ratify international instruments, such as the Rome Statute.

414. Estonia welcomed Tuvalu's openness and transparency towards the second cycle of the Universal Periodic Review and commended its real commitment to improve the human rights protection despite its environmental challenges. It noted Tuvalu's strong commitment towards justice and the rule of law and that it had endorsed the accession to the Rome Statute. Estonia hoped the accession to the Agreement on the Privileges and Immunities of the International Criminal Court. It recognized that due to constraint resources, Tuvalu had postponed a number of recommendations regarding the accession to core human rights treaties and appreciated the country's initiative to first review the legislation before taking new obligations deriving from accessing treaties. Estonia encouraged Tuvalu to move on with its obligations by requesting technical assistance and financial support. It wished all the best in the implementation of recommendations.

415. Maldives took note of Tuvalu's acceptance to swiftly ratify core human rights instruments despite its capacity constraints. It was pleased that Tuvalu accepted two of the four recommendations made by Maldives. It encouraged the Government to create

awareness and advocate promotion of human rights, particularly on the rights of women. Maldives looked forward to the adoption of the draft Water Act. Finally, it commended Tuvalu in its fight to protect its population from the negative effects from climate change.

416. Morocco congratulated Tuvalu for its open and constructive approach towards the Universal Periodic Review. Despite challenges faced by Tuvalu, namely climate change, Morocco noted that the country continued to work towards the harmonization of its domestic legislation with international human rights instruments and the establishment of the necessary institutional framework to fully guarantee the enjoyment of human rights. It congratulated Tuvalu for having accepted the majority of recommendations, three of them formulated by Morocco. It reiterated its support to the efforts deployed by Tuvalu towards the improvement of human rights and wished the country all success in implementing the recommendations.

417. New Zealand welcomed Tuvalu's constructive engagement with the Universal Periodic Review, particularly the fact that the country had been actively considering all recommendations, including those that it previously felt was unable to accept. It welcomed the acceptance of New Zealand's recommendation to enact the Family Protection and Domestic Violence Bill and encouraged the country to extend public awareness to the Outer Islands. It also encouraged Tuvalu to make progress in the area of financial governance and emphasized the need to manage public expenditure and to undertake reforms to ensure greater accountability and the effective use of resources. New Zealand encouraged all states to support Tuvalu's implementation efforts and reiterated its commitment to support the country in addressing challenges through development assistance.

418. The Philippines was aware that Tuvalu was resource constrained and extremely vulnerable to natural, geographic, economic and climate constraints. It commended Tuvalu's efforts to overcome those challenges in advancing human rights and its engagement on climate change. It behoved on the international community to respond to the appeal for technical and financial assistance made by Tuvalu to protect human rights. The Philippines was glad that Tuvalu accepted its recommendation to mobilize resources to implement its human rights programs. It wished Tuvalu well in protecting human rights.

419. Viet Nam commended Tuvalu's engagement with the Universal Periodic Review despite its challenges. It noted Tuvalu's seriousness in implementing the accepted recommendations, including two recommendations from Viet Nam on strengthening national priorities for vulnerable groups and on participation in international human rights mechanisms and treaties. It recommended the adoption of the Working Group report. Viet Nam was ready to cooperate with Tuvalu and wished the country success in its efforts to enhance the enjoyment of human rights and freedoms.

### **3. General comments made by other relevant stakeholders**

420. During the adoption of the outcome of the review of Tuvalu, one stakeholder made a statement.

421. Franciscans International, Edmund Rice International and Earthjustice appreciated Tuvalu's commitment in addressing the human rights situation and welcomed its acceptance of recommendations related to climate change. They commended the National Adaptation Plan of Action to oversee the impact of climate change. They endorsed the Human Rights Council view that climate change had adverse implications for the enjoyment of human rights. They noted that Small Island States, such as Tuvalu, which had contributed least to global greenhouse gas emissions, will be the worst affected by global warming. They commended the delegation of Costa Rica who explicitly recognised its global responsibility towards the situation of Tuvalu and announced to become carbon neutral. They recommended Tuvalu and members of the Human Rights Council to take actions on climate

change by the establishment of a Special procedure on climate change and human rights. They encouraged Tuvalu to involve civil society, particularly women, children and people from outer islands in the discussion on the mitigation policy. They finally encouraged Tuvalu to contact the Costa Rica delegation to develop further collaboration.

### **Colombia**

422. The review of Colombia was held on 23 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Colombia in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/COL/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/COL/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/COL/3).

423. At its 20<sup>th</sup> meeting, on 19 September 2013, the Council considered and adopted the outcome of the review of Colombia (see section C below).

424. The outcome of the review of Colombia comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/6), the views of Colombia concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/6/Add.1*).

### **1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

425. The delegation recalled that the State had determined its position on all recommendations during the Working Group and submitted an addendum 1 the day of the adoption of the report. Colombia would continue to follow up the recommendations and its voluntary commitments through the National System for Human Rights and International Humanitarian Law. This would allow the State, among other actions, to submit a follow-up annual report.

426. The delegation presented information regarding the main topics addressed in the 126 accepted recommendations and the 7 voluntary commitments:

427. The victims of the internal armed conflict and land restitution were two of the main policies of the Government. The implementation of the Victims and Land Restitution Law had benefited hundreds of thousands of people affected by violence. The implementation of the Act had been accompanied by protection programs for about 500 land restitution's leaders.

428. The protection of human rights defenders was another priority of the Government. The establishment of a specialized body such as the National Protection Unit, and the amendments to the Protection Program legislation were a first step. Some 7,700 people were beneficiaries of protective measures.

429. Overall violence, the armed conflict and other circumstances had affected women in Colombia. In March 2013, a Comprehensive Plan to guarantee women a life free of violence was launched. The Plan, designed in dialogue with women's organizations and with the support of the international community, sets out actions that will advance in overcoming violence against women. The delegation also mentioned the Inter-Agency

Strategy to Promote Integrated Care for Women Victims of Violence aimed at reducing the rates of impunity and providing care to victims.

430. Forced recruitment was a complex phenomenon that required the action of the different levels of Government. The armed forces proscribed since 1997 the recruitment of children under 18. However, illegal armed groups had used force or intimidation to recruit children. The State had adopted preventive measures such as the Family Welfare Institute's Specialized Care Program which had assisted, since 1999, more than 5,000 children that had broken out with these groups. Additionally, the Victims Law recognized children demobilized from illegal armed groups as victims.

431. The fight against poverty and inequality was a main concern for the State. In 2011, the Government established the Social Inclusion and Reconciliation Sector. One of its priorities was the implementation of programs to reduce poverty with a micro-economic logic. Over 2 million and 800 thousand families were benefiting from the program More Families in Action. The Youth in Action program had enrolled more than 27 000 young people. The Women Savers in Action program had funded more than 187 000 women. And the Food Security Network had assisted 158,000 families. Over the past two years, 1.7 million people have overcome poverty. These strategies had allowed Colombia to have the second best rate of decreased inequity in the region.

432. On another matter, between 28 and 30 August the First Regional Forum on Business and Human Rights took place in Medellin with the participation of some 400 representatives from businesses, Governments, international organizations, civil society, national human rights institutions and unions. The aim of the Forum was to provide training opportunities for stakeholders involved in the implementation of the Guiding Principles. The results were an important input for the Second Global Forum on Business and Human Rights scheduled for December 2013.

433. Also, the Third World Summit of Mayors and Government Leaders of African Descent concluded on September 18 in Colombia. Some 2000 Afro World Leaders participated in the event which sought to develop political dialogue and international cooperation between the African diaspora.

434. The delegation referred to another series of recommendations on which there was some progress to report:

435. On 19 November 2012, Congress passed Law 1588/2012 approving the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The Constitutional Court was reviewing the law after which the process of ratification would conclude.

436. Regarding primary education, since 2011 the State had implemented universal free education at the primary level as well as for some targeted vulnerable populations at the secondary level. From 2012 on, resources had been allocated to guarantee free education in all public institutions for all 11 grades of basic education, benefiting more than 8.5 million students.

437. Regarding human rights training for security forces, the delegation pointed out that the Armed Forces and the National Police had specific curricular and extracurricular training activities. For instance, in the first quarter of 2013 about 50,000 members of the Army received human rights training.

438. The delegation acknowledged the support received for the peace process from more than 20 countries. The Government remained committed to complete successfully this process and the 24th rounds of talks were being held in Havana at the time of the adoption of the Working Group report by the Council.

439. In concluding, the delegation reported that on 18 July 2013 the Government agreed with the Office of the High Commissioner for Human Rights to extend the current mandate of OHCHR's Office in Colombia for one year counted from November 1, 2013. In this regard, the President of Colombia stated that he hoped that the Office could actively participate in the third phase of the agreement, which he hoped would sign with the FARC, and that the role of the Office would become a proactive one so that transitional justice, truth, justice and reparation become really effective. The delegation acknowledged the work of the Office in Colombia during the last 16 years, which had been instrumental in advancing human rights as well as for institutional building and other areas of joint work.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

440. During the adoption of the outcome of the review of Colombia, 14 delegations made statements.

441. Algeria acknowledged that Colombia accepted most of the recommendations it received during its second UPR. This showed openness and a very good level of cooperation with the mechanism. Algeria particularly noted that Colombia accepted the two recommendations it put forward related to the national strategy in favour of children, and the promotion of the rights of persons with disabilities.

442. China valued the efforts of the Government to carefully study the recommendations received and that Colombia had accepted most of the recommendations. China congratulated Colombia on the positive results in promoting gender equality, protecting the elderly persons, persons with disabilities and indigenous peoples. China believed that in implementing the accepted recommendations Colombia would continue to promote socio-economic development and its people would better enjoy various rights.

443. Cuba noted the progress achieved in the implementation of the Development National Plan, and measures on the areas of food security, employment, housing, education, health and social, cultural and environmental protection. It welcomed that Colombia accepted most of the recommendations it received, including those put forward by Cuba. Cuba would continue to support the peace negotiations held in the island.

444. Djibouti congratulated Colombia for accepting most of the recommendations received during the interactive dialogue, particularly those rendered by Djibouti. It encouraged Colombia to continue its efforts to improve the human rights situation by favouring dialogue and national reconciliation. It also encouraged Colombia to pursue its cooperation with OHCHR.

445. Ecuador acknowledged the Colombian efforts to comply with the second cycle of the UPR as a suitable mechanism to effectively promote and protect human rights. It valued the commitments accepted during the UPR including the ratification of international instruments such as the Convention on the Reduction of Statelessness. Ecuador extended its best wishes to Colombia to reach peace.

446. Gabon noted that Colombia was party to an important number of international human rights instruments. It praised the full cooperation of the Government with the procedures and mechanisms of the United Nations system of promotion and protection of human rights. Gabon encouraged Colombia to continue its efforts to reach human rights full respect and to establish an effective administration of justice in order to consolidate peace and reduce impunity.

447. Maldives appreciated the on-going commitment of Colombia to follow-up on the pledges made and recommendations agreed upon during the previous process. Maldives recognized progress on a number of important areas such as the rights of indigenous

peoples, labour rights and for comprehensively addressing the issue of victims of armed conflict. It acknowledged that the security situation had improved remarkably and commended the level of cooperation with the Council and its mechanisms.

448. Morocco acknowledged the engagement of Colombia in favour of human rights, as manifested through important measures taken, in particular by establishing a political and institutional reform. It noted the constructive interaction of Colombia with the UPR, as seen by the large number of accepted recommendations, the interest in following-up them and the voluntary commitments undertaken to fight impunity and human trafficking. All this in a context of armed conflict evolving towards the consolidation of peace.

449. Nigeria noted with admiration the numerous voluntary pledges and commitments made by Colombia including a pledge to continue to follow-up the UPR in the framework of its national system for human rights and international humanitarian law. Nigeria noted that Colombia accepted its recommendation. It welcomed Colombia's cooperation with OHCHR. It urged Colombia to continue on the progress it had made in the field of human rights.

450. Philippines appreciated the acceptance of its recommendation to the Government to provide additional resources to anti-trafficking programs. It acknowledged Colombia's voluntary commitment to advance the design of a public policy for human rights education and culture. It welcomed Colombia's legal framework for preventing torture and hoped that, in the future, Colombia would accept its recommendation to consider ratifying the Optional Protocol to the Convention against Torture.

451. South Africa commended the importance attached by Colombia to the UPR, as demonstrated by the presence of Vice-President Garzon during the review. It appreciated Colombia's acceptance of the South African recommendation. The addendum submitted provided further insight and transparency to Colombia's engagement and consideration of UPR recommendations.

452. The United Kingdom of Great Britain and Northern Ireland welcomed the work the Government had undertaken to address human rights issues. However, it remained concerned about the situation facing human rights defenders. The United Kingdom had asked the Government to publish regular information and statistics on investigations in alleged human rights abuses by military personnel, but this was not recorded during the Working Group. It would welcome a commitment that the Government would do this.

453. Venezuela (Bolivarian Republic of) recalled that Colombia reached universal school coverage at the primary and secondary levels and reduced the urban-rural coverage gap. It praised the reduction of poverty thanks to income redistribution that considered those most in need. Venezuela had reiterated its strong support to Colombia's peace process, in the hope that its people would resume its journey towards the necessary coexistence to achieve its hopes and aspirations.

454. Viet Nam acknowledged that Colombia had put great efforts and determination on the implementation of the accepted recommendations during its last review, including recommendations from Viet Nam on strengthening national mechanisms on human rights to enhance the rights for women, children, indigenous peoples, internally displaced persons and other vulnerable groups in the country.

### **3. General comments made by other relevant stakeholders**

455. During the adoption of the outcome of the review of Colombia, 11 other stakeholders made statements. The statements of the stakeholders that were unable to

deliver them owing to time constraints<sup>95</sup> are posted on the extranet of the Human Rights Council, if available.

456. In a pre-recorded video message, the *Defensor del Pueblo* recalled that Colombia lived an internal conflict for more than 5 decades. However, there had been progress in the implementation of human rights policies focused in the fight against illegal armed groups formed after the demobilization of the AUC. These groups were the ones that generated the greatest number of human rights violations. It also expressed concern regarding the prisons conditions. Overcrowding reached 56 percent and there were serious shortcomings in the areas of health and public services in prisons. It had suggested to the Government to declare prisons in social emergency.

457. The Association for the Prevention of Torture regretted that Colombia did not accept recommendations to ratify the Optional Protocol to the Convention against Torture, alleging that there were already in place mechanisms that protected the rights of detainees. Colombia was the only country in Latin America opposing the ratification of the Optional Protocol. Colombia's prisons were in crisis and overcrowded. It noted that the National Report mentioned a project to establish a national mechanism of protection and urged the Government to do so as a party to the Optional Protocol.

458. The Jubilee Campaign indicated that while many Colombians exercised their right to freedom of religion, the reality for many Christians was different. Those leaving in conflict zones were targeted because of their religion. Some 200 churches were closed for security reasons and some 20 to 30 church leaders were murdered by the armed groups each year. It requested Colombia to initiate investigations into human rights violations against church leaders and to consider adding church leaders to the category of vulnerable groups along with trade unionists, human rights defenders and journalists, affording them the same security mechanisms.

459. Plan International on behalf of the *Alianza por la Niñez Colombiana* recognized the efforts of the Government to protect the rights of children. However, it considered that the Government should establish concrete mechanisms to implement the Victims Law so that children victims of the armed conflict are considered a priority. Regarding forced recruitment of children, there were 5,000 confirmed cases but only 3 convictions for this crime. The implementation of the system of juvenile penal responsibility should be a priority. It urged the Government to convene the Advisory Commission for the reform of this system.

460. The Women's International League for Peace and Freedom regretted that Congress had adopted a law regarding military courts which increased impunity on the crimes committed by the armed forces. It also noted that Colombia rejected a recommendation to include women in the Peace Negotiations. It called the Government to enforce decisions 92 and 98 of the Constitutional Court on the prevention of sexual violence against women as well as implement recommendation 116.43 pertaining to the protection and integration of the LGBTI population. It invited the Government to also implement those recommendations that were not accepted.

461. Action Canada for Population and Development, on behalf of the Sexual Rights Initiative, noted legal restrictions on abortion and cases of sexual violence and murder against women, especially lesbians and trans women. It urged the Government to decriminalize abortion in all circumstances, guaranteeing access to safe abortion services for women and adolescents on demand and free of charge; ensure that violence based on sexual orientation and gender identity, including if perpetrated by law enforcement

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<sup>95</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

personnel, is vigorously investigated; and define femicide as an offence and establish special mechanisms to ensure justice for victims.

462. The Colombian Commission of Jurists indicated that during the review the Government announced that it would extend OHCHR's mandate for three years but, in July, it was renewed for only one year. It noted that Colombia did not take seriously the UPR because only 6 recommendations were unconditionally accepted while 75% of the recommendations were considered implemented or under implementation. It regretted that the Government rejected recommendations on human rights violations by security forces and the rights of victims of paramilitary groups. It added that civil society was not consulted for the preparation of the national report.

463. Franciscans International considered that the Government should conduct its mining policy according to accepted UPR recommendations, including more than 20 related to development. It expressed concern at the Government's intention to allow mining in the moorland of Santurban, a fragile and important ecosystem that supplied water to more than two million people. It recommended that the State ensure the delimitation of the moor; take concrete measures to ensure the sustainability of the water supply for two million people who depended on the Moor; and not to issue a mining license in moorland of Santurban.

464. Amnesty International considered that the peace talks had raised expectations that the armed conflict could be coming to an end. It considered that effective peace would need a commitment from all parties to end human rights abuses and a strategy to bring to justice all those responsible for such abuses. It highlighted Colombia's failure to effectively protect civilians caught in the conflict from human rights abuses by all parties. It considered that the role of OHCHR in Colombia had been pivotal and would be critical when a peace agreement was in place.

465. The International Commission of Jurists welcomed Colombia's commitment to implement the recommendations of the Special Representative of the Secretary-General on Sexual Violence in Conflict but regretted the caveats attached to it. It noted the acceptance that reforms to the Constitution and laws must reduce rather than contribute to impunity; and the commitment to better protect indigenous people's rights, including through prior consultation and protection of land rights. It regretted that Colombia had not agreed to ratify the Optional Protocol to the Convention against Torture or the Optional Protocols for the hearing of communications under CRC and CESCRC.

466. The International Fellowship of Reconciliation recalled that the Constitutional Court considered that the right of conscientious objection to military service was guaranteed by the Constitution. However, during the review no reference was made to this issue. Legislation referring to the right of conscientious objection to military service was stalled in Parliament and military recruitment continued to rely too heavily on irregular round-ups in the street which afforded no protection to conscientious objectors or anyone else who should not be recruited. It called Colombia to give greater urgency to addressing these two issues.

#### **4. Concluding remarks of the State under review**

467. The delegation expressed its gratitude for the extensive recognition received for Colombia's commitment to the promotion and protection of human rights. This encouraged the Government to continue working in the pursuit of peace, reparation for the victims of the armed conflict and land restitution.

468. Colombia carefully examined the recommendations received during its second UPR and analyzed the Government's capacity to meet them. The Human Rights Council could rest assured of the Government's commitment to the implementation of the UPR recommendations. The role of civil society in this regard was essential.

469. The delegation concluded by reiterating its determination to continue contributing to the purposes of the Human Rights Council and the strengthening of its mechanisms and procedures.

### **Uzbekistan**

470. The review of Uzbekistan was held on 24 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Uzbekistan in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/UZB/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/UZB/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/UZB/3).

471. At its 20th meeting, on 19 September 2013, the Council considered and adopted the outcome of the review of Uzbekistan (see section C below).

472. The outcome of the review of Uzbekistan comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/7), the views of Uzbekistan concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/7/Add.1*).

#### **1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

473. The delegation of Uzbekistan, led by Dr. Akmal Saidov, Director of the National Human Rights Centre, thanked all the representatives of the states, Troika, and the Secretariat, for their constructive approach and support during its review in April 2013. Uzbekistan received a total of 203 recommendations, of which 101 were accepted during the Working Group session, 30 had already been implemented or were being implemented, and 58 were not accepted due to the fact that they either did not comply with the international obligations of Uzbekistan, or did not correspond to the reality.

474. The delegation informed that Uzbekistan also accepted 14 recommendations, to which it had committed to provide responses before the 24th session of the Human Rights Council. The outcomes of the review were approved by the Parliament. They were discussed by the Interdepartmental Working Group under the Ministry of Justice, a number of governmental bodies and NGOs. They was also well-covered by the media.

475. A draft National Action Plan on the implementation of the UPR recommendations was being prepared. Further development of national legislation and legal practice in promoting and protecting the human rights of children, women, and individuals with disabilities was among priorities of the National Action Plan.

476. The delegation indicated the significant steps taken in the field of human rights since the consideration of the Second National Report for the UPR on Uzbekistan.

477. First, in May 2013, a delegation led by Mr. Ivan Simonovic, Assistant Secretary-General for Human Rights, visited Uzbekistan, during which cooperation within the implementation of the UPR recommendations was also discussed. A preliminary agreement had been reached with OHCHR on the conclusion of a Memorandum of Understanding

between the National Human Rights Centre, OHCHR, and UNDP, as well as on the implementation of a joint technical project for 2014-2017.

478. Second, in June 2103, third and fourth periodic reports of Uzbekistan on the implementation of CRC and its two initial reports under the Optional Protocols to CRC were considered. Work had also been implemented for the fourth periodic report on the implementation of CAT.

479. Third, the Government adopted a special resolution on the implementation of the ILO Conventions, and a National Action Plan was approved. A round table was organized to discuss prospects of technical cooperation for implementation of international commitments to Uzbekistan in the framework of the ILO, with participation of the Secretariat of the ILO, the International Organization of Employers, the International Trade Unions Confederation, as well as representatives of international organizations and embassies of various countries in Uzbekistan.

480. Fourth, Uzbekistan continued to cooperate in the field of the human dimension and human rights with the Organization for Security and Cooperation in Europe, the European Union, and the Venice Commission.

481. Fifth, the country continued reforms of the judicial system. These were, most notably, human rights in a fair trial, the fight against crime, building a culture of human rights, and the development of civil society. Rules were introduced in the legislation, that indicated that the basic elements of the national preventive mechanism for the prevention of torture were established.

482. Sixth, large-scale activities had been carried out in order to establish a legal framework necessary for the effective organization of the prevention of trafficking in persons, including women and children.

483. Seventh, the independence of the judiciary was strengthened and the system of selection of judges was improved. The role of the judiciary in governance was also enhanced. The social status of the judiciary officers was protected.

484. Eighth, Uzbekistan achieved the Millennium Development Goal (MDGs) for full access to universal education. According to the World Bank, literacy rate in Uzbekistan was one of the highest in the world - 99.7 per cent.

485. Ninth, upon the decision of Parliament, during 2013, in two regions of the country, the legal experiment on testing of the draft law “On the openness of government and management” was being implemented.

486. Tenth, efforts were being made to further enhance material and technical conditions for free and active participation of citizens and civil society institutions in addressing the problems of socio-economic development. In Tashkent, in September 2013, an international conference was organized for this purpose. In order to improve the organizational framework for the activities of the citizens' self-governing bodies, two laws in new edition were adopted: “On the citizens' self-governance bodies” and “On the election of the chairman (aksakal) of citizens' gathering and his advisers”.

## 2. Views expressed by Member and observer States of the Council on the review outcome

487. During the adoption of the outcome of the review of Uzbekistan, 16 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>96</sup> are posted on the extranet of the Human Rights Council, if available.

488. Ecuador considered that ratification of various international instruments by Uzbekistan had contributed to strengthening promotion and protection of human rights. It welcomed Uzbekistan's acceptance of all of its recommendations as well as the majority of those submitted by other states. It appreciated Uzbekistan's efforts to fight against discrimination on any ground, and it was delighted to see that Uzbekistan had accepted the recommendations aimed at strengthening this issue.

489. India took positive note of Uzbekistan's efforts to improve the human rights situation and the steps taken to implement recommendations by UN treaty bodies, including through National Action Plans. It acknowledged the achievements in advancing the rights of women and children's rights through educational reforms. It appreciated Uzbekistan's commitment to comply with its human rights obligations and determination to continue the observance of international human rights standards in domestic legislation and law enforcement practice.

490. Indonesia took note with appreciation Uzbekistan's sustainable economic growth, with an eight per cent increase in GDP over the last six years. This had enabled Uzbekistan to improve various aspects of the well-being of the population. In line with its recommendation, Uzbekistan continued to strengthen the institutional framework of human rights promotion and protection, including by fully operationalizing the interdepartmental working group with mandate to monitor the consideration and the settlement of complaints by citizens, and by considering the establishment of an independent National Human Rights Institution.

491. Iran (Islamic Republic of) welcomed Uzbekistan's adoption of National Plans and measures to improve human rights, including political, legal and judicial reforms, education and human rights training and improving living conditions through gradually increasing wages. It was especially pleased with Uzbekistan's public health reform and appreciated its accession to the OP-CRC-SC and OP-CRC-AC.

492. Kazakhstan appreciated Uzbekistan's acceptance of its three recommendations relating to: further strengthening cooperation with UN human rights mechanisms in the field of juvenile rights; further supporting cooperation with the neighbouring countries on counteraction to the illegal migration; and taking steps to fully implement the ratified international documents. It expected that Uzbekistan would take all the necessary measures to implement the accepted recommendations.

493. Kuwait took note of the necessary measures taken by Uzbekistan, which confirmed their desire to respond favourably to the requests from the Human Rights Council. Several reports had been submitted to different treaty bodies, and it noted Uzbekistan's serious desire to implement the recommendations. A programme was set up to organize the year of wellbeing and prosperity, and measures had been taken to strengthen stability and security.

494. The Lao People's Democratic Republic was pleased that Uzbekistan had accepted a large number of recommendations and taken necessary steps and actions for implementation. It commended Uzbekistan for the progress achieved in the area of promotion and protection of human rights, the significant efforts to provide social

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<sup>96</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

protection for the most vulnerable groups and achievement of the Millennium Development Goals relevant to universal education.

495. Malaysia appreciated Uzbekistan's commitment, transparency and forthcoming engagement. It was pleased with updates and responses provided by Uzbekistan earlier and applauded them for the continued positive engagement in their commitment to implement the accepted recommendations. It was pleased to note that its recommendations had been given due consideration and accepted by Uzbekistan.

496. The Maldives appreciated Uzbekistan's commitment to strengthen the institutional framework of human rights promotion and protection. It looked forward to continuing to work together in the Human Rights Council on the full range of human rights issues. It hoped that the progress achieved in the implementation of the recommendations from the first and second cycles of the UPR would continue to enhance the promotion and protection of human rights in Uzbekistan.

497. Morocco noted with satisfaction the implementation of the national strategy of democratic reforms to guarantee primacy and respect of the law, as well as to protect the rights, freedoms and legitimate interests of individuals, inter alia, through maintaining the balance of powers, by strengthening the legislative branch, reforming the criminal code, and improving the penitential system. It also welcomed the initiatives such as declaration of the year of wellbeing and prosperity and thanked Uzbekistan for accepting its two recommendations.

498. Nigeria was pleased to see that Uzbekistan had accepted its recommendation and commended Uzbekistan for continuing efforts to strengthen the rule of law and the protection of human rights and freedoms, particularly their transparency in accepting the UPR recommendations. It urged Uzbekistan to maintain their cooperation with their international partners on human rights protection and continue to build on the considerable progress that they had made in the field of human rights.

499. Oman appreciated efforts made by Uzbekistan to promote human rights and guarantee dignified lives for their people. It thanked for Uzbekistan's acceptance of its recommendations, especially those related to stepping up efforts to guarantee universal healthcare and promoting rights of the persons with disabilities and their social integration. It also appreciated Uzbekistan's efforts to achieve the Millennium Development Goals.

500. Pakistan was encouraged to note that Uzbekistan had accepted the majority of the recommendations, including those that it had made. It appreciated the number of activities, including adoption of a National Action Plan to implement its human rights commitments as well as legislative measures to ensure rule of law and socio-economic progress of society.

501. The Philippines was glad that the national action plans that Uzbekistan had formulated were assured of implementation, as per its recommendation to provide adequate resources for the full implementation of these human rights action plans. It recognized Uzbekistan's relentless pursuit to improve the quality of life and standard of living of its people, especially of the women, children, and youth. Uzbekistan's acceptance of its recommendations to strengthen the enabling environment for the protection and promotion of human rights would bode well for its people.

502. Qatar commended Uzbekistan's acceptance of most of the recommendations, especially two recommendations that it had submitted. Uzbekistan's efforts to implement the recommendations reflected great importance that they attached to promotion and protection of human rights. This was clear from the laws adopted recently to reaffirm the rule of law, protection of human rights and basic freedoms.

503. The Russian Federation noted with satisfaction that Uzbekistan had accepted a large number of the recommendations, which covered a wide range of problems that many states faced. This showed Uzbekistan's readiness to strengthen the potential in the area of promotion and protection of human rights and to further improve the national human rights system.

### **3. General comments made by other relevant stakeholders**

504. During the adoption of the outcome of the review of Uzbekistan, seven other stakeholders made statements.

505. Human Rights Watch (HRW) deeply regretted that Uzbekistan had rejected the majority of the most relevant and urgent recommendations. Uzbekistan categorically denied the existence of political prisoners while it held well over a dozen of them and sentenced thousands of persons on vague and overly broad charges. Many of those imprisoned on politically-motivated charges had been subjected to torture. In April 2013, ICRC announced its decision to end prison visits to detainees. The well-documented problem of torture in police stations and prisons underlined the urgent need for Uzbekistan to honestly act on the recommendations to immediately allow ICRC to resume operations without interference. HRW also deeply regretted that Uzbekistan rejected the recommendations to extend a standing invitation to the Special Procedures and even to accept pending requests for visits. For over a decade, Uzbekistan had refused to register local independent human rights organizations and actively harassed and prosecuted independent rights defenders and journalists. Uzbekistan forcefully closed numerous international NGOs and media outlets, including HRW Tashkent Office. The Human Rights Council should respond to Uzbekistan's atrocious human rights records and total lack of cooperation by establishing a country-specific monitoring mechanism.

506. Action Canada for Population and Development, on behalf of the Sexual Rights Initiative, urged Uzbekistan to include, in their commitment to end discrimination against women and their efforts to legislate on domestic violence, judicial redress for violence, support services, access to sexual and reproductive health services for women subjected to violence without any form of prejudice or condemnation. However, such laws would not be sufficient without protection of the sexual and reproductive rights of women, including their right to decide the number and spacing of their children. State-sponsored programmes for reducing maternal mortality had been reportedly used to conduct coerced and involuntary sterilizations of women without their informed consent. It urged Uzbekistan to immediately revise policies that violated women's sexual and reproductive rights, specifically coercive population policies; increase the awareness and availability of modern and safe contraceptive methods, so that women could make informed choices and decisions; train the healthcare workers on the sexual and reproductive rights; and uphold their commitment to CEDAW by implementing policies that protected the sexual and reproductive rights of women.

507. International Lesbian and Gay Association (ILGA) stated that Uzbekistan was one of the few countries of the former Soviet Union, which continued to criminalize consensual sexual relations between men. ILGA urged Uzbekistan to accept recommendations 136.50, 136.51 and 136.52 and drop the criminal code article 120 which criminalized consensual same-sex relations between men, as well as to take measures to address discrimination against LGBT people. ILGA called upon Uzbekistan to release men who were imprisoned under article 120 and repeal the article itself. Law enforcement agencies were responsible for many of the human rights violations that LGBT people experience. ILGA also urged Uzbekistan to take measures to investigate violence against LGBT people, punish those responsible for it and prevent further violence by publicly condemning it.

508. International Federation for Human Rights Leagues (FIDH) deeply regretted that Uzbekistan had rejected recommendations relating to the freedom of expression and association, human rights defenders, and torture. Grave human rights violations continued, which included enacting oppressive legislation threatening NGO personnel and harassing human rights defenders through legal proceedings, arbitrary arrests and daily surveillance. In June 2013, Ms. Tolekan Ismailova, a Kyrgyz NGO Director and FIDH Vice-President, was denied entry and deported. Since its last UPR, Uzbekistan had taken no measure to combat torture and ill-treatment, which remained a routine practice during investigation. FIDH deeply regretted that Uzbekistan had rejected recommendations to put national legislation into line with international standards. ICRC stopped visiting detainees due to lack of constructive dialogue with the authorities. FIDH urged Uzbekistan to release human rights defenders and political prisoners; enable independent NGOs to open freely; and guarantee that they, as well as journalists, enjoy the right to freedom of expression, assembly and association. FIDH also urged Uzbekistan to ratify key instruments such as the Convention against Torture and its Optional Protocol.

509. Amnesty International (AI) deeply regretted Uzbekistan's rejection of recommendations to release those detained on politically motivated charges claiming such information was "factually wrong". At least eight human rights defenders convicted in unfair trials were serving long prison terms in cruel, inhuman and degrading conditions. Uzbekistan maintained that some of the recommendations aimed at combating torture had been or were being implemented. However, reports of widespread torture and other ill-treatment of detainees and prisoners continued. AI was concerned that, under the pretext to fight against terrorism, suspected members of Islamic movements and groups were forcibly returned and subjected to incommunicado detention, torture and other ill-treatment, and long prison sentences, following unfair trials. Uzbekistan had once again stated that the issue of Andijan was "closed", although a thorough, independent and impartial international investigation was crucial. AI regretted that Uzbekistan had rejected recommendations to strengthen and deepen its interaction with international mechanisms, including the Special Procedures, as "not in part of its obligations under internationally agreed human rights standards."

510. International Fellowship of Reconciliation (IFOR) referred to the recommendation from Slovakia with regard to conscientious objection to military service, which Uzbekistan had listed among those it considered were already implemented or in the course of implementation. IFOR hoped that Uzbekistan's answer implied that Uzbekistan was in the course of revising its military recruitment legislation to make the possibility of alternative service available not just to members of a very limited number of registered religious groups and also to address, in particular, the discriminatory length of alternative service. IFOR wished to know what active measures Uzbekistan was taking to protect conscientious objectors from reprisals and looked forward to a follow-up report touching on all these issues.

511. In a joint statement with the Expert Working Group based in Tashkent, CIVICUS-World Alliance for Citizen Participation stated that at least 15 civil society activists remained imprisoned on politically motivated charges, being sentenced to lengthy prison terms ranging from 10 to 15 years. Among them, Mr. Azam Turgunov and Mr. Dilmurod Saidov had experienced acute deterioration of their health in custody. While Uzbekistan decided to allow ICRC unfettered access to detention and prison facilities, prison authorities reportedly routinely transferred imprisoned activists to other penal institutions prior to their visits to prevent an objective assessment of their condition. Uzbekistan also continued to persecute human rights activists, including 75-year-old Mr. Turaboy Juraev, who was sentenced to 5 years in prison on spurious charges of extortion and fraud, and Ms. Nadejda Atayeva, who was also sentenced in absentia to 7 years for embezzlement. CIVICUS encouraged Uzbekistan to adopt and implement recommendations eliminating unjustified

restrictions on freedom of association for religious groups, as 6,000-10,000 religious prisoners were reportedly in Uzbekistan. CIVICUS urged Uzbekistan to release all prisoners of conscience detained for peacefully expressing their religious beliefs.

#### 4. Concluding remarks of the State under review

512. The delegation of Uzbekistan reiterated that Uzbekistan had accepted 145 recommendations, out of 203. Uzbekistan was paying great attention to improving legislation, institutional mechanisms, including the National Human Rights Institutions in accordance with the Paris Principles. Other area of priority was human rights education.

513. As stated by some representatives, Uzbekistan made achievement of MDGs a priority and had already achieved the indicator for education, healthcare, and environment.

514. Uzbekistan also paid attention to the rights of the child, rights of women, and combating human trafficking. The recommendations made during the UPR would be carried out through the National Plan of Action. There would be active participation also from the NGOs, media and international partners. In this way, the National Plan of Action would become a platform for 145 recommendations made by the Human Rights Council.

515. Uzbekistan recognized that not everything might go well and that it might not be able to uphold all the obligations, but it could not accept those unilateral and biased statements made by a number of NGOs. It did not agree to the terms, such as “political prisoner” or “persecution for political reasons”. In the Criminal Code, such a crime did not exist.

516. With regard to the statement that ICRC was obliged to stop its activities, the delegation affirmed that ICRC had indeed stopped visiting prisons but that they continued their activities in all other areas. ICRC representative himself had stated that it was them who had made that decision, not Uzbekistan. Uzbekistan respected ICRC and had nothing to do with their decision.

517. A great deal had been said about the fact that Uzbekistan, for more than ten years, had not been registering NGOs. This was not true. At the time of independence, there were 200 NGOs. The figure is over 6,500 today. The Government not only supported their activities but also provided them with financial assistance. Uzbekistan registered the Human Rights Watch after its independence, but recently, they started to violate national legislation on a regular basis. Uzbekistan therefore took a decision that, if an organization did not uphold the law and local traditions and did not work constructively, such an organization would not continue its activities.

518. Uzbekistan would continue to improve the Family Code and other legislations. The statement about monitoring growth of the population was also not true. The population of Uzbekistan exceeded 30 million. 20 years ago, just before the independence, it was 20 million. Therefore, it increased by 10 million.

519. As regards to torture, the delegation reiterated that it had submitted its fourth report to the Committee against Torture in October 2012. It was also developing the National Preventive Mechanism. Uzbekistan had ratified CAT in 1995. Before criticizing, it was important to look at the facts and the reality of the situation.

520. With respect to the statement from Amnesty International about Andijan, the delegation responded that the events related to Andijan had finished. The Government had carried out an independent investigation. Law enforcement agencies punished those who were responsible and involved in the riots.

521. Uzbekistan once again thanked all the delegations who took the floor and expressed its commitments to its international obligations. Uzbekistan would work closely with its

national and international partners, and OHCHR and UNDP in order to implement all the UPR recommendations.

### Germany

522. The review of Germany was held on 25 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Germany in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/DEU/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/DEU/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/DEU/3).

523. At its 22nd meeting, on 19 September 2013, the Council considered and adopted the outcome of the review of Germany (see section C below).

524. The outcome of the review of Germany comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/9), the views of Germany concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/9/Add.1*).

### 1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

525. The Delegation, led by H.E. Mr. Hanns H. Schumacher, Permanent Representative, stated that dialogue and cooperation were essential to protecting and promoting human rights. Germany was trying its best to contribute to this exchange by listening, by reaching out, and by establishing an honest dialogue with all its partners, both in Government and in civil society.

526. The Delegation stated Germany was firmly committed to the Universal Periodic Review (UPR). The National Report showed how the accepted recommendations from the first review had been implemented. The Report also provided an insight into the way human rights was being discussed in Germany.

527. The Delegation expressed its thanks to the German Institute for Human Rights and the German civil society for their valuable input and their openness to voice their opinion on the draft National Report during a public hearing and for agreeing to enter into a shared side event on first impressions immediately after Germany's UPR, which added value not only to the review but also to the quality of the dialogue with civil society.

528. The Delegation stated that the 200 recommendations received were carefully studied. The German Institute for Human Rights as well as civil society had been invited to comment and discuss Germany's response to all these recommendations. The Delegation emphasised that due to the word-limit it was impossible to provide substantive replies to many of the recommendations.

529. The Delegation recalled that the fight against racism was at the centre of many questions and recommendations during Germany's UPR and emphasised Germany's firm commitment to fighting racism in all its forms. In this regard, there was a National Action Plan which provided for a wide range of measures. Germany has undertaken a series of endeavours to enhance the prevention of racially motivated criminal offences, including the

creation of an adequate statutory basis. The Federal Agency for Civic Education acted to prevent combated extremist, racist and xenophobic attitudes and slogans through the sharing of knowledge.

530. The Delegation stated that incitement to hatred on national, racial, ethnic or religious grounds was taken very seriously with alleged perpetrators being prosecuted for such incitement. Also, a racist mind-set of a perpetrator of any criminal offence may constitute an aggravating circumstance under the Penal Code.

531. The Delegation stated that the Federal Government assigned key importance to combating politically-motivated criminal offences against Sinti and Roma, Muslims, members of the Jewish community and Germans of foreign origin. These criminal acts were recorded as "hate crimes".

532. The Delegation stated that the discovery of the so-called "NSU" murder series in November 2011 has profoundly shocked the German society. These hate crimes were not only directed against the victims, but also against the entire German society, in particular its diversity and plurality. Countering right-wing extremism and hate crime was an on-going task which enlisted the Government and society as a whole. The aim of the Federal Government was to bundle initiatives from civil society and different levels of Government and policy-making in order to successfully detect, prevent and respond to all manifestations of right-wing extremism and hate crime. The Federal Government has taken a series of measures to tackle the weaknesses in the architecture of German internal security, which have, unfortunately, resulted in the "NSU" remaining undetected for more than a decade. Those measures included the creation of the Joint Defence Centre against right-wing terrorism and extremism in December 2011; the creation of the Joint Extremism and Counter-Terrorism Centre and in November 2012; and the creation of a joint database for police and intelligence services on right-wing extremism.

533. The Delegation emphasised that the protection of human rights of migrants was guaranteed. Even in cases of undocumented migration, the legal system granted the right to education, basic health care and statutory legal protection. In recent years, the situation for children of migrants has fundamentally improved. School attendance has become obligatory including for children whose deportation has been temporarily suspended and for children involved in asylum procedures. Germany continued to ensure equal opportunity and participation for all persons with a migrant background in the social, economic and cultural spheres. With regard to integration of migrants, 'Integration Summits' were regularly hosted by the Government since 2006 and since 2007 a national integration plan has been implemented to support the integration of all regular migrants. In January 2012, a national action plan on integration set targets in 11 fields of action.

534. The Delegation noted that while a lot has been achieved in these last decades to make equal rights for men and women a reality, there remained challenges in some spheres of life, particularly in the labour market. The National Action Plan on human rights for the period 2012 – 2014 sets the objectives to create fair income opportunities for women and men and to raise the proportion of women in the top management levels of companies in the long-term. This will entail increasing the overall employment rate of women as well as their employment in full-time jobs, to promote shorter family-related exits and better integration of older women into a changing labour market. It also means specific efforts to promote equal pay, to reconcile work and family life, to promote job security and insured employment and to improve working-time sovereignty of mothers.

535. The Delegations stated that since the ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol, a national action plan was designed to make inclusion of persons with disabilities a reality, and to mainstream policy on disability into the ministries, federal states (Länder) and

communities, as well as into institutions and companies. A new inclusion report showed the need for more empirical data, also to examine factors which limit participation in society as well as those which foster a self-determined and fulfilled life with a disability. The Government's goal was to further develop the National Action Plan as a long-term basis for its policy on disability. Studies were being undertaken to identify the remaining gaps in the content and measures of the current National Action Plan.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

536. During the adoption of the outcome of the review of Germany, 13 delegations made statements. The statements of those delegations that were not delivered due to time constraints<sup>97</sup> are posted on the extranet of the Human Rights Council, if available.

537. Indonesia commended Germany for accepting most of the recommendations received. It noted that Germany faced many challenges in realising the promotion and protection of human rights arising from its multicultural society. Diversity of culture was a fact of life that should be celebrated and protected. Indonesia welcomed the commitment to combat racism, discrimination, xenophobia and anti-Semitism, as well as the promotion of equal opportunities for people with a migrant background. It expressed the hope that efforts in this regard will be strengthened by the implementation of the accepted recommendations.

538. Iran (Islamic Republic of) expressed the hope that the UPR recommendations will be fully implemented. It urged Germany to boost its efforts to address shortcomings such as discrimination against ethnic minorities, migrants and refugees; the use of force and the infliction of ill-treatment of minors and foreigners in prisons, psychiatric hospitals and detention centres; and protection for trafficked children.

539. Maldives stated that it was pleased that Germany had accepted the two recommendations it had made during UPR Working Group on Germany. These recommendations related to the inclusion of specific provisions in the German Criminal Code to adequately criminalise torture and to the increasing of public awareness of the General Equality Treatment Act (2006).

540. Morocco welcomed the spirit of openness and the constructive approach shown by Germany throughout the consideration of its second national report. It commended Germany for the interest it has shown in questions related to migrants, in particular their integration into German society. Morocco welcomed the efforts made to have an open dialogue with the Muslim community and also welcomed all measures taken to combat discriminatory practices based on religion. Morocco noted that Germany accepted a large number of recommendations.

541. Nigeria noted the numerous voluntary pledges and commitments made by Germany and that Germany accepted most of the recommendations. Nigeria stated that it was particularly happy with Germany's declared stand against racism and by the position taken on the rights of migrant workers. It urged Germany to maintain its demonstrated commitment in the implementation of obligations under the relevant international human rights instruments.

542. The Philippines stated that even though Germany had not accepted its recommendation to consider ratifying the International Convention on the Protection of Migrant Workers and Members of Their Families (ICRMW), it will continue to constructively engage with Germany on the protection of migrants, including migrant

<sup>97</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

workers. The Philippines welcomed the acceptance albeit only partly, of its recommendation to reconsider its decision to impose criminal sanctions against irregular migrants.

543. The Russian Federation noted with satisfaction that Germany accepted the majority of the recommendations it had received including those that it had made, which demonstrated aspirations to improve the human rights situation. The Russian Federation noted that the recommendation relating to the withdrawal of reservations to human rights treaties, especially the ICCPR, was accepted in principle, which it understood meant Germany's insistence on keeping the reservations to this Covenant. In this connection, the Russian Federation once again called on Germany, with the participation of civil society, to carefully study the recommendation and reconsider its approach to the aforementioned reservations.

544. South Africa welcomed the acceptance of recommendations related to racially motivated offences and urged Germany to continue taking action to combat racism, racial discrimination, xenophobia and related intolerances. The large number of recommendations accepted by Germany reinforced its commitment to the UPR. South Africa noted Germany's lead on issues of safe drinking water and sanitation in the work of the Council and encouraged the delegation to ensure that all efforts in this regard were aimed at ensuring the promotion, protection and fulfilment of the human right to safe drinking water and sanitation.

545. State of Palestine commended Germany for the pro-active manner in which it engaged with the UPR process. It congratulated Germany for accepting the majority of the recommendations and noted that some of the recommendations were already implemented. It also took note of the measures taken by Germany in the promotion and protection of human rights, including those related to discrimination, women, and migrants.

546. Togo welcomed Germany's commitment to the universal principles of human rights through the strengthening of the legal principles and to the ratification of international instruments on human rights. It thanked Germany for having accepted most of the recommendations, including its recommendations. Togo welcomed the readiness of Germany to continue to implement these recommendations and wished Germany every success.

547. Viet Nam noted that Germany has accepted and remained highly committed to implement a large number of recommendations, including its recommendation on strengthening social equality, the welfare system for persons with difficulties, migrants, the elderly, women and children. Germany has demonstrated that it was an active, constructive and responsible member of the Council.

548. Algeria noted that Germany had accepted most of the recommendations it had received and welcomed the acceptance of those recommendations calling for the authorities to adopt a comprehensive strategy to fight against all forms of discrimination. This strategy will contribute to the fight against discrimination, including Islamophobia. Algeria noted that Germany had not accepted the recommendation to ratify the ICRMW. It expressed the hope that measures taken in relation to migrant workers will ensure that the rights of this vulnerable section of society were indeed respected.

549. Azerbaijan expressed its disappointment at the rejection of recommendations concerning the establishment of a complaints mechanism for the investigation of ill-treatment and excessive use of force by the police and law enforcement officials. It expressed concern that the number and membership of right-wing movements, including neo-Nazi groups, were constantly rising and that their manifestations of racism did not get an adequate response from the German Government. It expressed disappointment that Germany has fallen victim to unacceptable attitudes against Islam and Muslims. Azerbaijan

stated that it listened carefully to the statement on racism by the German Delegation and called on Germany to put this statement into real, practical and substantive action.

### 3. General comments made by other relevant stakeholders

550. During the adoption of the outcome of the review of Germany, 10 other stakeholders made statements.

551. German Institute for Human Rights (GIHR) expressed disappointment that the Government did not live up to its promise to the Working Group to reconsider the problems associated with combating racism effectively, and merely referred to its 2008 National Action Plan Against Racism, leaving aside recommendations made by Parliament following an enquiry into police failures to investigate a series of racist motivated murders. GIHR invited the Government to commit to implementing these recommendations. It deplored the Government's rejection of recommendations to ensure the independent and effective investigation of allegations of police violence. GIHR expressed concern by the Government's declaration that certain human rights treaties will only be ratified after the monitoring bodies have rendered their decisions, an approach that could weaken the international human rights protection system. Also, the Government's rejection of certain recommendations because they pertain to issues falling within the remit of states of the Federation, could effectively remove human rights issues from UPR scrutiny. Accepting the Government's explanation that it cannot ratify human rights treaties because they were incompatible with domestic law, will result in global progress in human rights protection never being achieved. GIHR stated that the Government should identify the specific measures to implement accepted recommendations, and called for a high-level domestic mechanism to coordinate such implementation.

552. Charitable Institute for Protecting Social Victims stated that torture was not explicitly prohibited in the Constitution. Cases of ill-treatment and excessive use of force by the police was not always investigated promptly, impartially, independently, adequately and effectively. It urged Germany to prevent actions that may lead to the stigmatization of migrants, asylum-seekers and ethnic or religious groups by explicitly acknowledging the positive contribution of immigrants; and to ensure that the "best interest principle" is taken into consideration in any decision child asylum applicants.

553. Franciscans International and VIVAT International commended Germany for the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings and welcomed the acceptance of the UPR recommendations on the protection of victims of human trafficking. They noted the adoption of the Act Regulating the Legal Status of Prostitutes and observed that the working conditions of prostitutes remained deplorable. They made recommendations including the taking of steps to formally protect victims of trafficking.

554. Save the Children on behalf of the National Coalition for the Implementation of the UN Convention of the Rights of the Child in Germany stated that in accepting Recommendation 124.28, Germany indicated that all legal regulations and their implementation already complied with international standards. This was not true with regard to the custody of minors pending deportation. They also welcomed the acceptance of recommendations 124.116 and 124.193 and noted the Government's response that improving the educational opportunities for children with migrant backgrounds was a special focus of the education policy. They stated that in practice this focus did not include unaccompanied minors alone in Germany.

555. Amnesty International (AI) welcomed Germany's improved consultation with civil society and hoped to see substantial changes in the assessment of human rights challenges. AI stated that it did not share the Government's view that many of the accepted

recommendations have already been implemented. There were significant gaps in the criminal law that prevented the investigation and prosecution of cases of enforced disappearances. AI stated that failure to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights undermined the leadership position held by Germany on initiatives on the rights to water, sanitation and adequate housing. It remained concerned about the inadequate procedures in a number of federal states for the most vulnerable asylum seekers; and expressed regret that the recommendations on the prevention of ill-treatment by the police were rejected.

556. Institute for Women's Studies and Research (IWSR) expressed concern at the absence of provisions adequately criminalizing acts of torture in criminal law; and that immigrant, refugee and minority women may be subjected to multiple forms of discrimination. IWSR stated that the choice of schools for children depended increasingly on their social and ethnic background, with segregated education being on the rise. Pupils in class with a large share of migrants were often faced with disadvantages in terms of learning and working conditions. IWSR urged Germany to prevent and prosecute trafficking in persons and provide a means of redress to the victims.

557. European Disability Forum on behalf of the German CRPD Alliance welcomed Germany's acceptance of six recommendations relating to the Convention on the Rights of Persons with Disabilities and called for these recommendations to become reality. It was not enough for the Government to refer to this Convention in the Law of Equality of Opportunity for the Disabled. Private entities that offered facilities and services to the public should take into account all aspects of accessibility for persons with disabilities.

558. The Commission of the Churches on International Affairs with the World Council of Churches and the German Forum Human Rights jointly stated that although Germany accepted the larger part of 200 recommendations, critical issues such as migration, asylum seekers, discrimination, racism in state institutions, and poverty were not satisfactorily addressed. The Government could do better. They did not share Germany's view for not ratifying ICRMW. They stated that if the human rights of so called irregular migrants were incompatible with German law, then something must be wrong with this law.

559. Südwind welcomed the acceptance of recommendations to improve the situation of asylum seekers and refugees. It stated that there was a need for special psychological treatments especially for those asylum seekers and refugees who experienced extreme trauma. Asylum seekers were not afforded the opportunity to learn German or to study. They were not allowed to work which lead to psychological problems and a high number of suicide attempts.

560. Canners International Permanent Committee stated that Germany was firmly committed to establishing world peace; respected the values of democracy, development and the freedom of rights; and was a major pioneer in the European integration project. The German democratic model was an ideal model that world could emulate. Germany was nearly free from corruption. The Judiciary was independent and the rule of law prevailed. Freedom of expression was protected by the Constitution and basic laws, which ensured that the right to freedom of expression was not misused.

#### **4. Concluding remarks of the State under review**

561. The Delegation thanked all Colleagues and members of the civil society for their remarks, irrespective of whether such remarks were kind or critical; and expressed the assurance that all remarks will be taken very seriously.

562. The Delegation reiterated that racism was taken very seriously and expressed the assurance that the recommendations of the Parliamentary NSU Investigation will not go unnoticed.

563. The Delegation stated that the plea of the German Institute for Human Rights for a domestic mechanism with civil society participating in the implementation of the recommendations will be taken back to Berlin.

564. The Delegation requested the deletion of the mention of recommendation 124. 119 from page 4 of document A/HRC/24/9/Add.1. Also, responses to other recommendations were recorded as “accepted in principle” are “accepted” with the understanding that Germany was ready to implement those recommendations once certain preconditions, not depending entirely on Germany, were fulfilled.

### **Djibouti**

565. The review of Djibouti was held on 25 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Djibouti in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/DJI/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/DJI/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/DJI/3).

566. At its 22th meeting, on 19 September 2013, the Council considered and adopted the outcome of the review of Djibouti (see section C below).

567. The outcome of the review of Djibouti comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/10), the views of Djibouti concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group.

#### **1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

568. H.E. Mohamed Siad Doualeh, the Permanent Representative of Djibouti to the United Nations thanked all the countries that contributed to the UPR review of its country.

569. He stated that Djibouti had committed to overcoming the delays in submitting its reports to Treaty Bodies. Djibouti had also renewed its cooperation agreement with the Regional Office of the OHCHR. Djibouti will submit its initial report to the Human Rights Committee on 15 and 16 October 2013 during its 109<sup>th</sup> session.

570. Djibouti stated that the Parliamentary majority, which emerged from the elections of February 22<sup>nd</sup> 2013, intended to launch a dialogue with members of the opposition coalition so they could work to entrench the democratic process and build a strong Nation.

571. Djibouti had undertaken various reforms and policies since its first UPR review in February of 2009, to show clearly its determination to work on a daily basis for the promotion and protection of human rights. Djibouti had drafted a new law to establish a universal health insurance system, to protect the population against financial risks of sickness and maternity, based on the principles of solidarity, equity and social cohesion. In cooperation with the United Nations, Djibouti has launched a training and awareness workshop which aimed to bring the communities of national Oulémas to take active participation in the combat against Female Genital Mutilation (FGM).

572. With regard to the pending recommendations from its last UPR review Group, Djibouti had regrouped them in three main categories: the modifications to the Family Code to prevent discrimination against women, the invitation to special procedures' mandate holders and the legislative framework to ensure freedom of expression.

573. With respect to the Family Code, Djibouti declared that a small committee appointed by the Ministry of Justice was studying the current Family Code and was responsible for the necessary reforms.

574. With respect to recommendations on standing invitations to special procedures, Djibouti will send invitations to mandate holders according to priorities that will be established.

575. With respect to the creation of a legislative framework to guarantee freedom of expression and the creation of a private media, HE Mohamed Siad Doualeh recalled that the 1992 Constitution was already an appropriate framework for fundamental freedoms including, freedom of information. He also mentioned the law on freedom of press and of communication, and the regulatory body being established as stated by this law.

576. With regard to the recommendation concerning the revision of the Penal Code on defamation, although the Government welcomed the idea of a reflexion on this question, it could not provide a favourable follow up at this stage.

577. On the recommendation to ratify the Convention on Statelessness, Djibouti was considering the possibility of ratifying this international instrument but the dialogue was still on-going.

578. Finally, on the international instruments that Djibouti had not yet ratified, an inter-ministerial committee in charge of the activities relating to the protection and promotion of human rights had already begun work. They were studying ways to harmonize the laws on ratification.

579. H.E. Mohamed Siad Doualeh stressed that fundamental freedoms were guaranteed by the Constitution of Djibouti, whether they concerned freedom of expression or freedom of assembly. The related recommendations were also an additional reason to continue its efforts to improve the level of enjoyment and protection of fundamental freedoms.

580. On equal access to courts and equality before the law, Djibouti was establishing first instance tribunals in various regions within the country in order to enable people to have a more direct access to justice. Meanwhile, the Ministry of Justice was organizing sessions in rural areas with the same objective.

581. Djibouti has re-organized its legal aid to exempt people with low income from paying legal fees, including those related to tribunals, acts, expertise and lawyers' fees. The recent adoption of a Decree on this new process will make it possible to ensure equal rights for every individual in a better exercise of justice and will substitute the concept of social justice to that of charity.

582. Djibouti has recently adopted important legislative and regulatory measures aimed at more effectively fighting against discrimination towards women, and at the same time, particular focus has been put on awareness raising and integrating gender into sectorial policies.

583. During the presentation of the UPR national report in April 2013, Djibouti was represented by two ministers, the Minister of the Promotion of Women and the Ministry of Justice. This choice was a clear signal that in Djibouti, political, social and economic development will be established on the basis of parity.

584. With respect to discrimination against women and access to education and health, the UPR recommendations were in conformity with the pro-active policy of the country. The National Union of the Women of Djibouti and the Ministry of the Promotion of Women, with the support of the Ministry of Education, have implemented programmes for literacy for women and girls who are no longer in school or who were never at school. These various programmes have ensured to provide literacy to 34.000 women.

585. The government has carried out large-scale campaigns and is adopting strategies to encourage schooling for girls and to encourage them to stay in school.

586. Within the Ministry of National Education, a Gender unit has been created to implement, measure and follow up on developments in the policy in this area. In terms of women and children's health, the government was working in three main areas to adopt an integrated approach for community health; based on the protection of the environment, strengthening the role of women and youth, and widespread health education programmes, to improve access to health services of better quality. Various programs had been set up by the Ministry of Health, to improve the reproductive health of women during various stages of their life, to reduce maternal morbidity and mortality.

587. These programs were accompanied by awareness raising campaigns to institutionalize the fight against traditional practices that harm the health of women and of the community. These various policies have made it possible to have more systematic pre-natal consultations, which affected 80.15% of new births in 2010. In addition, in order to improve these results, a fund called the mutual fund for health was set up within six localities in 2008. In 2009, the mechanism was extended to 14 other sites and in 2010, there were 33 more sites involved.

588. Djibouti concluded by reaffirming its commitment to the Universal Periodic Review, and it wished to count on international cooperation to implement the accepted recommendations. Djibouti was convinced that human rights were a factor for cohesion, stability and social peace.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

589. During the adoption of the outcome of the review of Djibouti, 24 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>98</sup> are posted on the extranet of the Human Rights Council, if available.

590. Togo welcomed the progress made by Djibouti in submitting its reports to Treaty Bodies and in the area of access to justice. Togo welcomed the fact that Djibouti accepted the recommendation made by Togo about the need to step up efforts to prevent, combat and punish violence against women and children, and to combat effectively traditional practices which were harmful to women, particularly in rural areas. Togo encouraged Djibouti to continue effective implementation of the accepted recommendations and invited the international community to assist the Republic of Djibouti.

United Arab Emirates hoped that Djibouti would make efforts to protect human rights, and would take measures for legislative and institutional reforms in accordance with national needs to preserve dignity and justice and ensure equality among its citizens. It welcomed Djibouti's spirit of responsibility, which was the basis for the adoption of all the recommendations and its commitments. It was confident that Djibouti would establish the

<sup>98</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

principles of rule of law and good governance and encouraged it to continue along these lines.

591. Venezuela (Bolivarian Republic of) applauded Djibouti's spirit of openness and constructive participation. Djibouti provided all the information requested during the process with concrete responses to the questions that were asked. It highlighted Djibouti's efforts in the field of social rights. It stated that the country had made considerable progress in particular in creating universal health coverage, protecting health for the most underprivileged groups. Venezuela insisted on the efforts of Djibouti to promote and protect human rights in spite of the economic difficulties, and applauded the government's determination and commitment to achieve the objectives.

592. Viet Nam noted that Djibouti accepted a large number of recommendations, including the one formulated by Vietnam to step up its fight against poverty and to enhance access to education while eliminating the disparity among the genders in this area. Vietnam acknowledged that there was still a need to further strengthen achievements and efforts in the promotion and protection of human rights. It reiterated its wish to see the country take concrete measures to implement the results of its second UPR.

593. Yemen noted the achievements made by Djibouti in the field of human rights. Yemen congratulated Djibouti for the measures that it had taken for the promotion and protection of human rights. It commended Djibouti for its achievements in terms of amending the Constitution and promulgating laws concerning fundamental rights and freedoms, including a Strategic Plan of Action for children, as well as its accession to a large number of international conventions. It encouraged the government to continue along these lines.

594. Algeria welcomed the commitments taken by Djibouti during its second UPR cycle. It praised Djibouti's openness and excellent cooperation during the process. Algeria praised the acceptance of its two recommendations on strengthening programs on promoting and protecting children's rights as well as programmes on public health to reduce maternal and infant mortality. Algeria stressed that these two programmes will have a positive impact on the promotion and protection of human rights in the country.

595. The delegation of Benin commended Djibouti for its second UPR. Benin noted with satisfaction that Djibouti had engaged various reforms at a normative level and had ratified various international human rights instruments, including in the areas of education, health, housing, sanitation and promotion of women. Benin encouraged Djibouti to continue the reforms it has begun and invited the international community to assist the country in these reforms.

596. Botswana commended Djibouti for its acceptance of a majority of the recommendations. It demonstrated Djibouti's conviction to the UPR process, as well as the country's commitment to the promotion and protection of human rights. It noted with appreciation efforts made by Djibouti in the fight against poverty. It stated that the programmes and reforms undertaken by Djibouti to combat poverty and economic hardship, notwithstanding its arid climate, were indeed encouraging. Botswana therefore recommended that the Council adopt the UPR report of Djibouti and wished them well in the implementation of their accepted recommendations.

597. China appreciated Djibouti's active and constructive engagement in the UPR process and welcomed its decision to accept most of the UPR recommendations. It thanked Djibouti for having accepted recommendations by China and for its commitment to increasing investment in education and to promote changes in traditional practices and stereotypes on women in order to better protect their physical and psychological integrity. China wished Djibouti new success in sustainable economic social development and in its human rights endeavours.

598. Côte d'Ivoire welcomed Djibouti's endorsement of a great number of the recommendations made under this UPR cycle. It encouraged Djibouti to adopt the necessary measures to strengthen the promotion and protection of human rights, the rights of women and children, as well as to continue with its fight against poverty. It reiterated its appeal to the international community to continue to provide technical, material and financial assistance to help Djibouti to implement the recommendations made.

599. Cuba praised the progress made by Djibouti to reduce poverty and unemployment, to empower women, the right to food, the four pillars upon which the rights of women and children are based, as well as the various measures adopted in the sphere of health. Cuba welcomed with satisfaction that Djibouti had accepted the majority of the UPR recommendations, especially the ones formulated by Cuba. Cuba urged Djibouti to continue to implement these measures contributing to the promotion and protection of human rights and wished it every success in its social and economic development plans.

600. Ethiopia commended the commitment of Djibouti to continue implementing the recommendations accepted in the first cycle and those accepted in the second cycle of UPR review. It noted with appreciation the decision of Djibouti to accept a significant number of recommendations including the ratification of all the international human rights instruments, the review of national laws to ensure their conformity with its international obligations, as well as the strengthening of institutional framework with respect to the promotion and protection of human rights, to further boost the capacity of the National Human Rights Institutions. Ethiopia wished success to Djibouti in its endeavour to implement the accepted recommendations.

601. Gabon welcomed Djibouti's cooperation with the procedures and international mechanisms for the promotion and protection of human rights. Gabon encouraged the measures taken by Djibouti to promote the enjoyment of certain fundamental freedoms such as the right to life, the right to a fair trial, freedom of expression, the right to work, the right to housing and the right to education. Gabon noted with satisfaction that Djibouti has also abolished the death penalty and recommended that Djibouti embark upon the necessary reforms to improve the living conditions of detained persons.

602. Kuwait valued Djibouti's genuine effort to promote human rights, especially the country's effort in the field of women's rights, children's rights and right to education. It welcomed Djibouti's adoption of a basic law which amended partially the election law of 1992. Kuwait noted that Djibouti had increased the number of judges and reorganized the tribunals. Kuwait welcomed the efforts it has undertaken in cooperation with the UN Office on Drugs. Kuwait commended Djibouti and its efforts to accept the recommendations submitted by Kuwait regarding continuing its efforts in the field of basic education and equal opportunity.

603. Malaysia appreciated the commitment, transparency and forthcoming engagement by Djibouti in the UPR process. Malaysia was pleased with the updates and responses provided by Djibouti and applauded them for the continued positive engagement in their commitment to implement the accepted recommendations. Malaysia was also pleased that Malaysia's recommendations to Djibouti have been given due consideration and have been accepted by them. Malaysia wished Djibouti all the best in the implementation of the accepted recommendations.

604. The Maldives was pleased that its recommendations enjoyed the support of Djibouti. It congratulated Djibouti for the efforts made to provide healthcare, improve child mortality rate and other health issues in the nation. It also took note of the efforts made in the promotion of the right to education, to eliminate FGM, and the awareness raising campaign in all parts of the country. The Maldives appreciated that the work of the Djibouti National

Human Rights Commission was in conformity with the Paris principles. It extended its best wishes to the Delegation from Djibouti on the adoption of its UPR Report.

### **3. General comments made by other relevant stakeholders**

605. During the adoption of the outcome of the review of Djibouti, three other stakeholders made statements.

606. East and Horn Africa Human Rights Defenders (EHAHRDP) and “La Ligue Djiboutienne des Droits Humains” raised concerns with the repetitive violations of human rights in Djibouti. They regretted that Djibouti had not implemented the five recommendations it had accepted to ensure freedom of expression, freedom of association and freedom of assembly. They also highlighted the harassment and arrests of independent journalists due to the lack of freedom of press. EHAHRDP stressed the importance of an effective participation of the political parties of the opposition in elections. It recommended the urgent ratification of OP- CAT. It mentioned the alleged cases of torture and violence in police custody and regretted the lack of follow up to the complaints made by the victims. Finally it referred to the political prisoners who remained detained since the legislative elections on 22 February 2013 and urged the immediate release of all the political prisoners, the immediate halt to the harassment and arbitrary detention of militants of the opposition, human rights defenders and independent journalists, the follow up to the complaints submitted for acts of torture and violence and a stop to the revocation of Djiboutian nationality from the political opponents.

607. The International Federation for Human Rights League (FIDH) it regretted that recommendations relating to the freedom of press , the transparency for free elections and the effectiveness of political and civil rights were rejected. FIDH stated that since the elections, the authorities had intensified the arrest and judicial harassment of militants and leaders of the opposition. FIDH mentioned the death of Mohamed Elmi Rayale a militant of the “Union pour le Salut National” in the Gabode prison on 29 August 2013. It also referred to the increasing number of threats against, independents lawyers, journalists and human rights advocates. FIDH stressed the weakening of trade union rights and mentioned the cases before the ILO complaint procedures. It urged Djibouti to implement all the UPR recommendations to guarantee effectively all the rights enshrined in the international instruments to which Djibouti is a party to.

608. Rencontre Africaine pour la Defense des Droits de l’Homme (RADDHO) congratulated Djibouti for the progress made in its fight against poverty and the programs it has launched to improve the housing situation. RADDHO praised Djibouti’s active participation in the UPR and in the intergovernmental process of Durban. However it encouraged Djibouti to take concrete measures at the national level to improve the situation of human rights to create an atmosphere inductive to a social dialogue with political parties, NGOs and civil society. RADDHO noted with satisfaction the actions taken by the Government to protect women from sexual violence and discrimination. It advised Djibouti to redouble its efforts to eradicate FGM. It also urged Djibouti to strengthen freedom of expression and association and to reconsider the recommendations it had rejected.

### **4. Concluding remarks of the State under review**

609. H.E. Mohamed Siad Doualeh expressed his gratitude to all the delegations who had praised the spirit of transparency and openness of Djibouti in its cooperation with the international human rights mechanisms. H.E. reiterated the importance of the international support to Djibouti in this endeavour.

610. H.E. Doualeh highlighted the misrepresentations made by EHAHRDP and FIDH with regard to the lack of transparency during the electoral process in Djibouti. H.E. mentioned the current consultations and constructive dialogue between the Parliamentarians and the coalition of the opposition parties to build a strong nation..

611. The delegation of Djibouti rejected the allegations of torture. It informed that in the sad case of Mr Mohamed Elmi Rayale the medical expertise concluded that the death was from natural causes.

612. In conclusion H.E. Doualeh referred to the main enemy of Djibouti, poverty and the titanic task of the government to combat it. However the economic prospect of Djibouti improving and with the commitments taken by the Government, he assured that the human rights of Djiboutian will progress positively.

### **Canada**

613. The review of Canada was held on 26 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Canada in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/CAN/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/CAN/2 and A/HRC/WG.6/16/CAN/2/Corr.1);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/CAN/3).

614. At its 22nd meeting, on 19 September 2013, the Council considered and adopted the outcome of the review of Canada (see section C below).

615. The outcome of the review of Canada comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/11), the views of Canada concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/11/Add.1*).

### **1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

616. H.E. Ms. Elissa Golberg, Ambassador and Permanent Representative of Canada to the United Nations at Geneva, presented Canada's response to the 162 UPR recommendations, which touched on numerous important issues, many of which are a shared responsibility between governments in Canada or which fall under federal or provincial and territorial jurisdiction. Recommendations were discussed both within and between governments and federal, provincial and territorial governments collaborated in the preparation of Canada's response. Civil society and Aboriginal organizations were also invited to provide their views on the recommendations.

617. After careful consideration, Canada accepts 122 recommendations it received – either in full, in part or in principle.

618. Canada accepts in full or in part those recommendations that federal, provincial and territorial governments are already implementing through existing legislative or administrative measures and which they are committed to continuing to take steps to achieve.

619. The recommendations that Canada accepts in principle are those where governments are taking steps towards achieving the objectives and underlying principles of the recommendations, but it does not accept the specific proposed action.

620. Canada accepts most of the recommendations it received related to UN mechanisms and recommendations. Canada invites examination of its human rights record and the recommendations received from international human rights treaty bodies, while not legally binding, are given serious consideration and are discussed both within and between governments, through various government committees. Canada has also established a process to seek the views of domestic civil society and Aboriginal groups on the draft outline of its reports to the international human rights treaty bodies and on the recommendations issues by these bodies.

621. Canada accepts most of the recommendations related to Aboriginal peoples. Canada is already engaged in ongoing and significant measures to improve the social well-being and economic prosperity of Aboriginal peoples. Governments are working together and in partnership with Aboriginal communities and groups to ensure they have access to services aligned with those enjoyed by other Canadians.

622. Canada does not accept calls to develop a national action plan for the implementation of the UN Declaration on the Rights of Indigenous Peoples. The Declaration is a non-legally binding, aspirational and forward-looking document that calls on States and Aboriginal peoples to work together to ensure a better future. Canada is working with Aboriginal peoples and in partnership with other levels of government on many of the issues addressed in the Declaration.

623. With regard to calls to continue or to enhance efforts to address the serious issue of violence against Aboriginal women and girls, Canada indicated that it accepts the majority of these recommendations on the basis of ongoing efforts to address this issue. Canadian governments, at all levels, are strongly committed to taking action with Aboriginal and non-Aboriginal partners and have undertaken many initiatives demonstrating this commitment, in partnership with Aboriginal and non-Aboriginal groups, communities and individuals.

624. Canada also received recommendations related to racial and religious discrimination and the situation of vulnerable groups. With a few exceptions, Canada accepts these recommendations, in full, in part or in principle, as Canada already guarantees the right of equality under the law.

625. Canada does not agree with the assertion that it engages in targeting, racial or religious profiling and harassment. Canada's law enforcement and security intelligence officials investigate threats to national security and criminality without unnecessarily targeting any community, group or faith.

626. Canada does not accept recommendations that call for the enactment of a specific offence of racist violence because it is redundant. Canada's Criminal Code already criminalizes all acts of violence.

627. The delegation further noted that Governments in Canada are also committed to guaranteeing the equality of the sexes under the law.

628. Canada has also long implemented prevention, intervention and support measures to protect children from violence and exploitation, including child sexual exploitation, economic exploitation, and exposure to hazardous work.

629. The delegation indicated that Canada does not accept recommendations calling for the establishment of a federal Children's Ombudsman, as the functions of a federal commissioner are already being performed through existing domestic implementation mechanisms and international reporting processes.

630. Canada accepts – in full, in part or in principle – the recommendations we received relating to poverty reduction and homelessness as all governments are continuing to address these issues through a myriad of programs and policies. The delegation underlined that most provincial and territorial governments have implemented or are developing strategies and actions plans. These comprehensive strategies address many related factors and components, including measures aimed at income and family supports, housing, education, employment, and health care, and are better tailored to local community needs than any national plan could ever be.

631. Canada accepts – in full or in principle - some of the recommendations received regarding national security and policing in light of strong legal protections and oversight mechanisms already in place.

632. Canada's counter-terrorism initiatives and its system of security certificates are in compliance with its international treaty obligations. There are external and independent mechanisms for reviewing complaints regarding the conduct of law enforcement and corrections personnel in all jurisdictions across Canada.

633. Further, the delegation emphasized that the rights to peaceful assembly and freedom of expression are entrenched in Canada's Constitution and the actions of the police are subject to oversight and redress mechanisms. Canada therefore does not accept the assertion regarding violations of peaceful assembly and freedom of expression.

634. The delegation indicated that Canada does not use administrative detention lightly. In its Immigration and Refugee Protection Act administrative detention is used when there are issues related to identity flight risk or security. Detention and conditions of release are always subject to regular reviews by an administrative independent tribunal. For this reason Canada has not accepted the recommendation on its policy in this area.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

635. During the adoption of the outcome of the review of Canada, 15 delegations made statements.

636. Cuba regretted that Canada had not accepted the recommendation 67 made by Cuba with regard to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, on the basis that it is a non-legally binding instrument. It encouraged Canada to strengthen its measures for the protection of Aboriginal peoples.

637. Djibouti acknowledged Canada's acceptance of most recommendations, including those made by Djibouti. It encouraged Canada to strengthen its efforts to combat all forms of discrimination and racism through the adoption of a national plan of action for the effective implementation of the Durban Declaration and Programme of Action.

638. Gabon welcomed the implementation by Canada of national policies, based on public consultations and with the participation of civil society and Aboriginal peoples. It congratulated Canada for the active participation of the Canadian Parliament in the universal periodic review. Gabon recommended Canada to intensify its efforts to increase the education level of Aboriginal peoples.

639. Indonesia commended Canada's continued commitments on the promotion and protection of human rights, not only at the national but also at the bilateral, regional and global levels. Indonesia indicated that the acceptance of the majority of recommendations demonstrate Canada's strong commitment to the promotion and protection of human rights.

640. Iran (Islamic Republic of) indicated that the whole picture as to how the accountability of Canada in implementing the recommendations of delegations is still

unclear. Taking a realistic and practical approach towards those recommendations is necessary particularly with regard to the issue of indigenous peoples, refusal of Canada to criminalize and punish acts of racist violence and withdrawal of reservations to the Convention on the Rights of the Child (CRC).

641. Morocco acknowledged that Canada had accepted most recommendations from its universal periodic review. It commended Canada for the progress made on the protection of the rights of indigenous peoples and measures towards promoting their political participation. Morocco also welcomed Canada's measures to prevent the risk of exploitation by migrant workers.

642. Nigeria noted the numerous voluntary pledges and commitments made by Canada towards ensuring devoted compliance with the universal periodic review mechanism. Nigeria was encouraged by Canada's cooperation with the Office of the High Commissioner for Human Rights and its determination to continue to promote and protect the human rights of her citizens.

643. The Philippines acknowledged Canada's acceptance of several recommendations to consider a number of international human rights conventions, while noting that Canada is already a state party to at least seven core international human rights conventions. It noted with appreciation Canada's acceptance of recommendations related to protection of children's rights, while acknowledging that it is already implementing a myriad of programmes.

644. The Russian Federation expressed disappointment that a significant number of recommendations were not accepted by Canada, among which, two recommendations made by the Russian Federation on investigating facts of unlawful detention and treatment of individuals arriving on Canadian territory. It once again, called for investigation of such cases, especially regarding the beating in a pre-trial detention cell in a Calgary prison of a Russian student who was arrested last year on fabricated charges.

645. Togo took note with satisfaction of the cooperation of Canada with the universal periodic review mechanism and commended Canada's progress made since its second review. Togo commended Canada's clear commitment to establish a durable relation with Aboriginal peoples, based on partnership and substantial investments. Togo welcomed Canada's support to most recommendations.

646. Viet Nam welcomed Canada's active engagement with the universal periodic review mechanism and the large number of recommendations accepted. It also acknowledge Canada's regional and international initiatives to promote human rights. Viet Nam however, noted that Canada should better address its challenges, in particular discrimination that persists in the country.

647. Algeria took note of the non-acceptance of the recommendation made Algeria and several other countries with regard to the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).

648. Belarus indicated that Canadian authorities are not sufficiently critical in their assessment of the human rights situation in the country. It noted that the level of cooperation with mandate holders of the special procedures remains very low and encouraged it to step up its cooperation. Canada should have accepted recommendations to carry out, together with mandate holders, an independent investigation into cases of disappearance and killing of women and girls among indigenous peoples.

649. Benin took note of the progress made and efforts to follow-up on recommendations concerning Aboriginal peoples, including those relating to access to drinking water and

sanitary installations. Benin encouraged Canada to pursue its efforts to improve human rights with a view to eliminating all forms of racial discrimination and xenophobia.

650. Botswana commended Canada's approach in preventing and reducing violence against women and children. It also commended Canada for its efforts in uplifting the social, economic, political and cultural status of the Aboriginal people.

### 3. General comments made by other relevant stakeholders

651. During the adoption of the outcome of the review of Canada, 10 other stakeholders made statements. The statements of the stakeholders that were unable to deliver them owing to time constraints<sup>99</sup> are posted on the extranet of the Human Rights Council, if available.

652. The Geneva Representative of the International Coordinating Committee, speaking on behalf of the Canadian Human Rights Commission (CHRC), noted that the CHRC had reported on progress made by Canada since its first review, notably the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) and support to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). It further outlined a number of areas where progress is still needed. These include: improvements for the implementation of the CRPD; improvements in the mechanisms to implement Canada's international commitments; the need to ensure full equality for Aboriginal peoples and; the need to accommodate persons with mental disabilities in prisons.

653. Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco (IIMA) welcomed Canada's acceptance of several recommendations concerning the protection of victims of human trafficking. It regretted Canada's rejection and partial acceptance of other recommendations and noted that further efforts are required to ensure that immigrants are protected from the dangers of exploitation. It called on Canada to make available indicators of human trafficking for the purpose of labour and sexual exploitation; use of the Palermo Protocol definition of trafficking; ensure adequate monitoring of the Temporary Foreign Worker Programme and; adopt a national strategy for poverty eradication.

654. Charitable Institute for Protecting Social Victims (CIPSV) noted that Canada has not implemented recommendations it accepted during the 2009 review, a number of which have particular reference for women, including recommendations 44, 45 and 33. CIPSV was concerned about violence afflicting indigenous women. CIPSV also noted that a national inquiry in Canada is needed to address the many issues affecting the families of murdered and disappeared Aboriginal women and girls. It urged the Human Rights Council to ensure that the 2013 review holds Canada to account for its failure to implement effectively its human rights obligations to women.

655. Action Canada for Population and Development (ACPD), speaking on behalf of the Sexual Rights Initiative and Canadians for Choice, remained concerned with the deficit in Canada's implementation of recommendations from international human rights bodies, including recommendations during Canada's review during the first cycle of the universal periodic review. Organizations called on the Council to demand that Canada implements key recommendations that it has rejected, including those relating to the development of national actions plans to implement fundamental human rights obligations. It cited as example, the rejection of recommendations 97 and 99. It also expressed disappointment by the rejection of recommendation 101 relating to the investigation of cases of disappearances and murders of Aboriginal women and girls.

<sup>99</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>

656. International Lesbian and Gay Association (ILGA) applauded Canada's participation in the universal periodic review process. It saluted The Netherlands for having advised Canada to apply the 2006 Yogyakarta Principles. It referred to ILGA's submission pointing at shortcomings of Canada's recent changes to its *Refugee Act*. The provisions of this Act are now putting asylum-seekers of a number of States at risk. ILGA also noted that to provide genuine support for refugees, Canada must ensure that LGBTI families are granted equitable access to its refugee system. ILGA indicated that Canada's Refugee Protection Act must be amended to recognize same sex spouses and LGBTI parents, who currently are not recognized by their countries of origin but would, under Canadian law, be recognized.

657. Amnesty International (AI) indicated that it is very disappointing that in the face of acknowledged human rights concerns in Canada, the government is only willing to continue with the status quo. It noted as troubling the refusal to adopt plans dealing with violence against Indigenous women in Canada, poverty and homelessness, food insecurity, racism, implementing the UNDRIP and the CRC, and implementing previous UPR recommendations. AI noted that Canada's acceptance of recommendation 128.30 while not containing any specific commitment, acknowledges the importance of the federal, provincial and territorial governments working together to resolve human rights problems. It urged Canada to reconsider its rejection of national strategies and action plans and not to use the relationship between levels of government as an excuse for not adopting such plans.

658. International Commission of Jurists (ICJ) reiterated its concern regarding the human rights impacts of Canadian business enterprises in countries where they operate. It noted that Canada needs to provide for effective and transparent monitoring and accountability mechanisms. It also regretted that Canada does not accept recommendations 1, 2, 3, 4, 6 and 8 to become party to the ICESCR-OP, OP-CAT, the third Optional Protocol to the CRC, the ICRMW and the International Convention for the Protection of All Persons from Enforced Disappearance (CPED).

659. Institute for Women's Studies and Research (IWSR) urged Canada to ensure that Aboriginal children in the child welfare system are able to preserve their identity, claim their rights, including in respect of names, culture and language of children belonging to indigenous populations. IWSR indicated that the situation of indigenous peoples and minorities remains the most pressing human rights issue. It urged Canada to affirm its commitment to the implementation of the spirit and intent, obligations and socio-economic objectives of land claims agreements entered into with indigenous peoples and minorities.

660. International Indian Treaty Council (IITC) noted that 26 delegations provided recommendations to Canada regarding gender based violence and the crisis of missing and murdered Aboriginal women in Canada. It indicated that the Canadian government responded that they had a 7-point strategy launched in 2010 to deal with the issue. It noted however, that it is 2013 and the crisis is still on-going. Premiers (the leaders) of provinces and territories across Canada called for an inquiry into missing and murdered Aboriginal women. Without an inquiry the roots of the problem cannot be identified. IITC also referred to recommendations made to Canada regarding access to justice, the implementation of the rights of Indigenous Peoples and the development of national action plans to that end. It noted that IITC strongly supports such action be taken with a focus on Indigenous legal orders and traditional forms of justice.

661. Association for Progressive Communications (APC) welcomed Canada's acceptance of recommendations to expand measures to address violence against Indigenous women and girls, and ensure access to justice, improving the response of law enforcement and justice systems. APC called on Canada to work with communities to improve meaningful access to the Internet, as part of its strategy to address violence against indigenous women. APC further noted that in May 2013, Canada's Privacy Commissioner confirmed that the

government had unlawfully spied on the executive director of the First Nations Child and Family Caring Society of Canada, after her organization filed a human rights complaint over funding of child services on reserves. It called on Canada to ensure protection of the right to privacy for Indigenous groups, and all Canadians.

#### 4. Concluding remarks of the State under review

662. The delegation thanked delegations that acknowledged Canada's efforts to promote and protect human rights. Canada had sought to provide robust information on issues raised during its UPR, including through meetings held Geneva with delegations and civil society.

663. Additional comments on a few issues raised by delegations and stakeholders were provided. The delegation noted that Governments at all level work very hard to foster social inclusion of all Canadians and that numerous measures have been adopted to ensure that systemic racism and discrimination do not become a problem. Canada has a strong legal and policy framework for the promotion and protection of human rights, and an independent Court system

664. Several delegations noted the importance of national action plans. Canada believes that action plans do not necessarily equate to effectiveness and that local, provincial and territorial initiatives can also effectively address issues and in many instances, reflect much better the local context.

665. The issue of violence against women is taken extremely seriously and the Government is working in partnership with Aboriginals and non-Aboriginals Canadians and all relevant stakeholders to address the issue of missing and murdered indigenous women.

666. In terms of engagement with United Nations mechanisms, Canada recalled that it had one country visit by a Special Rapporteur this year and a second will come in October 2013.

667. In closing, the delegation noted that Canada attaches serious importance to the Universal Periodic Review process and will continue to work with delegations and follow-through on accepted recommendations and that the Government is determined to maintain and reinforce its engagement towards the full realization of all human rights.

#### **Bangladesh**

668. The review of Bangladesh was held on 29 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Bangladesh in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/BGD/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/BGD/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/BGD/3).

669. At its 23rd meeting, on 20 September 2013, the Council considered and adopted the outcome of the review of Bangladesh (see section C below).

670. The outcome of the review of Bangladesh comprises the report of the Working Group on the Universal Periodic Review (A/HRC/23/12), the views of Bangladesh concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or

issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/23/12/Add.1*).

**1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

671. Ambassador and Permanent Representative, H.E. Md. Abdul Hannan, Bangladesh's head of delegation thanked all delegations participating in Bangladesh's second cycle UPR on 29 April 2013. Bangladesh appreciated the overwhelmingly positive review that they received during their UPR. He informed that as the present Government in Bangladesh nears completion of its tenure in Office, it is encouraging to see the significant strides made in Bangladesh over past four and a half years being duly recognized by the international community. Bangladesh acknowledged the value in the constructive recommendations that were made to address some of the existing gaps and challenges in their overall human rights situation.

672. Bangladesh expressed its gratitude to members of Troika, Pakistan, Ethiopia and Czech Republic for their diligent support. Bangladesh appreciated the staff of the Secretariat, whose hard work have contributed in making the UPR a success.

673. The head of delegation reminded that Bangladesh received a total of 196 recommendations during their UPR out of which they accepted 164 recommendations at the time of the adoption of the report. This decision was reached through extensive consultations within their delegation that comprised representatives from several key Ministries and agencies. He added that the views of the National Human Rights Commission and the Office of the Attorney General were also considered in arriving at this decision. They deferred their decision on 27 recommendations. Responses to these recommendations are now available on the OHCHR website. Bangladesh accepted some of these recommendations and some recommendations were partially accepted also.

674. Bangladesh held extensive discussions with National Human Rights Commission while considering these recommendations. The head of delegation conveyed his delegation's sincere gratitude to them for their constructive engagement with the delegation.

675. Bangladesh noted that actions have already been initiated to implement some of these recommendations. Immediately after Bangladesh's UPR, the Working Group report was submitted to Cabinet which instructed relevant Ministries for subsequent actions.

676. The delegation stated that as promised by the Hon'ble Foreign Minister in April during UPR of Bangladesh, they have amended and adopted the National Children Act, in June 2013 in order to ensure compliance with CRC. One of the key elements is that the new law defines child as any person below the age of 18.

677. The head of delegation informed that on the basis of a Supreme Court judgment in Writ Petition no. 5684/2010, Bangladesh's government has prohibited all forms of corporal punishment in all educational institutions.

678. The head of delegation noted, as mentioned by their foreign minister during their UPR, the government has demonstrated strong commitment to implement the provisions of the CHT Peace Accord concluded in 1997. The delegation reaffirmed that Bangladesh government remains committed to full implementation of the Treaty. He stated that there has been some condemnable incidents in CHT, instigated by vested quarters to disrupt their achievements in securing a secular and inclusive society. The government rebuilt 19 Buddhist temples and Bihars and several private houses that were destroyed. Prime Minister recently visited the area for marking inauguration of 12 Buddhist temples and Bihars. Ramu Central Sima Bihar principal Satyapriya Mohathero and members of

diplomatic core were present during the visit. The renovation project was allocated US \$2.6m. .

679. The head of delegation informed that Bangladesh delegation, at the UPR in April, was committed to take back 27 recommendations for further consultation at national level and report back at this session. He informed that there have been some recommendations for Bangladesh to become party to some international instruments. Bangladesh believes that prior to becoming party to any international instrument, due consideration should be given to capacity to fulfill obligations under such instruments.

680. Even though Bangladesh is not a Party to the 1951 Convention on the Status of Refugees and its 1967 Protocol and the 1961 Convention on the Reduction of Statelessness, Bangladesh has always adhered to the core principles of the international protection regime, including the principle of non-refoulement. Despite being an LDC itself, Bangladesh continues to host a large number of refugees in one of the most protracted refugee situations in the world.

681. The head of delegation stated that Bangladesh is trying to enter into an understanding with UNDP for support to facilitate our reporting to Treaty Bodies on ICCPR and on CESCR.

682. On the issue of adopting a Uniform Family Code, the head of delegation stated that it remained under the Government's active consideration as it is reviewing and holding consultations on the personal family laws of different religions. In addition, he added that the Government accords due priority to implementing Domestic Violence (Prevention and Protection) Act, 2010.

683. The head of delegation reaffirmed that Bangladesh has been fully cooperating with the Special Procedures. After the holding of the UPR, Special Rapporteur on violence against women, its causes and consequences, has visited Bangladesh. Government is in process of working out mutually convenient dates for visits of some of the Special Rapporteurs.

684. Bangladesh Government has already initiated actions towards protecting rights and well-being of readymade garments workers through legal and administrative measures, in cooperation with ILO as follow-up to the Compact Agreement. Bangladesh National Parliament enacted Bangladesh Labour (Amendment) Act 2013 aiming to protect the interests and rights of workers with focus on enhancing collective bargaining rights and ensuring occupational health and safety particularly in the RMG sectors. Government would continue to ensure fair wages and social protection for workers in handicraft sector.

685. Bangladesh does not have any reservation to any Article of the International Convention on the Protection of the Rights of All Migrant Workers and their Families. Therefore, the head of delegation confirmed that they consider recommendation 130.10 accepted by Bangladesh.

686. The head of delegation stated that they have not been able to accept 5 recommendations. Bangladesh's consideration of these recommendations needs to be contextualized within the parameters of existing social, cultural and religious norms and reality in the ground. He noted that they could not accept these recommendations as they are in conflict with their constitutional, legal provisions, or deeply rooted socio-cultural values. Bangladesh considers that the laws of the land should be in conformity with the prevalent socio-cultural norms and values of the country. Activities subject to the concerned Article in the Penal Code as mentioned in recommendation 131.5 are not a generally accepted norm in the country.

687. They informed the delegations that the Government is vigilant that media always perform its role in full freedom. There are 14 new private television channels, 14 new community radio channels and 7 new private FM radio channels in addition to the old ones.

688. The head of delegation assured that Bangladesh considers NGOs as important partners in their government's efforts for the promotion and protection of human rights, development and good governance. Currently there are 2,170 NGOs operating in Bangladesh. Bangladesh noted the value of their comments.

689. The head of delegation assured the Council that Government, in line with its constitutional obligation, is fully committed to protection of human rights. International Crimes Tribunal of Bangladesh is maintaining the international standard and is fully transparent. Rights of accused have been fully protected. Government has been overwhelmingly mandated by the election verdict in 2008 for this Trial.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

690. During the adoption of the outcome of the review of Bangladesh, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>100</sup> are posted on the extranet of the Human Rights Council, if available.

691. Malaysia appreciated the commitment of Bangladesh in the UPR process including its realisation of frank consultations with its national human rights institution. It was pleased with the updates and responses provided and the continued positive engagement to implementing accepted recommendations. It noted with appreciation that the majority of the recommendations received had been accepted including those made by Malaysia.

692. The Maldives took note of that its two recommendations had been accepted. It was pleased to note positive steps taken to bring domestic legislation and policies in line with its obligations under core international instruments. It noted with satisfaction Bangladesh's support for the recommendation to accede to OP-CRC on communications procedure as the earliest opportunity.

693. Morocco congratulated Bangladesh for the concrete action adopted since its first UPR review for the promotion of human rights. It noted that Bangladesh faces important challenges linked to lack of resources, climate change and natural catastrophes. Nonetheless, it had made important progress in the attainment of MDGs, notably in the realisation of the right to health, promotion of gender equality and human development. Morocco praised Bangladesh for accepting the majority of recommendations received including those it had made.

694. Nigeria commended Bangladesh for its cooperation with the Office of the High Commissioner for Human Rights (OHCHR) and the importance it has attached to the UPR mechanism. It urged Bangladesh to continue efforts to ensure the rule of law, and maintain its commitment for the protection of human rights of its citizens as well as not to relent in abiding by the UPR process in its legal system.

695. Oman paid tribute to the manner in which Bangladesh is considering the situation for the improvement human rights in a manner that is compatible with international standards. Oman stated that in its national policies Bangladesh tries to protect and promote human rights, which testifies to its commitment to United Nations human rights

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<https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>

mechanisms and serious desire and its constructive cooperation with the relevant actors and mechanisms to promote and protect human rights.

696. Pakistan valued the constructive engagement by Bangladesh throughout the review process. It appreciated the Bangladesh's decision to accept the majority of the recommendations received during the review. It noted commendable steps adopted to strengthen the National Human Rights Commission, to eliminate domestic violence and efforts for the promotion of socio-economic development of its people.

697. The Philippines recognized efforts to advance human rights and noted particularly Bangladesh's acceptance of its recommendations related to harmonizing domestic normative and institutional framework with international human rights norms and obligations and to continue efforts to reduce migration cost and provide greater skills development for aspiring migrants. It acknowledged challenges faced as a climate vulnerable country and noted their common quest to place human rights and climate change high in the agenda of the Human Rights Council.

698. Romania commended Bangladesh for its participation in the second UPR cycle and the spirit of openness and transparency demonstrated. It noted that the large majority of the recommendations received had been accepted by Bangladesh including Romania's recommendation concerning the need for further measures aiming at women's empowerment. It expressed the belief that the implementation of the UPR recommendations will mark concrete progress towards compliance with international human rights standards.

699. Russian Federation thanked Bangladesh for its presentation of information on recommendations and noted that the majority of them had been accepted including Russia's recommendations. This shows its readiness to further cooperate with the international monitoring mechanism. The Russian Federation welcomed the government willingness to ensure civil and political rights and freedoms, to expand the rights and opportunities for women in political and economic spheres and also to support the institution of the family.

700. Saudi Arabia thanked Bangladesh for the information provided concerning the recommendations. It commended Bangladesh for efforts to reduce poverty, enhance food security, improve public health, and increase investment in education and information technology, in compliance with the relevant millennium development goals. It noted that Bangladesh had described the means to enhance education and awareness of human rights in the society which requires continuous efforts with the support of the international community.

701. South Africa appreciated on-going efforts for the realization and enjoyment of economic, social and cultural rights, including the Right to Development, by all citizens of Bangladesh. It noted the National Education Policy, prioritizing and improving the right to education, and the National Sanitation Strategy to achieve universal sanitation. It commended Bangladesh for its acceptance of a large number of recommendations and its strong engagement with the UPR process.

702. Sri Lanka congratulated Bangladesh for the recommendations it had accepted including the two recommendations it had made. It noted with appreciation efforts and progress made in human rights and particularly the fact that the Government had initiated action to protect workers in the readymade garment sector through a series of legal and administrative measures including the enactment of the Bangladesh Labour (Amendment) Act 2013.

703. The State of Palestine commended Bangladesh for its commitment to implement measures to strengthen human rights. It congratulated Bangladesh for accepting the majority of the recommendations, in particular those to harmonize its domestic legislation

with international human rights treaty obligations. It also noted efforts and legislative changes to improve the education in the country.

### 3. General comments made by other relevant stakeholders

704. During the adoption of the outcome of the review of Bangladesh, 10 other stakeholders made statements. The statements of the stakeholders that were unable to deliver them owing to time constraints<sup>101</sup> are posted on the extranet of the Human Rights Council, if available.

705. Asian Forum for Human Rights and Development was concerned at deteriorating situation of freedom of expression and association. It also drew attention to the arrest in August of the secretary of the human rights organization Odhikar, also a member of the Executive Committee of FORUM ASIA. It called on the government to ensure due process and that he does not face further harassment. It urged the government to take into serious account its suggestions to equip the National Human Rights Commission with an effective complaints mechanism and to publicly set out a comprehensive, measurable and time-bound plan for the implementation of UPR recommendations.

706. Jubilee Campaign was concerned that Bangladesh is undermining progress of recent years, noting regressive measures taken this year in the areas of legislative reform and law enforcement. It noted that during its UPR, Bangladesh had described efforts to ensure human rights for all but that in the same month four bloggers had been arrested for hurting peoples' religious sentiments and that a process of developing strict laws on this issue began. It welcomed support for Hindu and Buddhist communities in the reconstruction of houses and places of worship attacked over the past year but noted the link between increased violence against religious minorities and the on-going war crimes trials.

707. Human Rights Watch noted that little progress had been made on ending impunity and that the government had yet to fulfil its promise on a recommendation of its review, of "zero tolerance" for extrajudicial killings by creating an independent investigation mechanism, with no successful criminal prosecution of any member of the RAB or army for the abuses. It stated that the trials before the International Crimes Tribunal have been marred by irregularities and observed that these trials must be beyond reproach. It expressed concern over clamp down on civil society including the detention of the Secretary of Odhikar. It also noted that though recommendations to improve occupational health and safety had been accepted, almost no progress had been made on the ground.

708. Action Canada for Population and Development appreciated the government's willingness to improve laws and policies to eliminate discrimination against women and hoped this would include lesbian and transgender women. It was disappointed by the rejection of the recommendation to consider repealing section 377 of the Penal Code. It noted that this provision was invoked by law enforcement agencies to harass and incite violence against Hijra, Kothi and LGBT identified communities. It recommended that Bangladesh: repealing section 377; incorporate issue of sexual and gender non-conforming persons into its national AIDS policy and strategy plans.

709. Center for Environmental and Management Studies noted that the birth of Bangladesh was followed by one of the most brutal conflicts of the last century. It referred to testimony from families of survivors which provided the basis for the International War Crimes Trials and stated that the human rights community must pay tribute to the courage of Bangladesh's current Prime Minister for attempting to provide closure. It also noted that

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<https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>

Bangladesh was the first Muslim majority country that witnessed street demonstrations against fundamentalist groups. It stated that the growths of madrassas are a major danger to ensuring development, modernisation and progress.

710. International Lesbian and Gay Association appreciated that the government has recognized the existence of the LGBTI population during the UPR working group session. However, it regretted that Bangladesh had rejected the recommendation to abolish Section 377. It asked that the Government proactively stop intolerant groups from making inflammatory homophobic remarks, which have often resulted in violence towards LGBT community and take concrete steps to implement the recommendations to protect all people regardless of sexual orientation or gender identity.

711. The International Federation for Human Rights Leagues (FIDH) and the World Organisation Against Torture (OMCT) within the Observatory for the Protection of Human Rights Defenders welcomed the pledges by the government to support most of the UPR recommendations, including those on the investigation of allegations of human rights violations by security forces; and the protection of human rights defenders. They denounced the harassment against Odhikar and in particular the fact since August 2013, its secretary also a member of OMCT General Assembly, had been detained, in relation to a fact-finding report on the killing of 61 people during an operation by security forces. They urged Bangladesh to extend an invitation to the Special Rapporteurs on Human Rights Defenders and on Extrajudicial, Summary or Arbitrary Executions.

712. Save the Children on behalf of Child Governance Assembly welcomed the acceptance of UPR recommendations, particularly those relating to children's rights. Effective implementation of these recommendations will require sufficient allocation of resources. It particularly welcomed the acceptance of the recommendation to appoint a child ombudsman. It indicated that increasing investment in children through national budget allocations and developing a monitoring accountability mechanism for budgetary expenditure across the different Ministries is a pressing issue that needs more attention.

713. African Technology Development Link stated that the government is committed to fighting terrorism and protecting minorities. As part of this effort, the government has banned the Islamic outfit Jamaat-i-Islami which is more of a fundamentalist organization in the guise of a political group. The ban is justified as the manifesto of the party violates the constitution of Bangladesh. It noted that many of its leaders have been indicted of war crimes during the liberation war by the verdicts of the Supreme Court and that two international crimes tribunals had put the spotlight on the Jamaat-e-Islami's role in 1971.

714. Amnesty International noted that Bangladesh had accepted recommendations to ensure the protection of human rights defenders but had nevertheless detained Adilur Rahman Khan, secretary of Odhikar for reporting on human rights violations in May of 2013. It considered him to be a prisoner of conscience and called for his immediate and unconditional release. It stated that Bangladesh should immediately commute all death sentences, including that of a senior member of the Jamaat-e-Islam for crimes committed during the independence war. It was concerned that at least four bloggers have been charged under the Information and Communications Technology Act and face up to 10 years' imprisonment.

#### **4. Concluding remarks of the State under review**

715. The head of delegation expressed his gratitude to the States that have appreciated their efforts. They recognized that there are many areas requiring their further attention. He emphasized that most of the human rights challenges Bangladesh faces are stemmed from poverty and underdevelopment. Lack of economic empowerment is a major impediment in the full enjoyment of civil, political, social and cultural rights.

716. The head of delegation stated that Bangladesh has time and again reiterated its unequivocal support and commitment to UPR mechanism. They believe that this mechanism has created a desired opportunity of openness and a platform for constructive dialogue for promotion and protection of human rights. Their engagement with the process has encouraged them in strengthening their continued efforts in the realization of human rights. It has enhanced awareness of human rights issues within the country and further improved many areas promoting and protecting human rights. The head of delegation ended by sharing with the Working Group that the experience of cooperation, support and constructive dialogue gathered has given them confidence to move forward in their pursuit of human rights.

717. Finally, he reiterated the pledge made by Honorable Foreign Minister that Bangladesh would leave no stone unturned to follow up on our accepted recommendations. He looked forward to further engage in constructive dialogue in 3rd cycle of their UPR, as they remain open to suggestions and advice.

### **Azerbaijan**

718. The review of Azerbaijan was held on 30 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Turkmenistan in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/AZE/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/AZE/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/AZE/3).

719. At its 23rd meeting, on 20 September 2013, the Council considered and adopted the outcome of the review of Azerbaijan (see section C below).

720. The outcome of the review of Azerbaijan comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/13), the views of Azerbaijan concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/13/Add.1*).

#### **1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

721. The head of delegation of Azerbaijan, Mr. Khalaf Khalafov, Deputy Minister of Foreign Affairs, expressed Azerbaijan's gratitude to all member and observer states of the Human Rights Council for their constructive participation in the review. He noted that the review allowed Azerbaijan to consider and analyse measures taken since 2009 to promote and protect human rights and fundamental freedoms, as well as achievements and the existing problems.

722. Azerbaijan accepted fully or partially 158 recommendations, some of which were at the stage of implementation. Adequate measures with regard to the other remaining recommendations have been provided for.

723. Azerbaijan noted that as a result of economic development, social guarantees for various strata of society, reforms in state governance and strengthening of civil society created more favourable conditions for the promotion and protection of human rights.

724. The State Programmes on socio-economic development for regions adopted in 2004 and 2009 played a great role in the development of the country. As a result of the implementation of the Programmes, more than one million jobs were created, the main part of which was created in the non-oil and agricultural sectors.

725. Azerbaijan noted that access to medical services was one of the main priority areas of government activities, and essential measures were taken in this direction. Approximately 500 health-care institutions, 70% of which is located in the rural areas, were equipped with new medical equipment and fully upgraded. 17 health-care facilities were constructed in the rural areas in cooperation with the World Bank.

726. Azerbaijan also noted that the improvement of the quality of medical services provided to mothers and children was one of the priority areas of the state's social-oriented policy.

727. Azerbaijan also noted the projects designed for the infrastructure building of educational institutions. Almost 2,000 school buildings were constructed or fully overhauled, and provided with modern equipment. Investment projects on the provision of educational system with the means of information and communication technologies and application of on-line education were also implemented.

728. Azerbaijan noted that presidential elections will be held in October this year, which will play an important role in the socio-political life of the country. The Government takes all necessary measures to ensure active and passive voting rights of citizens: there were seminars and trainings on the election topics held in the partnership with the Venice Commission of the Council of Europe.

729. Azerbaijan assured that the participation of local and foreign observers as well as international mass media representatives would be ensured in the course of the elections.

730. Azerbaijan also noted that regarding the remarks of the Venice Commission in 2008, amendments were made to the Law "On the Freedom of Assembly", which the Venice Commission considered fully consistent with European standards.

731. Azerbaijan stated that the executive branch of each city as well as the districts of the Baku city allocated appropriate places to hold meetings. Azerbaijan further stated that it actively cooperated with all special procedure mandate-holders. In April 2013, Azerbaijan issued a standing invitation. Along with the visit of the special rapporteur on the right to peaceful assembly being planned, Azerbaijan were also planning and coordinating the visits of the Special Rapporteur on Violence against Women as well as the Working Group on Arbitrary Detention.

732. Azerbaijan noted that the Law "On the suppression of domestic violence" was adopted in 2010. On the bases of this law amendments and modifications were made to the Family Code, which provided for 18 years of age as an age limit for marriage. The amendments also forbade early and forced marriages and toughened the punishment for the infringements of this prohibition. Moreover, beginning from 2011, the State Committee for Family, Women and Children Affairs in cooperation with UNICEF had been implementing the "social communication and behavioural change" programme to prevent early marriages.

733. The Law adopted in November 2011 on new sanctions for early marriages was envisaged in the Criminal Code.

734. Azerbaijan emphasized that fight against corruption and eradication were the main guarantees for ensuring human rights and fundamental freedoms. In this regard, Azerbaijan attached great importance to international cooperation in the fight against corruption. Azerbaijan also noted that the number of staff of the State Agency of civil services and social innovations (ASAN) was increased from 120 to 260. In addition, starting from 2012,

the process of establishment of the “ASAN” service centres in different regions of Azerbaijan was being continued.

735. Azerbaijan stated that the “National Action programme in the area of improvement of protection of human rights and freedoms in the Republic of Azerbaijan”, approved by a Presidential decree envisaged the preparation of a bill on defamation. In September 2012, Azerbaijan requested the Venice Commission to render assistance in the preparation of this bill. In April, 2013, the representatives of the Venice Commission visited Baku and met with the representatives of appropriate state bodies, press services and civil society organizations, and discussed the bill on defamation. On May 22, 2013 a public debate concerning the above-mentioned bill was held in Baku with the participation of representatives of the Administration of the President, the Parliament, the Press Council, the media and other stakeholders. The bill envisaged applying the case-law of the European Court of Human Rights to legal cases concerning defamation.

736. Azerbaijan emphasized that guided by the international practice, it was constantly taking steps to improve legislation in the area of non-governmental organizations to create necessary conditions for the development of civil society. It noted that appropriate amendments had been made to the "Law on Grants" and the "Law on Non-Governmental Organizations" to regulate the issues related to subsidies as a form of financial assistance. Additionally, the "Law on Public Participation" had been adopted by Parliament. Proposals prepared on the basis of recommendations of the Venice Commission in the area of legislation on NGOs, including the registration process of NGOs, were being considered.

737. The head of the delegation concluded by stating that Azerbaijan did not accept the 4 recommendations, which Azerbaijan believes reflect the aggression policy of the Republic of Armenia that pursues ethnic cleansing policy against Azerbaijan since 1988 and committed the Khojaly genocide in 1992 and occupied Nagorno-Karabakh region and other 7 adjacent districts of the Republic of Azerbaijan.

738. Armenia raised a point of order, in which it requested Azerbaijan to remain within the procedural norms. In this regard, Armenia referred to HRC resolution 5/1, which provides that the UPR should be conducted in an objective, constructive, non-politicized and non-confrontational manner. Armenia stated that during its presentations and statements, Azerbaijan should be reminded that it is necessary to avoid the usage of disrespectful, false and imaginary expression, and not to abuse the Human Rights Council to bring up political and territorial issues. Armenia noted that Azerbaijan was free to reject the recommendations of Armenia. However, it is necessary to stress that most horrible crimes of the world have been conducted because some Governments and individuals tried to justify grave violations of human rights.

739. The head of the delegation of Azerbaijan responded that he was surprised by the behaviour and comments of the representative of Armenia. He emphasized that he had presented the reasons for rejecting the recommendations of Armenia and in this regard Azerbaijan remained within the rules and procedures of the Human Rights Council.

740. In another point of order, the representative of Armenia stated that this was not the first time that the Azerbaijani delegation insulted her delegation and herself. She asked the President of the Human Rights Council to recall that the head of the delegation of Azerbaijan represents his country and the image of his country. She further noted that she also represented her delegation and country, and was defending her country. She requested the President to remind the delegation of Azerbaijan that it must be respectful to her delegation.

741. The President reminded all concerned that in accordance with the rules and procedures, in particular rule 113, points of order should focus on procedural matters. He

reminded all delegations that the Human Rights Council was not a competent body or an appropriate forum for discussing bilateral issues of a territorial nature.

742. Azerbaijan thanked all the representatives who took part in the interactive dialogue, the Troika (Maldives, Libya and Peru), the Secretariat and interpreters, who had made the interactive dialogue possible.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

743. During the adoption of the outcome of the review of Azerbaijan, 12 delegations and UNICEF made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>102</sup> are posted on the extranet of the Human Rights Council, if available.

744. China welcomed progress made by Azerbaijan in promoting and protecting human rights. It appreciated Azerbaijan's positive response to the recommendations made during the review. China thanked Azerbaijan for accepting the recommendation made by China to further promote socio-economic development, to eliminate poverty so as to establish a solid foundation for the full enjoyment of human rights of the population. China welcomed Azerbaijan's commitment to improve the situation of education and health and to provide better education and health services to people especially in rural areas.

745. The Council of Europe (CoE) noted that recommendations and requests made by the CoE Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the CoE Commissioner for Human Rights in his 2010 report regarding freedoms of expression and association, conduct of law enforcement officials and administration of justice, and recommendations contained in the third report of the European Commission against Racism and Intolerance. It also noted that Committee of Ministers was seized of 3 main cases or groups of cases revealing structural problems relating to the non-execution of final judicial decisions ordering the eviction of internally displaced persons, unjustified convictions for defamation and/or unjustified imposition of prison sanctions for mere defamation and arbitrary application of anti-terror legislation and excessive use of force or ill-treatment by the police and/or absence of effective investigations. It stated that it would welcome the ratification of the European Charter for Regional or Minority Languages and the CoE Convention on preventing and combating violence against women and domestic violence.

746. Cuba welcomed Azerbaijan's acceptance of the large majority of the recommendations and the progress made in implementing them. Cuba thanked Azerbaijan for accepting its recommendation to continue implementing and promoting the programme for special social assistance and other social poverty-reduction programmes. Cuba recognized Azerbaijan's progress in the fight against domestic violence and in improving maternal and child health, reproductive health and in reduction of maternal mortality.

747. Djibouti commended Azerbaijan for accepting the large majority of the recommendations. Djibouti noted with satisfaction the acceptance by Azerbaijan of its recommendation to effectively implement the plan of development for social protection.

748. Malaysia appreciated Azerbaijan's forthcoming engagement in the UPR and continued positive engagement in their commitment to implementing the accepted recommendations. Malaysia was pleased to note that its recommendations were considered and accepted by Azerbaijan.

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<sup>102</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

749. Morocco thanked Azerbaijan for accepting its recommendations on education, human rights education and the fight against corruption. Morocco noted Azerbaijan's efforts in the fight against corruption, the objective of which is to improve the potential of such efforts, and to put in place adequate mechanisms and to take necessary institutional reforms. Morocco also noted Azerbaijan's plans of action to combat corruption. Morocco also praised Azerbaijan's cooperation with the international community in this regard.

750. Nigeria praised Azerbaijan's cooperation with the OHCHR to ensure effective implementation of its obligations under relevant human rights instruments and international humanitarian law urging the strengthening of such collaboration. Nigeria endorsed Azerbaijan's determination to devote its attention to the promotion and protection of human rights in compliance with international human rights law.

751. Pakistan noted that Azerbaijan had taken a number of steps for the promotion and protection of human rights, including adoption of the National Action Plan and appointment of the Commission for Human Rights. Pakistan also noted positively Azerbaijan's efforts to eliminate domestic violence, protect child rights and actions against torture.

752. Philippines stated that it was aware of the challenges faced by Azerbaijan in implementing its human rights obligations. It commended Azerbaijan for implementing the recommendations received and accepted during the first UPR cycle. The Philippines was encouraged by the continuing efforts of Azerbaijan to improve its migration management process, including provision of better social protection for migrants.

753. Russian Federation noted that Azerbaijan had accepted the large number of recommendations, which indicates Azerbaijan's willingness to improve the potentials in the area of human rights and to further improve the national human rights protection system.

754. Sri Lanka noted with satisfaction that Azerbaijan accepted its recommendations. Sri Lanka noted the detailed information provided by Azerbaijan on the implementation of measures and policies targeting, inter alia, gender equality, realization of children's rights and socio-economic advancement.

755. UNICEF congratulated Azerbaijan for establishing a mechanism under the Deputy Prime Minister to report annually on progress in implementing the concluding observations of the Committee on the Rights of the Child. UNICEF stated that in light of forthcoming review of Azerbaijan's first report to the Committee on the Rights of Persons with Disabilities, many recommendations concerning persons with disabilities, particularly those concerning children with disabilities should be given urgent attention. UNICEF expressed its wish that Azerbaijan's Parliament will commit to passing the draft law on juvenile justice in the near future. UNICEF highlighted the importance of continued work to eradicate unregistered marriages, in particular those involving children under the age of 18.

756. United Arab Emirates noted with satisfaction that Azerbaijan accepted the large number of recommendations, which indicates the political will of Azerbaijan to ensure progress in the promotion and protection of human rights. It commended the measures taken by Azerbaijan at the national level, which reflects its determination to continue working towards the improvement of human rights. It will comment the initiatives to be taken by Azerbaijan as a result of the UPR and voluntary commitments of Azerbaijan to strengthen human rights.

### **3. General comments made by other relevant stakeholders**

757. During the adoption of the outcome of the review of Azerbaijan, 10 other stakeholders made statements.

758. Human Rights House Foundation called upon Azerbaijan to put an end to direct and indirect restrictions on freedom of expression and to ensure that journalist and media

workers are able to work freely and without governmental intimidation. It also called on Azerbaijan to reform law on defamation and to refrain from initiating defamation lawsuits against civil society activists and journalists. It further requested Azerbaijan to review legislations, policies and practices regulating freedom of assembly and the right to peaceful demonstration. It stated that the recommendation to eliminate the practice of unlawful postponement and of refusal to register NGOs, including international NGOs, and those critical to the Government should be implemented. It recalled that since 10 March 2013, had been forced to suspend its activities and partner NGOs were still denied registration including the Election Monitoring and Democracy Studies Centre.

759. Human Rights Watch stated that Azerbaijan's record on freedom of expression, assembly and association had been on a steady decline for some years and it had seen a dramatic deterioration since mid-2012 in the run up to the October 2013 presidential elections. It stated that the authorities had used bogus charges against human rights activists, including narcotics and weapons possession charges, hooliganism, incitement and eve treason. It also stated that Azerbaijan had a longstanding record of deep state antagonism toward independent and opposition media. Since January 2013, at least six journalists had been sentenced to prison in an apparent retaliation for critical and investigative journalism. It also noted that Azerbaijan had imposed a blanket ban on all opposition demonstrations in Baku. It also noted that Parliament adopted amendments to laws increasing more than hundredfold the fines for participating in and organizing unauthorized protests. It stated that the now accepted visits by several Special Procedures should be among the first steps toward urgently needed reforms.

760. SUDWIND stated that the education strategy was not enough to limit the endemic corruption. It also stated that corruption had not only prevented the development of the country but also the health of population was targeted. It recommended that Azerbaijan invest in a decent national health care system for all. It also urged Azerbaijan to show willingness for accession to the ICC.

761. Action Canada for Population and Development and Federation for Women and Family Planning expressed concern about the increasing rates of sex-selective abortion. It noted that forced abortion violated women's fundamental rights such as the right to the highest attainable standard of health, including the right to make an informed decision about any medical procedure and respect for private and family life. It called on the Government to take all necessary measures to enact a comprehensive law on women's reproductive rights, which is free from gender and sexual stereotypes and harmful discriminatory attitudes and fully adopt the concepts of dignity, self-determination and respect for family and private life.

762. Amnesty International (AI) stated that it was increasingly difficult for people of Azerbaijan to enjoy human rights and fundamental freedoms. AI stated that at least 14 civil society activists, journalists and human rights defenders were detained solely for peacefully exercising their rights to freedom of expression, association and assembly. AI further noted that dozens of others had become targets of harassment and intimidation and even physical attacks by unknown individuals. AI expressed concern that the law on defamation extended on 3 June 2013 applied to internet-based content and opinions expressed online, including in social media. AI also noted that the authorities on numerous occasions prevented peaceful demonstrators from holding rallies in Baku. AI stated that amendments to law on non-governmental organizations stifled civil society with additional registration hurdles and stricter funding requirements.

763. Reporters Sans Frontieres (RSF) stated that in the run up to the Presidential elections in October 2013, the situation of human rights is critical in Azerbaijan. RSF noted some recent examples of human rights violations against journalists and independent media. RSF also noted the adoption of new laws on criminalization of defamation. RSF called on

Azerbaijan to accept recommendations, 109.105 and 109.130 regarding the right to freedom of expression.

764. International Fellowship of Reconciliation (IFOR) noted that despite repeated reminders from the Council of Europe and recommendations from the Human Rights Committee, there were still no alternative service arrangements in Azerbaijan. IFOR noted that over the years, a number of conscientious objectors had been imprisoned for up to twelve months for their refusal of military service urging Azerbaijan to refrain from any further imprisonments of conscientious objectors.

765. In a joint statement with Centre for National and International Studies, CIVICUS stated that CSOs were facing a number of unwarranted restrictions greatly imperilling freedoms of association in the country. CIVICUS remained gravely concerned about reports of continued intimidation and harassment of independent media outlets, journalist and netizens. CIVICUS noted that amendments to the defamation law approved in May 2013, which extends criminal defamation to internet speech, ran contrary to a number of recommendations made. CIVICUS called on the Government to reform its defamation legislation in conformity with article 19 of the ICCPR and to put an immediate end to the practice of detaining individuals engaging in the exercise of their right to freedom of expression.

766. United Schools International (USI) noted that Azerbaijan had posted an average 12.6 percent in GDP growth. USI also noted the statement of the Economic Development Minister, who forecasted that the Azerbaijani economy would effectively be able to surpass the targets set out in the Azerbaijan 2020.

#### **4. Concluding remarks of the State under review**

767. The delegation thanked all the delegations and organizations which took part in the discussion of Azerbaijan's review. It stated that Azerbaijan greatly valued the work of the Human Rights Council and in the future, Azerbaijan would support the cooperation with and within the Human Rights Council. It noted that Azerbaijan's goals were to continue with its socio-economic development, including promotion and protection of human rights and fundamental freedoms. It acknowledged that Azerbaijan had some problems related to conflict and other factors, as well as the existence of a large number of refugees and IDPs.

768. It further stated that Azerbaijan's policies were directed towards creating civil society, achieving the highest goals of full realization of human rights, as well as ensuring legal guarantees for every citizen of Azerbaijan

769. The delegation reiterated Azerbaijan's thanks to the President, the Secretariat and the Troika for having made it possible constructive dialogue in the context of the Azerbaijan UPR.

770. Armenia asked for clarification regarding the footnote that appeared on page 4 of Azerbaijan's UPR Working Group report. Armenia stated that according to the IB package and presidential statement, the outcome of the review should be a factual report containing the summary of interactive dialogue and conclusions and recommendations made during the review process. Armenia further noted that in the report of the Working Group, Nagorno-Karabakh was mentioned only in the declaration of Azerbaijan and that of Armenia on the recommendations. The positions of Armenia were clearly summarized in paragraphs 97 and 110.4, which had not been related to the formulation of the footnote. Armenia noted that Azerbaijan had not made such a reference, which means that the information contained in the footnote has never been delivered by any delegation during the review process. In this connection, Armenia asked for a clarification as to whether this reference in the footnote has been delivered by any state. Armenia claimed that the only aim of this footnote was to misinterpret and modify the declaration of Armenia's

recommendations, which totally contradicts all norms and principles of the UPR process. Armenia also noted that the mention of this footnote absolutely contradicts the provisions of the United Nations Editorial Manual, particularly Chapters regarding the usage of the footnotes in the UN documents. The footnote by its imperative and full political content focusing on territorial issues fully contradicts the ruling of the President made during the review that the UPR should not be used for political and territorial issues. Armenia further stated that in view of the foregoing, the draft decision presented for adoption contained serious substantial problems because it would approve a UPR Working Group report, which contains factual mistakes. Armenia argued that it would create dangerous precedent and unpredictable consequences, which will seriously damage the credibility and universality of the UPR.

771. The President of the Human Rights Council recalled that the Working Group gathered to adopt the outcome of the Azerbaijan review through a standardized decision, of which the Working Group report is only one element, and that the UPR segment of the Human Rights Council Plenary met to adopt the outcome of the review of countries and was not intended to reopen the discussions held in the Working Group. He also stated that the UPR Working Group report on the review of Azerbaijan did not purport to provide any legal interpretation of or comment on territorial issues, which is outside of the competence of the Working Group and the Human Rights Council. He also clarified that nothing in the Working Group reports should be seen as modifying or interpreting the recommendations made by States during the review.

772. On behalf of the OECD Minsk Group Co-Chair countries consisting of France, Russian Federation and the United States of America, the representative of the United States of America stated that the UPR Working Group report on the review of Azerbaijan (A/HRC/24/13) to be adopted by the Council should not be understood as purporting to provide legal interpretations of or comments on the issues that are subject to on-going negotiations in the Minsk Group.

### **Russian Federation**

773. The review of the Russian Federation was held on 28 April 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by the Russian Federation in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/RUS/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/RUS/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/RUS/3).

774. At its 24th meeting, on 20 September 2013, the Council considered and adopted the outcome of the review of the Russian Federation (see section C below).

775. The outcome of the review of the Russian Federation comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/14), the views of the Russian Federation concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/RUS/Add.1*).

**1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

776. The delegation reaffirmed the commitment of the Russian Federation to the objectives and principles of the universal periodic review process and expressed its confidence in the high value of this format of cooperation as it provided an effective possibility to contribute to the advancement of human rights in all countries without an exception.

777. The delegation stated that during the working group on the universal periodic review the Russian Federation received 231 recommendations. The delegation expressed its gratitude for due consideration given to the 2<sup>nd</sup> national report of the Russian Federation during the review and, in particular, to those delegations that noted the significant progress made in the country in many areas of the human rights protection.

778. The competent authorities of the Russian Federation had carefully examined all recommendations in a constructive manner. The position of the Russian Federation on recommendations was set forth in two documents that were submitted to the Secretariat ahead of time. The first document provided a brief response to the recommendations, which summarised the outcome of the Government's considerations regarding the recommendations and the second document contained extended clarifications on the recommendations in table form in order to ensure maximum thoroughness and transparency of the review process.

779. Because of a technical error in those submitted documents, the delegation made a clarification regarding its position on the recommendation no. 8, which related to the ratification of two optional protocols to the Convention on the Rights of the Child. The recommendation no. 8 should read as partially accepted instead accepted and this position became identical to its position regarding the recommendation no. 9. In sum, the Russian Federation fully accepted 148 recommendations, partially accepted 15 recommendations and did not accept 68 recommendations.

780. The Russian Federation accepted those recommendation whose content and wording the authorities supported as well as those recommendations that had already been put into practice or were being implemented. The Russian Federation partially accepted recommendations that could not be fully supported because they contained elements that, for various reasons, could not be put into practice. This group of recommendations also included recommendations made up of a number of separate recommendations addressing questions that were unrelated to one another and with which the authorities did not concur. The Russian Federation did not support recommendations because they contradicted the letter, spirit or practical implementation of the existing legislation or certain trends in its development, as well as because the assertions made in them reveal factual inaccuracies and inconsistencies.

781. The delegation also noted that the recommendations referred in the footnote of the paragraph no. 141 could not be considered in the framework of the universal periodic review of the Russian Federation. They were factually incorrect and did not fall within the basis of the review stipulated in the resolutions no 5/1 and 16/21 of the Human Rights Council as it did not apply to the Russian Federation.

782. The accepted recommendations would be considered as guidelines to be used in the Government's future efforts to ensure the protection of human rights. The main directions for development set in those recommendations would serve as a constructive framework for continuing active cooperation between the State and civil society organisations. The delegation expressed its belief that the universal periodic review process would continue to contribute to the positive development in the Russian Federation as a democratic state

based on the rule of law, where the individual and his/her rights and freedoms are the highest value.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

783. During the adoption of the outcome of the review of the Russian Federation, 15 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>103</sup> are posted on the extranet of the Human Rights Council, if available.

784. The Lao People's Democratic Republic noted with appreciation the comprehensive presentation by the Russian Federation on recent developments in the protection and promotion of human rights in the country. It was pleased to note the Government's acceptance of a large number of recommendations put forward during the 16<sup>th</sup> working group and steps undertaken for their implementation. The Lao People's Democratic Republic commended the Russian Federation for progress made in legislation, law enforcement, strengthening the national human rights mechanism as well as increasing civil society participation in decision making process.

785. Malaysia commended the Russian Federation for its active participation, commitment and engagement in the universal periodic review process. It noted that the Russian Federation accepted the majority of recommendations received during the working group and commended the Government for its commitment to implement the accepted recommendations.

786. Morocco noted the commitment of the Russian Federation to the universal periodic review process, which was demonstrated by the Government's acceptance of a great number of recommendations, including two recommendations put forward by Morocco in the area of anti-corruption, and reforms in legal system and access to justice. In respect of latter, Morocco noted with satisfaction the progress made in access to justice, including ensuring the transparency in the judiciary. It also welcomed the adoption of laws regulating access to information on the work of judiciary in internet and the provision of the legal aid.

787. Nigeria commended the Russian Federation for its commitment to the universal periodic review. It also noted with satisfaction the Government's readiness to implement its obligations in respect to the protection and promotion of human rights in line with the international law. Nigeria urged the Russian Federation to continue its constructive engagement with the United Nations Office of the High Commissioner of Human Rights.

788. Pakistan noted the constructive engagement of the Russian Federation with the Human Rights Council and appreciated the Government's acceptance of the majority of the recommendations, including two recommendations put forward by Pakistan to combat discrimination, eliminate different forms of extremism and encourage racial, ethnic and religious tolerance. Pakistan stated that the Russian Federation had taken positive steps to ensure free legal assistance and to address grievances of people against security personnel.

789. The Philippines noted with appreciation the establishment of a Commissioner for Children's Rights and the attention given to the protection of the rights of women. In this respect, it welcomed the Government's acceptance of a recommendation made by the Philippines regarding legal protection against domestic violence. The Philippines remained confident that despite the Russian Federation did not support the recommendation put forward by the Philippines to ratify the International Convention on the Protection of the

<sup>103</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

Rights of Migrants and Members of their Families, the Government would continue to engage with the international community in looking for ways to provide for better social protection to migrants, including migrant workers.

790. South Africa commended the Russian Federation for its commitment to the universal periodic review and steps undertaken to ratify key international human rights instruments. It noted with appreciation progress made with regard to the initiatives undertaken to ensure the practical realisation and full enjoyment of human rights and fundamental freedoms and encouraged the Government to continue its positive steps.

791. Sri Lanka noted that the majority of the recommendations were supported by the Russian Federation, including those put forward by Sri Lanka. It noted the measures that had been undertaken by the Russian Federation to safeguard human rights, including the establishment of the Regional Commissioners for the Rights of the Child, efforts to develop a federal bill aimed at preventing domestic violence and the training of personnel of law enforcement agencies. It also welcomed the ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

792. The State of Palestine appreciated the commitment, transparency and engagement of the Russian Federation in the process of the universal periodic review. It commended the Government for accepting the majority of the recommendations and for adopting and implementing a law prohibiting the use of confessions obtained under torture. It also welcomed the establishment of a mechanism for inter-religious dialogue to promote tolerance and respect on distinctive religious and cultural values, as well as, measures to ensure that legal provisions would not create disproportionate restrictions on the exercise of freedom of assembly and expression.

793. Cuba noted the commitment by the Russian Federation to human rights demonstrated during its 2<sup>nd</sup> universal periodic review. The interactive dialogue provided an opportunity to document efforts and achievements of the Government in promoting and protecting human rights. It noted with satisfaction the acceptance of the Russian Federation a significant number of recommendations, including those made by Cuba on international cooperation in the area of human rights, the provision of free medical services and cultural and ethnic development.

794. Thailand welcomed the Government's acceptance of the recommendations put forward by Thailand to consider incorporating the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, or the 'Bangkok Rules', as part of the programme to enhance the conditions of detainees. It also noted with appreciation the ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. In order to further strengthen the child protection mechanism, Thailand encouraged the Russian Federation to continue considering the ratification of the third Optional Protocol to the Convention on the Rights of the Child on Communications Procedure.

795. The United Kingdom of Great Britain and Northern Ireland noted with disappointment that its recommendation on the implementation of the OSCE's recommendations was rejected and also inquired what the partial acceptance of its recommendation on human rights defenders would mean in practice. It urged the Government not to place groups advocating the protection of fundamental freedoms under special scrutiny. The United Kingdom of Great Britain and Northern Ireland expressed concern about the new law, which imposed penalties on the promotion of 'non-traditional sexual relations among minors' as it could in effect prevent individuals in the LGBT community from fully enjoying the right to freedom of expression and peaceful assembly. It also reiterated its statement that all recommendations should have been included in the

report of the working group and the exclusion of recommendations went against the review process and must not be repeated.

796. Uzbekistan noted with appreciation the Government's acceptance of the majority of the recommendations, including those put forward by Uzbekistan. It noted with satisfaction the achievements in liberalisation and humanization of legal-judicial system, the protection of the rights of children, women, persons with disabilities, as well as active the Government's cooperation with the United Nations human rights bodies.

797. Venezuela (Bolivarian Republic of) indicated the Government's cooperation with the universal periodic review. It noted inclusiveness of the national report containing solutions and plans in various areas for the Government to improve living conditions of its people. It also noted that the Government met its social obligations, including by improving well-being of the most vulnerable part of the population, especially elderly.

798. Viet Nam noted with satisfaction the Government's continuing efforts to strengthen the legislative frameworks and the national mechanism for enhancing the enjoyment of human rights and fundamental freedoms. It stated that the Russian Federation maintained its important role and made contributions to international affairs in order to enhance the global peace and security, cooperation and development, and human rights protection. Viet Nam commended the engagement, commitments and seriousness of the Government in implementing all accepted recommendations, including two of them that were put forward by Viet Nam.

### **3. General comments made by other relevant stakeholders**

799. During the adoption of the outcome of the review of the Russian Federation, 10 other stakeholders made statements.

800. The Centre for Reproductive Rights welcomed the Government's acceptance of the recommendation to put in place sexual and reproductive health education programs and urged the Government to ensure that this subject becomes mandatory in the school curriculum. It highlighted existing barriers in the access to reproductive health services, including to contraception and abortion and stated that marginalised women were particularly vulnerable to violations of their reproductive rights. It urged the Government to remedy those human rights violations by developing laws and policies that guarantee access to affordable and acceptable reproductive health services to all women.

801. Human Rights Watch (HRW) noted that the crackdown on civil society by requiring non-governmental organisations to register as 'foreign agents' and the unprecedented wave of inspections of those organisations were the most widely addressed issues. It reported that more than 80 groups had received warning or orders to register as 'foreign agents' or were taken to court and numerous organisations suffered harassment from both officials and private actors. HRW noted with regret the rejection of recommendations on those issues by the Russian Federation. While the Government committed to lowering fines for violations of rules on public protests, the concrete steps had yet to be taken. It also regretted the rejection of recommendations to repeal the laws banning 'homosexual propaganda' and urged the Government to introduce a bill to repeal this law. HRW also regretted the rejection of recommendations to investigate violations of rights of migrant workers building Olympic infrastructure.

802. Belarus appealed to the President of the Human Rights Council to call on NGOs to observe the procedures and focus their statements on the report of the working group, and not to bring up issues that are not related to the universal periodic review.

803. The Action Canada for Population and Development (ASTRA) stated that women's reproductive rights were restricted, especially in regard to access to modern contraception

and family planning services. It called on the Government to include the issue of accessible and affordable contraception and family planning services in the national health policies. ASTRA urged the Government to acknowledge the risk posed to the health of a pregnant woman by legal provisions requiring mandatory waiting periods for women who want to undergo abortions. ASTRA expressed concern that the newly adopted legal provisions did not protect persons from discrimination on the grounds of gender and sexual orientation and contained harmful provisions referring to the concept of ‘guy propaganda’.

804. The International Lesbian and Gay Association noted that the Government accepted some of the recommendations on the protection of rights of the LGBT community. However, since the review process started, the State Duma adopted laws forbidding ‘propaganda of non-traditional sexual orientation among adolescents’ envisaging administrative responsibility, which was considered discriminatory by several international and regional human rights organisations. New draft laws were initiated before the State Duma, which would come to further limit the rights of the LGBT people. It referred to cases of hate crimes against LGBT people and the lack of proper investigation of such cases. The International Lesbian and Gay Association called on the Government to repeal the regional and federal laws on so called ‘homosexual propaganda’ and to adopt measures to ensure effective investigation of hate crimes against LGBT people and to combat discrimination on the ground of sexual orientation.

805. International Federation of Human Rights Leagues (FIDH) noted with regret that the Government rejected key recommendations, in particular in relation to non-discrimination, LGBT people, and freedoms of peaceful assembly and of association. While noting the Government’s acceptance of a number of recommendations, FIDH stated that serious human rights violations continued to be committed and the large-scale crackdown on civil liberties initiated last year through a series of repressive measures continued in 2013. It noted that in June, the State Duma adopted a bill on ‘propaganda of non-traditional sexual relations’, which banned de facto any demonstrations and gatherings by LGBT people and allowed silencing them online. It urged the Government to ensure that non-governmental organisations and civil society can operate freely without fear; repeal legislation requiring them to register as ‘foreign agents’ and stop administrative and judicial harassment of non-governmental organisations; investigate all acts of violence and intimidation against journalist and human rights defenders; and invite the Special Rapporteur on human rights defenders to visit the country.

806. Amnesty International (AI) noted with regret that the Government rejected a number of important recommendations concerning the rights to freedom of expression, assembly and association and that some of those rights had been continually encroached. Some of the recommendations referred newly introduced legislation restricting those freedoms, and since the review in April, two additional laws were adopted. One outlaws blasphemy with considerable penalties, including imprisonment, and the other introduced a legal framework imposing fines and other sanctions for ‘propaganda of non-traditional sexual relations amongst minors’. AI also noted with regret that the Government rejected recommendations to revise or repeal the requirement for non-governmental organisations to register as a ‘foreign agent’. AI noted that harassment of human rights defenders, journalists and defence lawyers remained unresolved.

807. The International Commission for Jurists (ICJ) welcomed the Government’s acceptance of recommendations to address the lack of judicial independence, but it regretted that the Government did not support a recommendation to establish an independent body for removal of judges. ICJ also regretted that key recommendations concerning the law on non-governmental organisations requiring the registration as ‘foreign agent’ as well as many recommendations on the rights of LGBT people were rejected. It called on the Government to establish grounds for disciplinary action against judges; ensure

the right of all detainees to access to a lawyer; amend the Law on activities of non-governmental organisations and adopt comprehensive anti-discrimination legislation that includes sexual orientation and gender identity as protected grounds.

808. Reporters without Borders International, by referring to two recent cases of death of independent journalist and impunity prevailing in this area, found it necessary to reiterate recommendations made to the Russian Federation during the previous cycle of the universal periodic review. In particular, it recommended again, inter alia, that the Government end the impunity by addressing cases of killing of journalist since 2000; protect journalists to carry out their professional work, in particular in the North Caucasus; decriminalise defamation; and stop the practice of controlling the content of the internet and other practices of censorship of online information.

809. Freedom House stated that the Government did not support the majority of the most specific and meaningful recommendations calling to repeal or amend legal provisions restricting the exercise of the freedoms of association, assembly and expression. It stated that those laws in essence outlaw nearly any type of independent activity in defence of human rights by making it punishable with either administrative or criminal sanctions and such legal provisions had been criticized by a number of human rights institutions of the United Nations and the Council of Europe, as being in compliance with international human rights standards. Freedom House recommended that the Government extend a standing invitation to all special procedures of the Human Rights Council.

810. Mother's Legacy Project encouraged the Government to develop an action plan for women and expressed hope that continual efforts would be put forth to promote children's right and to enhance the opportunities for the rights of women. It expressed concern by the insufficient representation of women in decision-making positions and encouraged the Russian Federation to empower women to participate in the political life. It stressed that adopting a gender equality law would promote a positive portrayal of women. It expressed confidence that the authorities would take efforts to strengthen mechanisms to eliminate gender discrimination.

#### **4. Concluding remarks of the State under review**

811. In conclusion, the delegation thanked for all statements and comments made and noted that a number of the statements had been already addressed during the session of the 16<sup>th</sup> working group as well as in the addendum document to the working group report. The delegation reassured that all comments made would be carefully examined by the Government. The protection and promotion of human rights remained an important priority and the goal for the authorities' activities. The Government would continue to consistently improve the legal mechanisms in this area taking into account the current reforms and challenges at the national and inter-government level.

812. Statements were made before the adoption of the outcome of the review.

813. The United States of America asked for an additional clarification from the delegation of the Russian Federation with respect to their position on whether they accept or reject the recommendations contained in the footnote of the paragraph no. 141 of the report the working group on the universal periodic review of the Russian Federation.

814. Georgia stated that the delegation of the Russian Federation referred to the recommendations mentioned in the paragraph no. 141 as if those two recommendations did not apply to the Russian Federation. Georgia stressed that two Georgian provinces mentioned in the report, namely Abkhazia and the Tskhinvali region/South Ossetia remained under the occupation of the Russian Federation which constituted violations of all Security Council's resolutions on Georgia, norms and principles of international law and the cease-fire agreement brokered by the European Union. Georgia stated that the Russian

Federation exercises effective control over those two provinces of Georgia and therefore, the whole responsibility of the human rights violations in these occupied territories of Georgia rest with the Russian Federation.

815. The President of the Human Rights Council noted that the delegation of the Russian Federation did not pronounce its position on all recommendations. He highlighted that according to the resolution no. 5/1 of the Human Rights Council recommendations that enjoy the support of the State concerned will be identified as such. Other recommendations, together with the comments of the State concerned thereon, will be noted. Both will be included in the outcome report to be adopted by the Council. Having this in mind, Poland asked for the clarification of the Russian Federation's position in this regard.

816. The delegation of the Russian Federation reiterated that the recommendations mentioned in the footnote of the paragraph no.141 could not be considered in the framework of the review of the Russian Federation. The delegation stated that they were factually incorrect and did not fall within the basis of the review stipulated in the resolutions no. 5/1 and 16/21 of the Human Rights Council and thus, they did not apply to the Russian Federation.

817. The President stated that he would, therefore, acknowledge that the Russian Federation could not support those two recommendations and thus, that they were noted.

818. The delegation stated again that the recommendations mentioned in the footnote of the paragraph no.141 could not be considered in the framework of the review of the Russian Federation. The delegation stated that they were factually incorrect and did not fall within the basis of the review stipulated in the relevant resolutions of the Human Rights Council as they did not apply to the Russian Federation.

### **Cameroon**

819. The review of Cameroon was held on 1 May 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Cameroon in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/CMR/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/CMR/2);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/CMR/3).

820. At its 24th meeting, on 20 September 2013, the Council considered and adopted the outcome of the review of Cameroon (see section C below).

821. The outcome of the review of Cameroon comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/CMR), the views of Cameroon concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/CMR/Add.1*).

#### **1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome**

822. Cameroon recalled that it took home all 171 recommendations received during the review in order to take time to seriously and thoroughly examine each one of them, bearing

in mind that recommendations were made by friendly States wishing to contribute to the improvement of the human rights situation in Cameroon.

823. Cameroon stated that wide consultations were held in 22 governmental institutions, the National Commission for Human Rights and Freedoms, as well as with civil society. The Government wished to 'take the pulse' of Cameroonian society on topics that were subject to recommendations, examine the feasibility of their implementation, and define precise commitments for each recommendation.

824. Cameroon stated that the addendum had been validated by the Committee for Follow-Up of Recommendations and Decisions of International and Regional Mechanisms for the Promotion and Protection of Human Rights.

825. Cameroon stated that it accepted 121 recommendations related to: the ratification of human rights instruments to which Cameroon had agreed at the first review; the protection and promotion of the rights of women, children, persons with disabilities and vulnerable groups; the guaranteeing of economic, social and cultural rights; and international cooperation in the human rights area. With regard to the latter, Cameroon accepted the principle of standing invitation to all special procedures mandate holders of the Human Rights Council by accepting eight relevant recommendations. With regard to five recommendations either to ratify several international instruments or on subjects on which Cameroon has held a different position, Cameroon only accepted them partially.

826. Cameroon stated that it did not support 50 other recommendations due to the non-acceptance of the majority of its society, as reaffirmed by civil society consultations, and to the difficulties in implementing them by 2017. With regard to recommendations to ratify international instruments other than those of which recommended ratification had been already accepted in the first cycle, the ratification of these instruments could not be undertaken due to the requirements of internal procedures, prior national consultations, and parliamentary autonomy.

827. Cameroon further clarified the reasons why it did not support 14 recommendations to decriminalize homosexuality, 14 recommendations to abolish the death penalty, and 9 recommendations to decriminalize offences committed through the media.

828. Regarding the issue of homosexuality, Cameroon stated that its legislation has been based on article 29(2) of the Universal Declaration of Human Rights and article 29(7) of the African Charter of Human Rights. Cameroon stated that the enjoyment of any right or service on the basis of alleged sexual orientation has not been denied to homosexuals, and there has not been prima facie investigation or illegal entry into their privacy. Cameroon recalled that His Excellency President of the Republic of Cameroon Paul Biya stated in January 2013 that attitude could change but currently homosexuality was an offence. As His Excellency Minister of Foreign Affairs Pierre Moukoko Mbonjo stated in May 2013, in the current cultural state, homosexuality has not been seen as a value accepted by the society, and the legislator has simply enshrined this dominant sociological value in law. Cameroon drew the attention of the international community on the risk of radicalisation that recurrent pressures for decriminalizing homosexuality have imposed on its society. Such pressures may be counterproductive insofar as they do not favour the enjoyment of homosexuals of their rights, and they threaten social stability in Cameroon.

829. Regarding the issue of freedom of the media, Cameroon stated that the media, characterized by its diversity, has greatly enjoyed freedom of expression and outspokenness. In addition to the public media, there have been some 8 private television channels, 54 private radio stations, 17 audio-visual producers, and 500 cable companies. Three international radio stations have been allowed to broadcast from Cameroon and 700 print titles have been published over different periodicities. A public subsidy has been allocated annually to support the private media. However, Cameroon has faced a lack of

training and professionalism among journalists. Their profession has unfortunately been perceived by journalists as an exemption to their liability for committing common offences. For Cameroon, journalists and human rights defenders shall be liable to the law and regulations, according to article 19 of the Universal Declaration of Human Rights, article 19 of the International Covenant on Civil and Political Rights, and article 18 of the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

830. Cameroon stated that for each accepted or rejected recommendations, it has made clear, precise and realistic commitments. For instance, regarding the issue of homosexuality, Cameroon was committed not to aggravate current criminal penalties, to continue to apply legal provisions, guarantee a fair trial to alleged homosexuals, and continue not to apply any discriminatory measure against them. Regarding the issue of freedom of expression, Cameroon was committed to strengthen the professionalism of journalists, continue to allocate public subsidy to the private media, strengthen the capacity of journalists and human rights defenders in the area of ethics and professional code of conduct, continue to promote freedom of expression and respect the outspokenness of the media, continue to apply measures applicable to press card holders in order to protect the State, and support the mission of the Special Rapporteur on the situation of human rights defenders to take place in Cameroon in October 2013.

831. Cameroon stated that similar commitments were also made for each of 171 recommendations with a view to implementing accepted recommendations or strengthening the guaranteeing and enjoyment of relevant rights in rejected recommendations.

832. Cameroon stated that it would strive, within its capacities, to implement its commitments in good faith so that it could be assessed in 2017 on that basis.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

833. During the adoption of the outcome of the review of Cameroon, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>104</sup> are posted on the extranet of the Human Rights Council, if available.

834. Angola commended the constructive spirit of the Government in the review, as well as its commitment in the promotion and protection of human rights. It noted that Cameroon attached great importance to the enjoyment of human rights in the country, in particular through the improvement of life conditions. Angola appreciated the acceptance of numerous recommendations, including those made by Angola on strengthening the capacity of the judiciary and the penitentiary personnel.

835. Benin welcomed the ratification of several international instruments and the adoption of measures aimed at protecting women's rights, including measures against female genital mutilations. It noted the improvement of the legal and institutional framework and concrete measures aimed at strengthening the independence of the judiciary, fighting poverty and human trafficking, and protecting vulnerable groups. Benin welcomed the establishment of an inter-ministerial committee in charge of implementing regional and international human rights mechanisms. Benin encouraged Cameroon to continue efforts in improving the conditions in and overpopulation of prisons, and freedoms of expression and association.

<sup>104</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

836. Botswana appreciated the efforts in fighting corruption, the development of the National Strategy against Corruption, the creation of the Special Criminal Court and a Ministry in charge of public contracts. Botswana thanked Cameroon for accepting recommendations made by Botswana to continue to address concerns expressed by treaty bodies and ILO Committee of Experts regarding trafficking and exploitation of women and children for commercial purposes.

837. China commended Cameroon for its constructive participation in the review process and appreciated the positive responses to the recommendations received. China appreciated the fact that Cameroon attached great importance to food security, improving education facilities, high standards of health services, and the promotion of gender equality. China believed that these efforts would lay solid foundations for Cameroon's people to fully enjoy their human rights, and for the country to achieve socio-economic development.

838. The Congo welcomed Cameroon's commitments demonstrated by the ratification of several regional and international human rights instruments, and the establishment of the inter-ministerial committee in charge of following up the implementation of recommendations of international and regional human rights mechanisms. It encouraged Cameroon to continue implementing recommendations accepted in the first and second reviews by developing an action plan and a roadmap, and called upon the international community to assist Cameroon in this regard.

839. Cuba commended Cameroon for accepting the majority of recommendations, in particular those made by Cuba on implementing the National Strategic Plan in fighting HIV/AIDS and continuing the actions aimed at improving the health insurance coverage. It appreciated the efforts aimed at improving the quality of health services, in particular child health, and of the education system which has achieved important progress in the last four years. It encouraged Cameroon to continue applying measures that contribute to the promotion and protection of all human rights.

840. Djibouti commended the acceptance of the majority of recommendations, including its own ones. It welcomed progress made to strengthen the legal framework, such as the ratification of the optional protocol to the Convention against Torture, and of other human rights international instruments. It encouraged Cameroon to continue to strive for human rights and to cooperate with the universal periodic review process.

841. Equatorial Guinea commended Cameroon for fulfilling its obligations under human rights treaties that it ratified, and under its voluntary commitments taken at the renewal of its membership of the Council. It noted Cameroon's success in implementing recommendations of the first cycle, as well as the cooperation with treaty bodies, special rapporteurs, and regional human rights mechanisms.

842. Ethiopia was pleased by the positive progress in several areas since the first review and noted Cameroon's engagement in a fruitful and constructive dialogue in the second cycle. It commended the commitment to continue implementing the recommendations accepted in 2009 as well as those accepted in the second review. It appreciated the decision to develop an action plan and a roadmap for the implementation of the recommendations, the continuous cooperation with the sub/regional United Nations Centre for Human Rights and Democracy in Central Africa, and the consultation with civil society.

843. Gabon welcomed the ratification of several international and regional instruments. It commended numerous actions aimed at implementing some categories of fundamental rights, the establishment of several institutions for the protection and promotion of human rights. It recommended that Cameroon continue efforts in implementing economic, social and cultural rights by guaranteeing the rights of minorities and indigenous peoples.

844. Malaysia commended Cameroon's active participation in the review process, its commitment, transparency, and forthcoming engagement. Malaysia was satisfied with the updates and responses, and applauded Cameroon for its continued positive engagement in the commitment to implement the accepted recommendations. Malaysia was pleased that its own recommendations were accepted by Cameroon.

845. Maldives was encouraged by the steps taken by Cameroon towards the protection of the rights of persons with disabilities and women, in particular through efforts to eliminate female genital mutilations and gender-based violence. It encouraged Cameroon to continue efforts to ratify the convention against torture, and implement appropriate measures to secure the rights of the child. Given the constructive engagement of Cameroon at the Council, Maldives hoped the implementation of recommendations has moved forward with national consultations.

846. Morocco welcomed the concrete initiatives aimed at improving the general situation of human rights and fundamental freedoms. It noted the efforts in the areas of economic, social and cultural rights, in particular through the adoption of the Strategy Document for Growth and Employment to ensure food security and create jobs in rural areas. It welcomed Cameroon's constructive dialogue in the review and noted the commitments demonstrated by the action plan and roadmap for the implementation of recommendations.

### **3. General comments made by other relevant stakeholders**

847. During the adoption of the outcome of the review of Cameroon, 11 other stakeholders made statements.

848. The National Commission on Human Rights and Freedoms (NCHRF) appreciated broad consultations with multiple stakeholders and the measures taken since 2009 to implement recommendations of the first review. It welcomed the recommendations on developing a national action plan for protecting and promoting human rights, the human rights education programme, and on strengthening NCHRF. It remained committed to continue urging the Government to pay attention to a large number of important human rights areas, and to encourage civil society organizations to work with NCHRF and the Government for the improvement of human rights.

849. The Commonwealth Human Rights Initiative welcomed the ratification of various international human rights treaties. It noted harassment against journalists, human rights defenders and political parties that criticise government policies, and called upon Cameroon to respect freedom of expression. It was concerned about the provisions criminalizing consensual adult same-sex conduct. It urged Cameroon to accept the recommendations to review the law, investigate and address threats, harassment and violence against individuals based on sexual orientation.

850. Human Rights Watch was pleased to note the acceptance of recommendations to investigate police violence against people on the basis of their sexual orientation, and violence against human rights defenders. It urged Cameroon to take immediate steps in that regard. It regretted the non-acceptance of several common sense recommendations to protect the security and life of LGBTI individuals, and to end arbitrary arrests for same-sex conduct.

851. The International Lesbian and Gay Association evoked the recent case of an individual who allegedly was tortured and assassinated for his defense of LGBTI rights. It urged Cameroon to implement accepted recommendation to investigate violence against LGBTI defenders, as well as rejected recommendations to protect the LGBTI individuals. It called upon the Government to investigate the above-mentioned case and also other cases of violence against human rights defenders and prosecute those responsible, and to condemn all manifestations and incitement to homophobia and related crimes.

852. International Federation for Human Rights Leagues welcomed Cameroon's commitments, but regretted the non-acceptance of all recommendations on protecting human rights defenders and decriminalizing homosexuality. It evoked the multiplication of threats and violence against LGBTI defenders, including the recent murders of two individuals allegedly for their defense of LGBTI rights. It urged Cameroon to implement without delay all recommendations received in the review in order to guarantee the security of human rights defenders, particularly those working for LGBTI rights.

853. Franciscans International recalled that Cameroon had accepted in the first cycle recommendations to prevent and end trafficking in children through the adoption of a specific law and an action plan, nevertheless the phenomenon remained persistent. It noted the constant practice of early and forced marriages of young girls in the Nord of the country. It regretted the non-acceptance of recommendations 131.57, 131.58 and 131.59 aimed at strengthening the legal framework to protect children. It urged Cameroon to investigate trafficking in children, and protect the victims of trafficking and street children.

854. Amnesty International stated that it has received reports of government and security officials using violence, arrest and detention to stifle the work of human rights defenders. It was shocked at the recent brutal murder of an individual allegedly for his outspokenness and activities for LGBTI rights. It welcomed Cameroon's support to recommendations to protect human rights defenders. It noted great violations of human rights of individuals because of their real or perceived sexual orientation, and the Penal Code's criminalization of same-sex sexual acts. It urged Cameroon to reconsider its rejection of relevant recommendations, and take measures to eliminate discriminatory treatment on the basis of sexual orientation and gender identity.

855. The Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale (OCAPROCE International) was pleased with Cameroon's achievements and commitments. It welcomed the Nation Action Plan for Human Rights and other measures against violence against women and corporal punishment of children. It appreciated the Strategy Document for Growth and Employment and the recruitment of 20000 young people for the administration. It urged Cameroon to: adopt a specific legislation to combat violence and discrimination against women and to prohibit forced marriages; and implement economic, social and cultural rights of women and children.

856. Rencontre Africaine pour la Defense des Droits de l'Homme (RADDHO) commended Cameroon's positive contribution towards peace and stability in the region, and its efforts in combating poverty, fighting corruption and promoting transparency. It urged Cameroon to: create a special mechanism of rehabilitation, social and economic reintegration of women victims of female genital mutilations; reinforce the capacity of the national commission with a view to promoting human rights education; improve the detention conditions; and protect the indigenous M'Bororo people victims of abuses by some religious leaders.

857. The Mbororo Social and Cultural Development Association thanked the Government for its recent efforts in supporting the indigenous pastoralists. It recalled that they remained victims of various forms of discrimination, including hatred and racist manifestations organised by some powerful individuals through media, broadcast and television in some African countries and across Cameroon in order to eliminate Mbororo name, identity, culture, and associations. It called on the Council to invite Cameroon to review, update and implement its own findings by the Inter-ministerial Commission (Jani Commission) set up in 2004 by the President of the Republic.

858. Defence for Children International, on behalf of the Cameroon NGO Coalition for the Rights of Children, welcomed Cameroon's acceptance of recommendations on

protecting children's rights. It encouraged Cameroon to accept several recommendations on, among others, protecting women and children against violence and promoting universal birth registration and education among the indigenous population. It called upon Cameroon to adopt a realistic action plan and allocate adequate measures to ensure the effectiveness of institutions. It looked forward to working with the Government on the follow-up of the implementation of recommendations.

#### 4. Concluding remarks of the State under review

859. Cameroon recalled that like all other States, it was not perfect, but it would do its utmost to improve the human rights situation.

860. Cameroon recalled the statement of the Minister of Foreign Affairs about the possible evolution of the attitude of the society regarding homosexuality. Cameroon regretted the tone of presentations in which stakeholders only addressed the issue of homosexuality. Cameroon reiterated that this issue remained sensitive for its society, culture and civilization. Cameroon rejected all accusations regarding the murder of an individual for his alleged homosexuality because its authorities do not enter into private lives and such a murder could be due to other behaviours he had had in his private life.

861. Cameroon thanked all Delegations and other stakeholders that have offered support and positive comments.

#### Cuba

862. The review of Cuba was held on 20 September 2013 in conformity with all the relevant provisions contained in relevant Council resolutions and decisions, and was based on the following documents:

- (a) The national report submitted by Cuba in accordance with the annex to Council resolution 5/1, paragraph 15 (a) (A/HRC/WG.6/16/CUB/1);
- (b) The compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/CUB/2 and A/HRC/WG.6/16/CUB/2/Corr.1);
- (c) The summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/CUB/3 and A/HRC/WG.6/16/CUB/3/Corr.1).

863. At its 24th meeting, on 20 September 2013, the Council considered and adopted the outcome of the review of Cuba (see section C below).

864. The outcome of the review of Cuba comprises the report of the Working Group on the Universal Periodic Review (A/HRC/24/16), the views of Cuba concerning the recommendations and/or conclusions, as well as its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (*see also A/HRC/24/16/Add.1*).

#### 1. Views expressed by the State under review on the recommendations and/or conclusions as well as on its voluntary commitments and on the outcome

865. The Cuban delegation expressed its support for the UPR to consider the human rights performance of all countries, under equal grounds, on the basis of mutual respect, constructive dialogue and cooperation. Cuba asserted that, under those principles, it assumed its presentation with full responsibility, which had permitted to expose Cuba's experiences, good practices, and challenges.

866. The delegation indicated that the Government studied thoroughly each recommendation, and wide consultations were carried out to decide about Cuba's position.

A legal, political and institutional analysis was made, in which 16 Ministries, different civil society organizations and other relevant actors participated. Cuba stated that the Addendum handed in reflected the position assumed with respect to each one of the recommendations.

867. Cuba accepted the great majority of recommendation received, 230, as was previously indicated during the Review, and stated that most of them have already been complied with, are in the process of implementation or make part of future priorities. Cuba indicated that those in process of application or to be applied later will be implemented according to the possibilities of the country and the evolution of the circumstances in which it continues to advance to reach the most complete justice.

868. Cuba stated that a minority group of recommendations, 20, did not count with its support, because they were politically biased and built on false foundations, derived from the attempts to discredit the country by those with hegemonic ambitions, resisted accepting the right of self-determination of the Cuban people and the diversity of political, economic and institutional systems. Cuba indicated that they were incompatible with the constitutional principles, the legal domestic order, and the spirit of cooperation and respect that had to prevail in the UPR.

869. Cuba stated that a small group of recommendations had been taken note of, 42, which for the moment, it was not possible to ensure compliance, although the State worked on many of them.

870. Cuba congratulated the recognition made by the immense majority of delegations participating in the debate of its achievements, including universal coverage and gratuity of Cuban health and education, the international cooperation regarding both spheres, its commitment with the right to life, liberty and security of the persons and its respect for human dignity.

871. The delegation appreciated the claims done by many against the ill-fated impact of the blockade of the United States of America on the enjoyment of human rights of the Cuban people, and stated it is a massive, flagrant and systematic violation of these rights.

872. The delegation also noted the condemnation to the unfair and prolonged solitary imprisonment of five Cuban antiterrorist fighters in the United States of America lasting fifteen years, judged without the guarantees of due process, in a climate of revenge and hate, with their legal defence obstructed, under a slanderous Governmental-paid press campaign, and submitted to cruel, inhuman and degrading treatments.

873. The delegation stated that, according to its possibilities and needs, work would be done the best way in order to implement all accepted recommendations and the Inter-institutional Working-Group in charge of the follow-up of the UPR mechanism would remain active, with inclusion of civil society.

874. Regarding the small group of recommendations taken note of, the Government would continue to be analysed according to Cuban laws, institutional procedures and principles governing the political system. Moreover, the ratification of an international treaty was assumed seriously, with time to analyse its norms, wide consultations and a detailed study of the legal order and current policies and programs, with a view to assure the compatibility of national legislation and reality with the international obligations proposed to be assumed.

875. The delegation expressed that under philosophical grounds, Cuba opposed the death penalty and that it favoured its elimination, when proper conditions would exist.

876. Cuba highlighted its system to receive, process and respond any claim or petition regarding any human right effectively, and its institutionalized system of independent tribunals with all procedural guarantees and with impartial and fair hearings.

877. Cuba stated that freedom of expression and assembly had constitutional status and recognized the importance of information technology and communications in this endeavour, while indicating that the main obstacle for the extension of internet services was the blockade by the United States of America. Notwithstanding, political will remained to overcome these imposed obstacles. Cuba called for an urgent democratization of the Internet and to stop technological monopoly.

878. Cuba expressed openness to respectful and fair dialogue, based on the principles of objectivity and impartiality and reiterated its commitment to continue deepening and further improve Cuban society for all Cuban people.

## **2. Views expressed by Member and observer States of the Council on the review outcome**

879. During the adoption of the outcome of the review of Cuba, 13 delegations made statements. The statements of the delegations that were unable to deliver them owing to time constraints<sup>105</sup> are posted on the extranet of the Human Rights Council, if available.

880. Saudi Arabia thanked Cuba's deputy Attorney General for the clarification about the recommendations contained in the report of the Working Group. Saudi Arabia underscored Cuba's interest in human rights and indicated that its determination to achieve these rights on the ground had been seen in the adoption of initiatives at the legislative and institutional levels. It indicated that Cuba cooperated at the international level and cooperated with United Nations human rights procedures, had developed laws and institutions regarding human rights, and had accepted a large number of recommendations.

881. Singapore stated that it understood the development challenges Cuba faced, and commended Cuba's constructive approach and high-level delegation at the UPR which underscored its commitment towards improving its policies to enhance the promotion and protection of the human rights of its people. It noted the high number of recommendations accepted by Cuba and welcomed the acceptance of the two recommendations made by Singapore.

882. South Africa welcomed Cuba's delegation and expressed appreciation for its continued strong commitment to the UPR process, for the comprehensive response and update provided to the Council on the recommendations, and for the on-going efforts for the realization and enjoyment of economic, social and cultural rights. South Africa commended Cuba for its expansion of human rights protection and of health care in Africa, and its continued cooperation and interaction with procedures and mechanisms of the United Nations system, which demonstrated Cuba's strong commitment.

883. South Sudan noted Cuba's acceptance of the recommendations received by States including those it put forward, as well as its cooperation with the Human Rights Council. It took the opportunity to pay tribute to Cuba for the progress in education and healthcare, highlighting that it was one of the best healthcare systems in the world, and education expenditures continued to receive higher priority by the Government.

884. Sri Lanka acknowledged Cuba's transparent and proactive engagement during the UPR, commended Cuba for accepting the majority of recommendations including those it put forward on, inter alia, food security and access to adequate housing. Sri Lanka asserted that Cuba had continued to guarantee free access to universal education and health to its people despite significant challenges, and economic and social reform had yielded positive results.

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<sup>105</sup> <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/Pages/Calendar.aspx>.

885. Thailand expressed appreciation for Cuba's full cooperation and engagement with the Working Group and the Troika, and its active role and participation in the Council, including the initiative on the right to development and its efforts to achieve MDGs. It was pleased that a significant number of recommendations were supported by Cuba including those made by Thailand, and offered to share with Cuba experiences and best practices.

886. Sudan commended the delegation of Cuba, thanked for the clarifications provided and stated that Cuba had received a large number of recommendations, most positive and constructive, but that there were a small number which were subject to politicization. The Sudan welcomed clarifications given about the approach taken to the recommendations made and encouraged Cuba to show openness and cooperation for the promotion and protection of human rights. It appreciated that Cuba accepted most of the recommendations including those made by the Sudan.

887. Russian Federation noted that the majority of recommendations were accepted including their own ones and stated that this showed convincingly once more that Havana paid first attention to human rights issues and was ready to continue to cooperate with international monitoring mechanisms. It emphasized significant progress in the promotion and protection of human rights, first and foremost in the area of socio-economic rights, which was impressive given the unilateral sanctions against Cuba.

888. United Arab Emirates welcomed Cuba's determination to uphold its commitment to implement the recommendations accepted during its second UPR. It noted Cuba's efforts to enshrine the culture of human rights and fundamental freedoms and to take specific measures in all areas to ensure human dignity for individuals and equal opportunities. The delegation appreciated the measures adopted regarding economic, social and cultural rights, rights of women, sustainable development and social justice.

889. United Kingdom of Great Britain and Northern Ireland welcomed Cuba's engagement with the UPR and recent domestic reforms that had introduced new economic and travel freedoms for Cubans. It expressed disappointment for the rejection of recommendations on freedom of expression and reiterated its concern on Cuba's continued detention and harassment of peaceful opposition and human rights activists. It was discouraged by the rejection of a recommendation to improve due process in the judicial system, considering the detention of suspects without trial or charge, and the lack of an independent system of judges and lawyers. It continued to call on Cuba to improve conditions for those in places of detention.

890. United States of America regretted that Cuba dedicated considerable time to distorting its country's policy towards Cuba, asserting, inter alia, that it was one of Cuba's principal trading partners. The delegation noted the Government's will to examine all recommendations and referred to those asking to halt short-term, extra-judicial detentions, harassments and other repressive measures against human rights defenders and activists. It indicated that Cuban authorities frequently prevented freedom of peaceful assembly by members of Cuba's independent civil society, and called to allow an independent investigation into the circumstances surrounding the deaths of Oswaldo Paya and Harold Cepero.

891. Uzbekistan expressed appreciation for the comprehensive information provided by Cuba and comments on recommendations made. It welcomed the constructive participation in the UPR mechanism, the country's acceptance of a majority of recommendations made in the second review, including those made by Uzbekistan regarding to continuing efforts to achieve the Millennium Development Goals, supporting youth in education and employment and further improvement of national legislation in the area of human rights. It indicated that Cuba was a State party to the basic international human rights instruments and implemented these provisions in national legislation. It stated that implementing the

recommendations accepted by Cuba would contribute to further strengthening the human rights system in Cuba.

892. Venezuela (Bolivarian Republic of) welcomed Cuba's delegation and recognized the importance that the Cuban Government gave to the compliance of UPR accepted recommendations. It stated that the review showed the great achievements of the Cuban Revolution in the enjoyment of human rights, despite the difficulties faced because of the inhumane blockade imposed to that heroic people, expressing solidarity with Cuba. It acknowledged Cuba's men and women for the cooperation and unconditional friendship they offered to many countries, including Venezuela, in the framework of the promotion and protection of human rights, especially in the areas of health, education, culture and sports.

### **3. General comments made by other relevant stakeholders**

893. During the adoption of the outcome of the review of Cuba, 9 other stakeholders made statements.

894. Jubilee Campaign highlighted the substantial increase in reported violations to freedom of religion and belief and referred to reports on violent beatings of church leaders. It noted increased reports of threats, closure, confiscation and demolition of church buildings. It mentioned the use of frequent, temporary, arbitrary detention without charge as a tactic that had been applied to religious leaders, many reported being detained and imprisoned multiple times in the course of the past year. It urged Cuba to ratify the ICCPR and ICESCR and called on Cuba to ensure the freedom of religion or belief for all its citizens.

895. The International Association of Democratic Lawyers congratulated Cuba for its efforts and achievements in the area of human rights, despite the tough economic conditions caused by the illegal blockade. It highlighted the essential work of Cuba before the United Nations, which had allowed important advances in fundamental subjects such as international solidarity, right to peace and right to food. It greeted the recent legal measures approved to modify the Law on Migration, the Housing Law and the Criminal Procedure Law, and expressed that it valued the popular consultations in decisions of high impact on the population, a practice that should be followed by other countries. It welcomed the de facto moratorium of the death penalty and asked the government to consider its definitive abolition, asking the Cuban government to reinforce its efforts for the liberation of the five Cubans unjustly detained in the United States.

896. Amnesty International regretted that Cuba rejected recommendations aimed at improving respect for freedom of expression, association and assembly. It welcomed reforms to the migration law, and expressed concern on independent journalists and human rights activists being routinely harassed, detained, and even sentenced for exercising their rights to freedom of expression, association and assembly. It expressed disappointment on Cuba's non-acceptance to ratifying key human rights instruments, welcomed that no death sentences had been carried out but was disappointed that Cuba remained unable to accept recommendations calling for the abolition of the death penalty. It welcomed the release of Calixto Ramon Martínez Arias, after spending almost seven months in prison without charge, and urged to release immediately Alexeis Vargas Martin and his twin brother, Emilio Planas Robert, Rafael Montes de Oca, Iván Fernández, and others arrested solely for exercising their right to freedom of expression.

897. United Nations Watch intervention was delivered by Yris Perez Aguilera, from the Rosa Parks Women's Movement for Civil Rights. It referred to paragraph 56 of the stakeholder's summary on the growing use of violence against human rights defenders, arbitrary arrests and death threats in Cuba, and highlighted the recommendations made by

the Netherlands, Norway, Poland, Germany and Hungary which addressed these gross abuses. A personal testimony was given claiming aggressions and threats by Cuban authorities against her and other human rights activists and asking the United Nations for protection of her life and the lives of other activists.

898. Liberation congratulated Cuba for implementing recommendations accepted in the first UPR and accepting the great majority of the recommendations received during the second cycle. It recognized the ratification of international instruments, and commended the priority given to promotion and protection of all human rights and the achievements in economic, political and social changes, especially in the field of education and health, and also regarding right to food and inter alia, access to information and communication technologies, freedom of religion and social security.

899. International Buddhist relief organization expressed satisfaction for the acceptance by Cuba of the majority of recommendations of the second cycle, including those on religious freedom and assistance, which the government guaranteed without discrimination. It commended the priority that Cuba attached to the promotion and protection of Human Rights in all areas, mentioned that Cuba had also adopted significant economic and social changes that benefited its citizens and requested the government to continue giving priority to its cooperation programs with other countries.

900. The Foundation for Help and Promotion of Indigenous Cultures Rosa Collelldevall stated that Cuba protected and promoted all human rights and had a high human development, constituted an example in economic, social and cultural rights areas, in particular universal health and education and also promoted indigenous cultures and traditions. It indicated that, although being affected by a blockade, it was convinced that the Government would continue working for a society which was increasingly fair, and exhorted Cuba to continue its success through putting in practice the measures in favour of the promotion and protection of human rights.

901. The Federation of Cuban Women expressed acknowledgement for Cuba's commitment and seriousness in the defence of human rights and for accepting the majority of recommendations received. It also highlighted Cuban women's efforts to improve the quality of life facing at the same time the imposed blockade. It underscored new norms regarding social security, housing, non-state work, creation of cooperatives enterprises and delivery of lands in usufruct, noting that possession of land had been given to more than 17000 women in the last period, and that after the elections that took place in February 2013, 48.86% of the deputies to Parliament were women.

902. The National Union of Jurists of Cuba congratulated Cuba for accepting the majority of recommendations. It highlighted that, since 2009, important laws had been approved that reinforced individual rights of Cubans, and legal amendments took into account the criteria of the organization. It underscored that the Judicial organs improved their performance with extensive guarantees, and exhorted the Cuban government to strengthen the effectiveness of the system in charge of handling and processing individual or collective claims or petitions related to any human right.

#### **4. Concluding remarks of the State under review**

903. The delegation indicated that with the adoption of Cuba's report came a new stage, in which a commitment was required to continue working in the follow-up to the results of this exercise.

904. The delegation stated that it could not be permitted that this exercise be used to launch attacks and false allegations from those who were mercenaries paid by a foreign power and to make recommendations that run contrary to inalienable principles such as the State sovereignty or self-determination. False or distorted statements should neither be

permitted, nor those resulting from the lack of information about the reality of a country, or attempts to manipulate it or take it out of context in order to reach specific political ends.

905. The delegation indicated that comments and recommendations directed to questioning the political, economic and social system established by Cubans were contrary to the exercise of the peoples' right to self-determination and to the spirit of cooperation and respect that this exercise required. The delegation asked their authors to follow the principles and modalities agreed upon by the General Assembly and the Human Rights Council.

906. Cuba reiterated that the blockade was the main obstacle to the enjoyment of human rights of Cubans and stated that the delegate of the United States of America lied when asserting that his country was the main food exporter to Cuba, and that the citizens from his country were the first source of incoming tourists. Cuba indicated that the blockade impeded normal commercial transactions between the two countries and summoned the delegate of the United States of America to refute the fact that the citizens from his country were the only ones that cannot travel freely to Cuba. Cuba stated that the accidental nature of the deaths of Cuban citizens Oswaldo Paya and Harold Cepero was determined in an exhaustive investigation and in the corresponding legal process, carried out with all guarantees, as recognized by other countries.

907. The delegation highlighted Cuba's great efforts despite difficult conditions, in particular, the impact of the blockade, and that the country would continue with its irrevocable decision to advance in its socialist development, autochthonous, original, democratic and freely participatory.

## **B. General debate on agenda item 6**

908. At its 25th meeting, on 23 September 2013, the Human Rights Council held a general debate on agenda item 6, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Austria, Estonia, Lithuania<sup>106</sup> (on behalf of the European Union, Albania, Bosnia and Herzegovina, Georgia, Iceland, Liechtenstein, Montenegro, Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine), Malaysia, Maldives, Republic of Moldova, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Albania, Armenia, Belgium, China, Cuba, Georgia, Morocco, Netherlands, Russian Federation, Solomon Islands, Sudan, Uruguay;

(c) Observers for intergovernmental organizations: International Organization of la Francophonie;

(d) Observers for non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, African Technology Development Link, Amnesty International, International Commission of Jurists, International Institute for Peace, International Organization for the Elimination of All Forms of Racial Discrimination, Maarij Foundation for Peace and Development, Organization for Defending Victims of Violence, Society of Iranian Women Advocating Sustainable Development of Environment, Union of Arab Jurists, United Nations Watch, UPR Info, Verein Sudwind Entwicklungspolitik, World Barua Organization (WBO).

<sup>106</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

909. At the same meeting, the President of the Human Rights Council made a statement in relation to the Universal Periodic Review mechanism.

## **C. Consideration of and action on draft proposals**

### **Turkmenistan**

910. At the 19th meeting, on 18 September 2013, the Council adopted draft decision 24/101 without a vote (for the text as adopted, see part one, chapter II).

### **Burkina Faso**

911. At the 19th meeting, on 18 September 2013 the Council adopted draft decision 24/102 without a vote (for the text as adopted, see part one, chapter II).

### **Cape Verde**

912. At the 19th meeting, on 18 September 2013, the Council adopted draft decision 24/103 without a vote (for the text as adopted, see part one, chapter II).

### **Tuvalu**

913. At the 20th meeting, on 19 September 2013, the Council adopted draft decision 24/104 without a vote (for the text as adopted, see part one, chapter II).

### **Colombia**

914. At the 20th meeting, on 19 September 2013, the Council adopted draft decision 24/105 without a vote (for the text as adopted, see part one, chapter II).

### **Uzbekistan**

915. At the 20th meeting, on 19 September 2013, the Council adopted draft decision 24/106 without a vote (for the text as adopted, see part one, chapter II).

### **Germany**

916. At the 22nd meeting, on 19 September 2013, the Council adopted draft decision 24/107 without a vote (for the text as adopted, see part one, chapter II).

### **Djibouti**

917. At the 22nd meeting, on 19 September 2013, the Council adopted draft decision 24/108 without a vote (for the text as adopted, see part one, chapter II).

### **Canada**

918. At the 22nd meeting, on 19 September 2013, the Council adopted draft decision 24/109 without a vote (for the text as adopted, see part one, chapter II).

### **Bangladesh**

919. At the 23rd meeting, on 20 September 2013, the Council adopted draft decision 24/110 without a vote (for the text as adopted, see part one, chapter II).

**Azerbaijan**

920. At the 23rd meeting, on 20 September 2013, the Council adopted draft decision 24/111 without a vote (for the text as adopted, see part one, chapter II).

**Russian Federation**

921. At the 24th meeting, on 20 September 2013, the Council adopted draft decision 24/112 without a vote (for the text as adopted, see part one, chapter II).

**Cameroon**

922. At the 24th meeting, on 20 September 2013, the Council adopted draft decision 24/113 without a vote (for the text as adopted, see part one, chapter II).

**Cuba**

923. At the 24th meeting, on 20 September 2013, the Council adopted draft decision 24/114 without a vote (for the text as adopted, see part one, chapter II).

## VII. Human rights situation in Palestine and other occupied Arab territories

924. At the 25th meeting, on 23 September 2013, the Deputy High Commissioner presented the report of the Secretary-General on the implementation of Human Rights Council resolution 22/28 (A/HRC/24/30).

### A. General debate on agenda item 7

925. At its 25th and 26th meetings, on the same day, the Human Rights Council held a general debate on agenda item 7, during which the following made statements:

(a) The observer for the State of Palestine as the party concerned and the representative of the Syrian Arab Republic as the country concerned;

(b) Representatives of States Members of the Human Rights Council: Angola, Brazil (on behalf of the India, Brazil and South Africa Forum), Chile, Ecuador (also on behalf of the Bolivarian Alliance for the Americas), Gabon (on behalf of the Group of African States), Indonesia, Iran<sup>107</sup> (Islamic Republic of) (on behalf of the Non-Aligned Movement), Kuwait, Libya, Malaysia, Maldives, Mauritania, Pakistan (on behalf of the Organization of Islamic Cooperation), Qatar, State of Palestine<sup>107</sup> (on behalf Arab Group), United Arab Emirates, Venezuela (Bolivarian Republic of);

(c) Representatives of observer States: Algeria, Bahrain, Bangladesh, China, Cuba, Egypt, Iran (Islamic Republic of), Iraq, Jordan, Lebanon, Mexico, Morocco, Oman, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Turkey, Yemen;

(d) Observer for a national human rights institution: Palestinian Independent Commission for Citizen's Rights (by video message);

(e) Observers for non-governmental organizations: Africa Culture Internationale, Al-Haq, Law in the Service of Man, BADIL Resource Center for Palestinian Residency and Refugee Rights, Cairo Institute for Human Rights Studies, Coordinating Board of Jewish Organizations, Family Planning Association, I.R. Iran, General Arab Women Federation, International Association of Jewish Lawyers and Jurists, International Organization for the Elimination of All Forms of Racial Discrimination, International Youth and Student Movement for the United Nations, Islamic Women's Institute of Iran, Maarif Foundation for Peace and Development, Organization for Defending Victims of Violence, Prevention Association of Social Harms (PASH), Society of Iranian Women Advocating Sustainable Development of Environment, Union of Arab Jurists, United Nations Watch.

<sup>107</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

## **VIII. Follow-up to and implementation of the Vienna Declaration and Programme of Action**

### **A. Panel discussion on the integration of a gender perspective**

926. At the 8th meeting, on 12 September 2013, the Human Rights Council held an annual discussion on the integration of a gender perspective into its work, with a focus on civil society's contribution to the integration of a gender perspective in the work of the Human Rights Council and its mechanisms, in accordance with Council resolution 6/30.

927. The High Commissioner for Human Rights made opening remarks. Nyaradzayi Gumbonzvanda, Secretary-General of the World Young Women's Christian Association, moderated the discussion.

928. At the same meeting, the panellists Chaloka Beyani, Mozn Hassan, Neha Sood and Penny Williams made statements.

929. The ensuing panel discussion was divided into two slots, which were held at the same meeting, on the same day. During the first speaking slot, the following made statements and asked the panellists questions:

(a) Representatives of States Members of the Human Rights Council: Chile, Costa Rica (also on behalf of the Community of Latin American and Caribbean States), Ireland, Kuwait, Maldives, Montenegro, Unites States of America;

(b) Representatives of observer States: Bulgaria, Cuba, Mexico, Turkey;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: Center for Environmental and Management Studies, International Service for Human Rights, Servas International.

930. At the end of the first speaking slot, the moderator and the panellists answered questions and made comments.

931. The following made statements during the second speaking slot:

(a) Representatives of States Members of the Human Rights Council: Austria, Brazil, Libya, Poland, Sierra Leone, Spain, Switzerland, Thailand, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, China, Finland (also on behalf of Denmark, Iceland, Norway and Sweden), Iran (Islamic Republic of), Morocco, Paraguay, Saudi Arabia;

(c) Observers for non-governmental organizations: European Union of Public Relations, Indian Law Resource Centre, World Organisation Against Torture.

932. At the same meeting, the moderator made concluding remarks.

### **B. General debate on agenda item 8**

933. At its 27th meeting, on 24 September 2013, the Human Rights Council held a general debate on agenda item 8, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council:

Austria, Cuba<sup>108</sup> (on behalf of Community of Latin American and Caribbean States), Guatemala, Indonesia, Ireland, Lithuania<sup>108</sup> (on behalf of the European Union, Albania, Bosnia and Herzegovina, Georgia, Iceland, Liechtenstein, Montenegro, Republic of Moldova, the former Yugoslav Republic of Macedonia and Ukraine), Maldives, Slovenia<sup>108</sup> (also on behalf of Austria, Liechtenstein and Switzerland), State of Palestine<sup>108</sup> (on behalf of the Group of Arab States), Thailand, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, China, Egypt, Morocco, Netherlands;

(c) Observer for an intergovernmental organization: Council of Europe;

(d) Observer for national human rights institutions: Canadian Human Rights Commission, International Coordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights;

(e) Observers for non-governmental organizations: Action Canada for Population and Development, Agence Internationale pour le Developpement, Amnesty International, British Humanist Association, Canadian HIV/AIDS Legal Network, Centre for Human Rights and Peace Advocacy, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC), France Libertes : Fondation Danielle Mitterrand, Il Cenacolo, Indian Council of South America, International Humanist and Ethical Union, International Lesbian and Gay Association, International Service for Human Rights, Liberation, Maarij Foundation for Peace and Development, Mothers Legacy Project, Presse Embleme Campagne, Verein Sudwind Entwicklungspolitik, World Barua Organization (WBO), World Muslim Congress.

934. At the same meeting, statements in exercise of the right of reply were made by the representatives of China, Cuba and Egypt.

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<sup>108</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

## **IX. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action**

### **A. Interactive dialogue with special procedures mandate holders**

#### **Working Group of Experts on People of African Descent**

935. At the 27th meeting, on 24 September 2013, a member of the Working Group of Experts on People of African Descent, Mirjana Najchevska, presented report of the Working Group (A/HRC/24/52 and Add.1-2).

936. At the same meeting, the representatives of Panama and the United Kingdom of Great Britain and Northern Ireland made statements as countries concerned.

937. At the same meeting, the Equality and Human Rights Commission, the Northern Ireland Human Rights Commission and the Scottish Human Rights Commission made a joint statement.

938. During the ensuing interactive dialogue at the same meeting, and at the 28th meeting on the same day, the following made statements and asked the representative of the Working Group questions:

(a) Representatives of States Members of the Human Rights Council: Brazil (on behalf of the Community of Latin American and Caribbean States), Sierra Leone, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Colombia, Morocco, Nigeria, South Africa, Sri Lanka, Togo;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: International Youth and Student Movement for the United Nations, Rencontre Africaine pour la defense des droits de l'homme.

939. At the 28th meeting, the member of the Working Group answered questions and made her concluding remarks.

### **B. General debate on agenda item 9**

940. At its 28th meeting, on 24 September 2013, the Human Rights Council held a general debate on agenda item 9, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Ecuador, Kuwait, Kyrgyzstan<sup>109</sup> (also on behalf of Armenia, Belarus, Kazakhstan, the Russian Federation and Tajikistan), Lithuania<sup>109</sup> (on behalf of the European Union, Albania, Armenia, Bosnia and Herzegovina, Georgia, Iceland, Montenegro, Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Turkey), Pakistan (on behalf of the Organization of Islamic Cooperation), South Africa<sup>109</sup> (on behalf of the Group of African States), State of Palestine<sup>109</sup> (on behalf of the Group of Arab States), United States of America;

<sup>109</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

(b) Representatives of observer States: China, Cuba, Egypt, Iran (Islamic Republic of), Nigeria, Norway, Russian Federation, Tunisia;

(c) Observer for an intergovernmental organization: Council of Europe;

(d) Observers for non-governmental organizations: Africa Culture Internationale, Agence Internationale Pour le Developpement, Centre for Human Rights and Peace Advocacy, Family Planning Association, I.R.Iran, Fraternite Notre Dame, Inc., Indian Council of South America (CISA), International Association of Jewish Lawyers and Jurists, International Humanist and Ethical Union, International Organization for the Elimination of All Forms of Racial Discrimination, International Youth and Student Movement for the United Nations, Islamic Women's Institute of Iran, Maarij Foundation for Peace and Development, Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale - OCAPROCE Internationale, Organization for Defending Victims of Violence, Pasumai Thaayagam Foundation, Prevention Association of Social Harms (PASH), Society of Iranian Women Advocating Sustainable Development of Environment, Under The Same Sun Fund, United Nations Watch, United Towns Agency for North-South Cooperation, Verein Sudwind Entwicklungspolitik, World Barua Organization (WBO), World Muslim Congress.

### C. Consideration of and action on draft proposals

#### **From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance**

941. At the 37th meeting, on 27 September 2013, the representative of South Africa introduced draft resolution A/HRC/24/L.25, sponsored by Gabon (on behalf of the Group of African States) and co-sponsored by Bolivia (Plurinational State of), Cuba, Ecuador and Venezuela (Bolivarian Republic of). Subsequently, Colombia, Dominican Republic, Indonesia, Jamaica, Kazakhstan, Nicaragua, Sri Lanka, State of Palestine (on behalf of the Group of Arab States), Thailand, Turkey and Uruguay joined the sponsors.

942. At the same meeting, the representative of South Africa orally revised the draft resolution.

943. Also at the same meeting, the representative of the Bolivarian Republic of Venezuela made general comments in relation to the draft resolution.

944. 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.

945. At the same meeting, the representatives of Estonia, on behalf of States members of the European Union that are members of the Council, Switzerland and the United States of America made statements in explanation of vote before the vote.

946. At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution. The draft resolution as orally revised was adopted by 32 votes to 2 with 13 abstentions. For the text as adopted, see part one, chapter I, resolution 24/26).

## **X. Technical assistance and capacity-building**

### **A. Interactive dialogue with special procedures mandate holders**

#### **Special Rapporteur on the situation of human rights in Cambodia**

947. At the 28th meeting, on 24 September 2013, the Special Rapporteur on the situation of human rights in Cambodia, Surya P. Subedi, presented his report (A/HRC/24/36).

948. At the same meeting, the representative of Cambodia made a statement as the country concerned.

949. During the ensuing interactive dialogue, also at the same meeting and at the 30th meeting, the following made statements and asked the Special Rapporteur questions:

(a) Representatives of States Members of the Human Rights Council: Indonesia, Ireland, Japan, Malaysia, Switzerland, Thailand, United States of America;

(b) Representatives of observer States: Australia, China, France, Lao People's Democratic Republic, Morocco, Myanmar, New Zealand, Slovakia, United Kingdom of Great Britain and Northern Ireland, Viet Nam;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: Amnesty International, Asian Forum for Human Rights and Development, Human Rights Now, Human Rights Watch, International Federation for Human Rights Leagues, Social Service Agency of the Protestant Church in Germany, World Association for the School as an Instrument of Peace.

950. At the 30th meeting, the Special Rapporteur answered questions and made his concluding remarks.

#### **Independent expert on the situation of human rights in Somalia**

951. At the 30th meeting, on 25 September 2013, the independent expert on the situation of human rights in Somalia, Shamsul Bari, presented his report (A/HRC/24/40).

952. At the same meeting, the representative of Somalia made a statement as the country concerned.

953. During the ensuing interactive dialogue, also at the same meeting, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Human Rights Council: Czech Republic, Ethiopia, Germany, Ireland, Italy, Romania, Spain, United States of America;

(b) Representatives of observer States: Chad, Djibouti, France, Luxembourg, Morocco, Nigeria, Sudan, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: Amnesty International, East and Horn of Africa Human Rights Defenders Project, International Educational Development, Inc..

954. At the same meeting, the independent expert answered questions and made his concluding remarks.

### **Independent expert on the situation of human rights in the Sudan**

955. At the 30th meeting, on 25 September 2013, the independent expert on the situation of human rights in the Sudan, Mashood A. Baderin, presented his report (A/HRC/24/31).

956. At the same meeting, the representative of the Sudan made a statement as the country concerned.

957. During the ensuing interactive dialogue, at the 30th and 31st meetings, on the same day, the following made statements and asked the independent expert questions:

(a) Representatives of States Members of the Human Rights Council: Czech Republic, Ethiopia, Gabon (on behalf of the Group of African States), Germany, Indonesia, Ireland, Kuwait, Libya, Maldives, Pakistan, Qatar, State of Palestine<sup>110</sup> (on behalf of the Group of Arab States), Switzerland, Thailand, Uganda, United Arab Emirates, United States of America;

(b) Representatives of observer States: Australia, Bahrain, Bangladesh, Canada, China, Cuba, Democratic People's Republic of Korea, Egypt, France, Lebanon, Mexico, Morocco, Nigeria, Norway, Saudi Arabia, South Sudan, Sri Lanka, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

(d) Observer for an intergovernmental organization: European Union;

(e) Observers for non-governmental organizations: Amnesty International, Cairo Institute for Human Rights Studies, East and Horn of Africa Human Rights Defenders Project, Human Rights Watch, International Federation for Human Rights Leagues, Maarij Foundation for Peace and Development, Society Studies Centre (MADA ssc).

958. At the 31st meeting, the representative of the Sudan made a statement.

959. Also at the 31st meeting, the independent expert answered questions and made his concluding remarks.

## **B. Stand-alone High level interactive dialogue on Somalia**

960. At the 29th meeting, on 24 September 2013, pursuant to its decision 23/114, the Human Rights Council held a stand-alone high-level interactive dialogue with the aim of exploring how all stakeholders can work effectively towards the finalization and implementation of the road map and the realization of human rights in Somalia.

961. The Deputy High Commissioner made an opening statement on behalf of the High Commissioner, followed by the Prime Minister of the Federal Government of Somalia, Abdi Farah Shirdon.

962. At the same meeting, the following speakers made introductory statements: the Independent expert on the situation of human rights in Somalia, Shamsul Bari, the Special Representative of the UN Secretary-General for Somalia and head of the United Nations Assistance Mission in Somalia, Nicholas Kay, Fartuun Adan, Mahamat Saleh Annadif, Mohamed Abdi Mohamed, Zahra Nur and Abdinasir Yasin Salad. The discussion was divided in two slots, both held at the 29th meeting.

<sup>110</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

963. During the first slot, the following made statements and asked the speakers questions:

(a) Representatives of States Members of the Human Rights Council: Austria, Ethiopia, Gabon (on behalf of the Group of African States), Italy, Kenya, Kuwait, Sierra Leone, State of Palestine<sup>111</sup> (on behalf of the Group of Arab States), United Arab Emirates, United States of America;

(b) Representatives of observer States: Bahrain, Djibouti, Eritrea, Mexico, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for an intergovernmental organization: European Union;

(d) Observers for non-governmental organizations: East and Horn of Africa Human Rights Defenders Project, International Educational Development, Inc., International Federation of Journalists.

964. During the second slot, at the same meeting, the following made statements and asked the speakers questions:

(a) Representatives of States Members of the Human Rights Council: Ireland, Japan, Maldives, Switzerland;

(b) Representatives of observer States: Australia, Denmark, Egypt, France, Morocco, Nigeria, Norway, Sudan, Turkey, Yemen;

(c) Observer for an intergovernmental organization: Organization of Islamic Cooperation;

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

(e) Observers for non-governmental organizations: Human Rights Watch, Mothers Legacy Project.

965. At the same meeting, the speakers answered questions and made their concluding remarks.

### **C. Interactive dialogue on the human rights situation in the Central African Republic**

966. At the 31st meeting, on 25 September 2013, the Council held an interactive dialogue on the human rights situation in the country pursuant to its decision taken on 18 September 2013.

967. The Deputy High Commissioner presented the report of the High Commissioner on the human rights situations in the Central African Republic (A/HRC/24/59).

968. At the same meeting, the representative of the Central African Republic made a statement as the country concerned.

969. During the ensuing interactive dialogue, at the 31st and 32nd meetings, on the same day, the following made statements and asked the Deputy High Commissioner questions:

(a) Representatives of States Members of the Human Rights Council: Angola, Austria, Congo, Côte d'Ivoire, Czech Republic, Gabon (on behalf of the Group of African

<sup>111</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

States), Montenegro, Morocco<sup>112</sup> (on behalf of the International Organization of la Francophonie), Romania, Sierra Leone, Spain, Switzerland, United States of America;

(b) Representatives of observer States: Australia, Belgium, Cameroon, Chad, China, Democratic Republic of the Congo, Egypt, France, Luxembourg, Mexico, New Zealand, Nigeria, Portugal, South Sudan, Sudan, Togo, United Kingdom of Great Britain and Northern Ireland;

(c) Observer for an intergovernmental organization: African Union, European Union;

(d) Observers for non-governmental organizations: Amnesty International, Caritas Internationalis (International Confederation of Catholic Charities), Femmes Afrique Solidarité, Human Rights Watch and International Federation for Human Rights Leagues.

970. At the 31st meeting, representatives of the Central African Republic made statements.

971. At the 31st meeting, the Deputy High Commissioner answered questions and made her concluding remarks.

#### **D. General debate on agenda item 10**

972. At the 32nd meeting, on 25 September 2013, the Deputy High Commissioner introduced country reports of the High Commissioner and the Secretary-General submitted under agenda items 2 and 10 (A/HRC/24/32, 33 and 34).

973. At the 32nd, on the same day, the representatives of Cambodia, the Democratic Republic of the Congo, Sri Lanka and Yemen made statements as countries concerned.

974. At its 32nd meeting, on the same day and at the 33th meeting on 26 September 2013, the Human Rights Council held a general debate on agenda item 10, during which the following made statements:

(a) Representatives of States Members of the Human Rights Council: Brazil, India, Indonesia, Ireland, Japan, Kuwait, Lithuania<sup>112</sup> (on behalf of the European Union, Albania, Bosnia and Herzegovina, Georgia, Iceland, Montenegro, Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia), Maldives, Montenegro, Pakistan, Philippines, Republic of Korea, Senegal<sup>112</sup> (on behalf of the International Organization of la Francophonie), State of Palestine<sup>112</sup> (on behalf of the Group of Arab States), Switzerland, Thailand, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of);

(b) Representatives of observer States: Algeria, Australia, Azerbaijan, Belarus, Belgium, Bolivia (Plurinational State of), Canada, China, Cuba, Egypt, France, Morocco, Myanmar, Netherlands, New Zealand, Norway, Russian Federation, Rwanda, Saudi Arabia, Senegal, South Sudan, United Kingdom of Great Britain and Northern Ireland, Uzbekistan;

(c) Observer for United Nations entities, specialized agencies and related organizations: United Nations Children's Fund (UNICEF);

(d) Observer for an intergovernmental organization: Council of Europe;

(e) Observers for non-governmental organizations: Action internationale pour la paix et le développement dans la région des Grands Lacs, Amnesty International, Asian

<sup>112</sup> Observer of the Human Rights Council speaking on behalf of Member and observer States.

Forum for Human Rights and Development, Asian Legal Resource Centre, CIVICUS - World Alliance for Citizen Participation, Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC), Human Rights Watch, International Commission of Jurists, International Movement Against All Forms of Discrimination and Racism (IMADR), Lawyers' Rights Watch Canada, Liberation, Maarij Foundation for Peace and Development, Pasumai Thaayagam Foundation, Rencontre Africaine pour la defense des droits de l'homme, Society Studies Centre (MADA ssc), United Nations Watch, United Towns Agency for North-South Cooperation, World Association for the School as an Instrument of Peace.

975. At the 33rd meeting, on 26 September 2013, statements in exercise of the right of reply were made by the representatives of China and Sudan.

## **E. Consideration of and action on draft proposals**

### **Technical assistance and capacity-building for human rights in the Democratic Republic of the Congo**

976. At the 37th meeting, on 27 September 2013, the representative of Gabon (on behalf of the Group of African States) introduced draft resolution A/HRC/24/L.9, sponsored by Gabon (on behalf of the Group of African States). Subsequently, Belgium, Brazil, Denmark, France, Germany, Greece, Indonesia, Ireland, Italy, Luxembourg, Netherlands, Portugal, Slovenia, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland and the United States of America joined the sponsors.

977. At the same meeting, the representatives of Estonia, on behalf of States members of the European Union that are also members of the Council, Switzerland and the United States of America made general comments on the draft resolution.

978. Also at the same meeting, the representative of the Democratic Republic of the Congo made a statement as the country concerned.

979. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/27).

### **Technical assistance for the Sudan in the field of human rights**

980. At the 37th meeting, on 27 September 2013, the representative of Gabon, on behalf of the Group of African States, introduced draft resolution A/HRC/24/L.10/Rev.1, sponsored by Gabon (on behalf of the Group of African States). Subsequently, Bosnia and Herzegovina, Indonesia, Maldives, State of Palestine (on behalf of the Group of Arab States) and Thailand joined the sponsors.

981. At the same meeting the representative of Gabon orally revised the draft resolution.

982. Also at the same meeting the representatives of Estonia, on behalf of States members of the European Union that are also members of the Council, Switzerland and the United States of America made general comments on the draft resolution.

983. At the same meeting the representative of Sudan made a statement as the country concerned.

984. 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.

985. At the same meeting, the draft resolution as orally revised was adopted without a vote (for the text as adopted, see part one, chapter I, decision 24/28).

### **Advisory services and technical assistance for Cambodia**

986. At the 37th meeting, on 27 September 2013, the representative of Japan introduced draft resolution A/HRC/24/L.19, sponsored by Japan and co-sponsored by Austria, Denmark, Germany, Greece, Hungary, Luxembourg, Slovenia and Sweden. Subsequently, Australia, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, France, Ireland, Italy, Lithuania, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain and United Kingdom of Great Britain and Northern Ireland joined the sponsors.

987. At the same meeting the representative of Cambodia made a statement as the country concerned.

988. 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 decision.

989. At the same meeting, the draft decision was adopted without a vote (for the text as adopted, see part one, chapter I, decision 24/29).

### **Assistance to Somalia in the field of human rights**

990. At the 37th meeting, on 27 September 2013, the representatives of Somalia and the United Kingdom of Great Britain and Northern Ireland introduced draft resolution A/HRC/24/L.20, sponsored by Australia, Austria, Djibouti, Ethiopia, Italy, Norway, Qatar, Somalia, Sweden, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen and co-sponsored by Belgium, Denmark, Finland, Gabon (on behalf of the Group of African States), Germany, Greece, Hungary, Ireland, Luxembourg, Netherlands, Portugal, Slovenia, Spain and Thailand. Subsequently, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, France, Greece, Indonesia, Japan, Lithuania, Maldives, Mexico, New Zealand, Poland, Republic of Moldova, Romania, Saint Kitts and Nevis, State of Palestine (on behalf of the Group of Arab States) and Switzerland joined the sponsors.

991. At the same meeting the representative of the United Kingdom orally revised the draft resolution.

992. Also at the same meeting the representative of Somalia made a statement as the country concerned.

993. At the same meeting, the draft resolution was adopted without a vote (for the text as adopted, see part one, chapter I, decision 24/30).

### **Enhancement of technical cooperation and capacity-building in the field of human rights**

994. At the 37th meeting, on 27 September 2013, the representative of Thailand introduced draft resolution A/HRC/24/L.26, sponsored by Brazil, Honduras, Indonesia, Mauritius, Morocco, Norway, Singapore, Thailand and Turkey and co-sponsored by Austria, Bolivia (Plurinational State of), Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Djibouti, Ecuador, Equatorial Guinea, Estonia, Ethiopia, Georgia, Greece, Hungary, Italy, Lebanon, Maldives, New Zealand, Peru, Poland, Qatar, Sri Lanka, Spain, Timor-Leste, Tunisia, Uruguay, Venezuela (Bolivarian Republic of) and Yemen. Subsequently, Australia, Bosnia and Herzegovina, Cambodia, Croatia, Cuba, Denmark, Finland, Gabon (on behalf of the Group of African States), Guatemala, Ireland, Jamaica, Malaysia, Mexico, Mongolia, Pakistan (on behalf of the Organization of Islamic Cooperation), Republic of Korea, Republic of Moldova, Romania, Russian Federation,

Serbia, Slovenia, State of Palestine (on behalf of the Group of Arab States) and Ukraine joined the sponsors.

995. At the same meeting the representative of the United States of America made an explanation of vote before the vote.

996. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/31).

#### **Technical assistance and capacity-building for Yemen in the field of human rights**

997. At the 37th meeting, on 27 September 2013, the representatives of the Netherlands and Yemen introduced draft resolution A/HRC/24/L.33, sponsored by Netherlands and Yemen and co-sponsored by Australia, Austria, Belgium, Cyprus, Denmark, Ethiopia, France, Greece, Ireland, Italy, Luxembourg, Norway, Poland, Romania, Slovakia, Slovenia, Somalia, Spain, State of Palestine (on behalf of the Group of Arab States), Sweden, Thailand, Turkey and United Kingdom of Great Britain and Northern Ireland. Subsequently, Bosnia and Herzegovina, Bulgaria, Côte d'Ivoire, Croatia, Czech Republic, Germany, Honduras, Hungary, Indonesia, Japan, Lithuania, Maldives, Mexico, Portugal, Republic of Korea, Switzerland and the United States of America joined the sponsors.

998. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/32).

#### **Technical cooperation for the prevention of attacks against persons with albinism**

999. At the 37th meeting, on 27 September 2013, the representative of Gabon introduced draft resolution A/HRC/24/L.36, sponsored by Gabon (on behalf of the Group of African States) and co-sponsored by Guatemala. Subsequently, Canada, Chile, Colombia, Croatia, France, Greece, Hungary, Indonesia, Ireland, Nicaragua, Norway, Peru, Portugal, Republic of Korea, Romania, Slovenia, Turkey, United Kingdom of Great Britain and Northern Ireland and Uruguay joined the sponsors.

1000. At the same meeting, the representative of Austria made a statement in explanation of vote before the vote.

1001. At the same meeting, the draft resolution was adopted without a vote (for the text of the resolution, see part one, chapter I, resolution 24/33).

1002. At the same meeting, the representatives of Switzerland and Sierra Leone made statements in explanation of vote after the vote.

#### **Technical assistance to the Central African Republic in the field of human rights**

1003. At the 37th meeting, on 27 September 2013, the representative of the Gabon on behalf of the African Group of States introduced draft resolution A/HRC/24/L.39, sponsored by Gabon (on behalf of the Group of African States). Subsequently, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Indonesia, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland and United States of America joined the sponsors.

1004. At the same meeting, the representative of Gabon orally revised the draft resolution.

1005. Also at the same meeting, the representative of Estonia, on behalf of States members of the European Union that are also members of the Council, made general comments in relation to the draft resolution.

1006. At the same meeting, the representative of the Central African Republic made a statement as the country concerned.

1007. At the same meeting, the draft resolution as orally revised was adopted without a vote (for the text as adopted, see part one, chapter I, resolution 24/34).

1008. At the same meeting, the representative of Switzerland made a statement in explanation of vote after the vote.

## Annex I

### Attendance

#### Members

Angola	Germany	Philippines
Argentina	Guatemala	Poland
Austria	India	Qatar
Benin	Indonesia	Republic of Korea
Botswana	Ireland	Republic of Moldova
Brazil	Italy	Romania
Burkina Faso	Japan	Sierra Leone
Chile	Kazakhstan	Spain
Congo	Kenya	Switzerland
Costa Rica	Kuwait	Thailand
Côte d'Ivoire	Libya	Uganda
Czech Republic	Malaysia	United Arab Emirates
Ecuador	Maldives	United States of America
Estonia	Mauritania	Venezuela (Bolivarian Republic of)
Ethiopia	Montenegro	
Gabon	Pakistan	
	Peru	

#### States Members of the United Nations represented by observers

Afghanistan	Cyprus	Lebanon
Albania	Democratic People's	Lesotho
Algeria	Republic of Korea	Liechtenstein
Andorra	Democratic Republic of	Lithuania
Armenia	the Congo	Luxembourg
Australia	Denmark	Madagascar
Azerbaijan	Djibouti	Malta
Bahrain	Equatorial Guinea	Mauritius
Belarus	Egypt	Mexico
Bangladesh	El Salvador	Monaco
Belgium	Eritrea	Mongolia
Bolivia (Plurinational	Finland	Morocco
State of)	France	Mozambique
Bosnia and Herzegovina	Georgia	Myanmar
Bulgaria	Ghana	Namibia
Cambodia	Greece	Nepal
Cameroon	Guinea	Netherlands
Canada	Honduras	New Zealand
Cape Verde	Hungary	Nicaragua
Central African Republic	Iceland	Nigeria
Chad	Iran (Islamic Republic of)	Norway
China	Iraq	Oman
Colombia	Jordan	Panama
Croatia	Kyrgyzstan	Paraguay
Cuba	Lao People's Democratic	Portugal
	Republic	Russian Federation
	Latvia	Rwanda

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Saudi Arabia	Sudan	Ukraine
Senegal	Sweden	United Kingdom of Great Britain and Northern Ireland
Serbia	Syrian Arab Republic	Uruguay
Singapore	Tajikistan	Uzbekistan
Slovakia	The former Yugoslav Republic of Macedonia	Viet Nam
Slovenia	Timor-Leste	Yemen
Solomon Islands	Togo	Zimbabwe
Somalia	Tunisia	
South Africa	Turkey	
South Sudan	Turkmenistan	
Sri Lanka		

### **Non-Member States represented by observers**

Holy See  
State of Palestine

### **United Nations**

Joint United Nations Programme on HIV/AIDS	United Nations Children's Fund United Nations Population Fund
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### **Specialized agencies and related organizations**

International Labour Office

### **Intergovernmental organizations**

African Union	International Development Law
Council of Europe	International Organization of la Francophonie
European Union	Organization of Islamic Cooperation

### **Other entities**

International Committee of the Red Cross  
Sovereign Military Order of Malta

### **National human rights institutions, international coordinating committees and regional groups of national institutions**

Canadian Human Rights Commission	National commission on Human Rights and Freedoms - Cameroon
Defensoría del Pueblo – Colombia (by video message)	National Council for Human Rights - Egypt
German Institute for Human Rights	
Human Rights Commission of Malaysia (SUHAKAM) (by video message)	

### **Non-governmental organizations**

- Action Canada for Population and Development  
 Action internationale pour la paix et le développement dans la région des Grands Lacs  
 Africa Culture Internationale  
 African Association of Education for Development  
 African-American Society for Humanitarian Aid and Development  
 African Technical Association  
 African Technology Development Link  
 Agence Internationale pour le Développement  
 Agir Ensemble pour les Droits de l'Homme  
 Aliran Kesedaran Negara National Consciousness Movement  
 Al-Hakim Foundation  
 Al-Haq, Law in the Service of Man  
 Aliran Kesedaran Negara National Consciousness Movement  
 Al-Zubair Charity Foundation  
 Amman Center for Human Rights Studies  
 Amnesty International  
 Arab NGO Network for Development  
 Arab Organization for Human Rights  
 Arab Penal Reform Organization  
 Article 19 – The International Centre against Censorship  
 Asia Indigenous Peoples Pact  
 Asian Centre for Human Rights  
 Asian Forum for Human Rights and Development (Forum-Asia)  
 Asian Indigenous and Tribal Peoples Network (AITPN)  
 Asian Legal Resource Centre  
 Association of World Citizens  
 Association for the Prevention of Torture  
 Association for Progressive Communications  
 Association Points-Cœur  
 Associazione Comunita Papa Giovanni XXIII  
 Auspice Stella  
 Badil Resource Center for Palestinian Residency and Resource Rights  
 Baha'i International Community  
 British Humanist Association  
 Bridges International  
 Cairo Institute for Human Rights Studies  
 Canadian HIV/AIDS Legal Network  
 Canners International Permanent Committee  
 Care International  
 Caritas Internationalis (International Confederation of Catholic Charities)  
 Center for Reproductive Rights  
 Centre Africain de Recherche Industrielle (CARI)  
 Centre de Documentation, de Recherche et d'Information des Peuples Autochtones (doCip)  
 Centre Europe - Tiers Monde - Europe-Third World Centre  
 Center for Environmental and Management Studies  
 Centre for Human Rights and Peace Advocacy  
 Centre for International Environmental Law (CIEL)  
 Center for Inquiry  
 Centre indépendant de recherches et d'initiatives pour le dialogue  
 Centre International des Formations en Droits Humaines  
 Centro de Estudios Legales y Sociales (CELS) Asociación Civil (by video message)  
 Charitable Institute for Protecting Social Victims  
 Child Development Foundation  
 Childlink Foundation  
 Civicus – World Alliance for Citizen Participation  
 Colombian Commission of Jurists  
 Comité International pour le Respect et l'Application de la Charte Africaine des Droits de l'Homme et des Peuples (CIRAC)  
 Commission of the Churches on International Affairs of the World Council of Churches  
 Commission to Study the Organization of Peace  
 Commonwealth Human Rights Initiative  
 Defence for Children International  
 Company of the Daughters of Charity of St Vincent de Paul  
 Congregation of our Lady of Charity of the Good Shepherd  
 Coordinating Board of Jewish Organizations  
 Corporacion para la Defensa y Promocion de los Derechos Humanos Reiniciar  
 Defence for Children International  
 Development Innovations and Networks  
 Disabled People's International  
 Dominicans for Justice and Peace - Order of Preachers  
 Earthjustice  
 East and Horn of Africa Human Rights Defenders Project  
 Eastern Sudan Women Development Organization  
 Edmund Rice International Limited

Equitas International Centre for Human Rights  
 Education  
 European Disability Forum  
 European Law Students' Association  
 European Union of Public Relations  
 Family Planning Association, I.R.Iran  
 Federation for Women and Family Planning  
 Federation of Associations for the Defense  
 and the Promotion of Human Rights - Spain  
 Federation of Cuban Women  
 Femmes Afrique Solidarité  
 Fondazione Marista per la Solidarietà  
 Internazionale ONLUS  
 Food & Water Watch  
 Foodfirst Information and Action Network  
 Foundation for Aboriginal and Islander  
 Research Action Aboriginal Corporation  
 Foundation for GAIA  
 Foundation for International Relations and  
 Development Studies  
 France Libertés: Fondation Danielle  
 Mitterrand  
 Franciscans International  
 Fraternité Notre Dame  
 Freedom House  
 Friends World Committee for Consultation  
 (Quakers)  
 Fundacion de Ayuda y Promocion de las Culturas  
 Indigenas Rosa Collelldevall  
 Fundación País Libre  
 General Arab Women Federation  
 Geneva for Human Rights – Global  
 Training  
 Global Helping to Advance Women and Children  
 Global Hope Network International  
 Grupo Intercultural Almaciga  
 Hawa Society for Women  
 Helios Life Association  
 Helsinki Foundation for Human  
 Rights  
 Himalayan Research and Cultural  
 Foundation  
 Human Rights Education Associates (HREA)  
 Human Rights House Foundation  
 Human Rights Information and Documentation  
 Systems International  
 Human Rights Law Centre  
 Human Rights League of the Horn of Africa  
 Human Rights Now  
 Human Rights Watch  
 Human Security Initiative Organization  
 Humanist Institute for Co-operation with  
 Developing Countries  
 Il Cenacolo  
 Imam Ali's Popular Students Relief Society  
 Indian Council of South America  
 Indian Law Resource Centre  
 Indigenous Peoples' Center for  
 Documentation, Research and  
 Information  
 Indigenous World Association  
 Ingenieurs du Monde  
 Initiatives of Change  
 Institute for Planetary Synthesis  
 Institute for Women's Studies and Research  
 International Association for  
 Democracy in Africa  
 International Association of Democratic  
 Lawyers  
 International Association of Jewish Lawyers and  
 Jurists  
 International Association for Religious  
 Freedom  
 International Association of Schools of  
 Social Work  
 International Bridges to Justice, Inc.  
 International Buddhist Relief Organisation  
 International Catholic Child Bureau  
 International Catholic Migration Commission  
 International Commission of Jurists  
 International Committee for the Indians of  
 the Americas (Incomindios Switzerland)  
 International Council of Jewish Women  
 International Educational Development, Inc.  
 International Federation for Human Rights  
 Leagues  
 International Federation of Acat (Action by  
 Christians for the Abolition of Torture)  
 International Federation of Journalists  
 International Federation of University  
 Women  
 International Fellowship of Reconciliation  
 International Human Rights Association of  
 American Minorities  
 International Humanist and Ethical Union  
 International Indian Treaty Council  
 International Institute for Non-Aligned  
 Studies  
 International Institute for Peace  
 International Institute for Peace, Justice and  
 Human-Rights IIPJHR  
 International Lesbian and Gay Association  
 International Movement against all Forms  
 of Discrimination and Racism  
 International Movement for Fraternal Union  
 among Races and Peoples

International Muslim Women's Union  
 International NGO Forum on Indonesian  
 Development  
 International Organization for the  
 Elimination of all Forms of Racial  
 Discrimination  
 International Organization for the Right to  
 Education and Freedom of Education  
 International Rehabilitation Council for Torture  
 Victims  
 International Service for Human Rights  
 International Volunteerism Organization for  
 Women, Education and Development -VIDES  
 International Women Bond  
 International Work Group for Indigenous  
 Affairs  
 International Youth and Student Movement  
 for the United Nations  
 Iranian Elite Research Center  
 Islamic Women's Institute of Iran  
 Istituto Internazionale Maria Ausiliatrice  
 delle Salesiane di Don Bosco  
 Japanese Workers' Committee for Human Rights  
 Jubilee Campaign  
 Khiam Rehabilitation Centre for Victims of  
 Violence  
 L'auravetli'an Information and Education  
 Network of Indigenous People (LIENIP)  
 Lawyers' Rights Watch Canada  
 Liberal International (World Liberal Union)  
 Liberation  
 Light for the World – Christoffel  
 Development Cooperation  
 Lutheran World Federation  
 Maarij Foundation for Peace and  
 Development  
 Make Mothers Matter International  
 Mandat International  
 Marangopoulos Foundation for Human  
 Rights  
 Mbororo Social and Cultural Development  
 Association  
 Minbyun – Lawyers for a Democratic  
 Society  
 Mothers Legacy Project  
 Mouvement contre le racismisme et pour  
 l'amitié entre les peuples  
 Myochikai (Arigatou Foundation)  
 National Alliance of Women's Organizations  
 National Union of Jurists of Cuba, The  
 New Humanity  
 New South Wales Aboriginal Land Council  
 Nonviolent Radical Party, Transnational  
 and Transparty  
 Nord-Sud XXI  
 Organisation mondiale des associations pour  
 l'éducation prénatale  
 Organisation pour la communication en  
 Afrique et de promotion de la  
 coopération économique internationale  
 (Ocaproce International)  
 Organization for Defending Victims of  
 Violence  
 Palestinian Independent Commission for Citizen's  
 Rights  
 Pan Pacific and South East Asia Women's  
 Association  
 Pasumai Thaayagam Foundation  
 Pax Romana  
 Penal Reform International  
 People for Successful Corean Reunification  
 People's Solidarity for Participatory Democracy  
 Permanent Assembly for Human Rights  
 Plan International, Inc.  
 Presse Emblème Campagne  
 Prevention Association of Social Harms (PASH)  
 Rencontre africain pour la défense des  
 droits de l'homme  
 Reporters Sans Frontiers International –  
 Reporters without Borders International  
 Saami Council  
 Save the Children International  
 Servas International  
 Sisters of Mercy of the Americas  
 Social Service Agency of the Protestant  
 Church in Germany  
 Society for Development and Community  
 Empowerment  
 Society for Threatened Peoples  
 Society of Iranian Women Advocating  
 Sustainable Development of Environment  
 Society Studies Centre  
 Soka Gakkai International  
 Sudan Council of Voluntary Agencies  
 Syriac Universal Alliance  
 Teresian Association  
 Transparency International  
 Terre des Hommes International Fédération  
 Under The Same Sun Fund  
 Unesco Centre Basque Country (Unesco  
 Etxea)  
 Union for International Cancer Control  
 Union of Arab Jurists  
 United Nations Association of the United States of  
 America

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United Nations Watch (UN Watch)  
United Network of Young Peacebuilders  
(UNOY Peacebuilders)  
Women Organization for  
Development and Capacity  
Building  
Women's Human Rights International  
Association  
Women's International League for Peace and  
Freedom  
Working Women Association  
World Association for the School as an  
Instrument of Peace  
World Barua Organization  
World Environment and Resources Council  
World Evangelical Alliance  
World Federation of Democratic Youth  
World Federation of the Deaf (WFD)  
World Federation of United Nations Associations  
World Medical Association  
World Muslim Congress  
World Organization against Torture  
World Vision International  
Worldwide Organisation for Women  
World Young Women's Christian Association

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## Annex II

### Agenda

- Item 1. Organizational and procedural matters.
- Item 2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General.
- Item 3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.
- Item 4. Human rights situations that require the Council's attention.
- Item 5. Human rights bodies and mechanisms.
- Item 6. Universal periodic review.
- Item 7. Human rights situation in Palestine and other occupied Arab territories.
- Item 8. Follow-up to and implementation of the Vienna Declaration and Programme of Action.
- Item 9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action.
- Item 10. Technical assistance and capacity-building.

## Annex III

### Documents issued for the twenty-fourth session

*Documents issued in the general series*

<i>Symbol</i>		<i>Agenda item</i>
A/HRC/24/1 and Corr.1 and Corr. 2	1	Annotations to the agenda for the twenty-fourth session of the Human Rights Council - Note by the Secretary-General
A/HRC/24/2	1	Report of the Human Rights Council on its 24th session
A/HRC/24/3	6	Report of the Working Group on the Universal Periodic Review -Turkmenistan
A/HRC/24/3/Add.1	6	Addendum
A/HRC/24/4	6	Report of the Working Group on the Universal Periodic Review - Burkina Faso
A/HRC/24/5	6	Report of the Working Group on the Universal Periodic Review - Cape Verde
A/HRC/24/6	6	Report of the Working Group on the Universal Periodic Review -Colombia
A/HRC/24/6/Add.1	6	Addendum
A/HRC/24/7	6	Report of the Working Group on the Universal Periodic Review -Uzbekistan
A/HRC/24/7/Add.1	6	Addendum
A/HRC/24/8	6	Report of the Working Group on the Universal Periodic Review -Tuvalu
A/HRC/24/8/Add.1	6	Addendum
A/HRC/24/9	6	Report of the Working Group on the Universal Periodic Review -Germany
A/HRC/24/9/Add.1	6	Addendum
A/HRC/24/10	6	Report of the Working Group on the Universal Periodic Review -Djibouti
A/HRC/24/11	6	Report of the Working Group on the Universal Periodic Review -Canada
A/HRC/24/11/Add.1	6	Addendum
A/HRC/24/12	6	Report of the Working Group on the Universal Periodic Review -Bangladesh

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/24/12/Add.1	6	Addendum
A/HRC/24/13	6	Report of the Working Group on the Universal Periodic Review -Azerbaijan
A/HRC/24/13/Add.1	6	Addendum
A/HRC/24/14	6	Report of the Working Group on the Universal Periodic Review -Russian Federation
A/HRC/24/14/Add.1	6	Addendum
A/HRC/24/15	6	Report of the Working Group on the Universal Periodic Review -Cameroon
A/HRC/24/16	6	Report of the Working Group on the Universal Periodic Review - Cuba
A/HRC/24/16/Add.1	6	Addendum
A/HRC/24/17	1	Election of members of the Human Rights Council Advisory Committee - Note by the Secretary-General
A/HRC/24/17/Add.1	1	Addendum
A/HRC/24/18	2 & 3	Question of the death penalty - Report of the Secretary-General
A/HRC/24/19	2 & 3	Role of the public service as an essential component of good governance in the promotion and protection of human rights - Report of the United Nations High Commissioner for Human Rights - Note by the secretariat
A/HRC/24/20	2 & 3	Proceedings of the workshop on the various aspects relating to the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations in the States targeted - Report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/21	All	Communications report of Special Procedures
A/HRC/24/22 and Corr.1 and Corr.2	2 & 3	Summary of information from States Members of the United Nations and other relevant stakeholders on best practices in the application of traditional values while promoting and protecting human rights and upholding human dignity - Report of the United Nations High Commissioner for Human Rights
A/HRC/24/23	2 & 3	The safety of journalists - Report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/24	2 & 3	Views of States, national human rights institutions and other relevant stakeholders on the target

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
		sectors, focus areas or thematic human rights issues for the third phase of the World Programme for Human Rights Education - Report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/25	2 & 3	Summary report of the consultation on the promotion and protection of the human rights of older persons - Report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/26	2 & 3	Report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples
A/HRC/24/27	2 & 3	Consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development
A/HRC/24/28	2 & 3	Latest developments, challenges and good practices in human rights in the administration of justice - Report of the Secretary-General
A/HRC/24/29 and Corr.1	2 & 5	Cooperation with the United Nations, its representatives and mechanisms in the field of human rights - Report of the Secretary-General
A/HRC/24/30	2 & 7	Human rights situation in the Occupied Palestinian Territory, including East Jerusalem - Report by the Secretary-General
A/HRC/24/31	10	Report of the Independent Expert on the situation of human rights in the Sudan
A/HRC/24/32	2 & 10	Role and achievements of Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights - Report of the Secretary-General
A/HRC/24/33	2 & 10	Report of the United Nations High Commissioner for Human Rights on the situation of human rights and the activities of her Office in the Democratic Republic of the Congo
A/HRC/24/34	2 & 10	Situation of human rights in Yemen - Report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/35	3	Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict
A/HRC/24/36	10	Report of the Special Rapporteur on the situation of human rights in Cambodia

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/24/37	3	Report of the Working Group on the Right to Development on its fourteenth session (Geneva, 13–17 May 2013)
A/HRC/24/38	3	Report of the Independent Expert on the promotion of a democratic and equitable international order, Alfred-Maurice de Zayas
A/HRC/24/39	3	Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes
A/HRC/24/39/Add.1	3	Addendum - Mission to Hungary
A/HRC/24/39/Add.2	3	Addendum - Comments by Hungary
A/HRC/24/40 and Corr.1	10	Report of the Independent Expert on the situation of human rights in Somalia
A/HRC/24/41	3	Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya - Extractive industries and indigenous peoples
A/HRC/24/41/Add.1	3	Addendum - The situation of indigenous peoples in Namibia
A/HRC/24/41/Add.2	3	Addendum - The situation of indigenous peoples in El Salvador
A/HRC/24/41/Add.3	3	Addendum - Consultations on the situation of indigenous peoples in Asia
A/HRC/24/41/Add.4	3	Addendum - Observations on communications
A/HRC/24/41/Add.5	3	Addendum - Index of reports of the Special Rapporteur on the rights of indigenous peoples by theme and by region
A/HRC/24/41/Add.6	3	Addendum - Comments by Namibia
A/HRC/24/41/Add.7	3	Addendum - Comments by El Salvador
A/HRC/24/42	3	Report of the Special Rapporteur on the promotion of truth, justice, reparation & guarantees of non-recurrence
A/HRC/24/42/Add.1	3	Addendum - Mission to Tunisia
A/HRC/24/42/Add.2	3	Addendum - Comments by Tunisia
A/HRC/24/43 and Corr.1 and Corr.2	3	Report of the Special Rapporteur on contemporary forms of slavery, including its causes and its consequences - Thematic report on challenges and lessons in combating contemporary forms of slavery
A/HRC/24/43/Add.1	3	Addendum - Mission to Kazakhstan

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/24/43/Add.2	3	Addendum - Mission to Madagascar (10 to 19 December 2012)
A/HRC/24/43/Add.3	3	Addendum - Comments by Kazakhstan for children and armed conflict, Radhika Coomaraswamy
A/HRC/24/43/Add.4	3	Addendum - Comments by Madagascar
A/HRC/24/44	3	Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque
A/HRC/24/44/Add.1	3	Addendum - Mission to Kiribati (23-26 July 2012)
A/HRC/24/44/Add.2	3	Addendum - Mission to Tuvalu (17-19 July 2012)
A/HRC/24/44/Add.3	3	Addendum - Mission to Thailand (1-8 February 2013)
A/HRC/24/44/Add.4	3	Addendum - Comments by Thailand
A/HRC/24/44/Add.5	3	Addendum - Comments by Tuvalu
A/HRC/24/44/Add.6	3	Addendum - Comments by Kiribati
A/HRC/24/45	3	Annual report of 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
A/HRC/24/45/Add.1	3	Addendum - Mission to Honduras (18 to 22 February 2013)
A/HRC/24/45/Add.2	3	Addendum - Mission to Somalia (8 to 14 December 2012)
A/HRC/24/45/Add.3	3	Addendum - Comments by Honduras
A/HRC/24/45/Add.4	3	Addendum - Comments by Somalia
A/HRC/24/46	4	Updated report on the work of the Commission of Inquiry on the situation in the Syrian Arab Republic
A/HRC/24/47	3 & 5	Human rights and issues related to terrorist hostage-taking - Report of the Human Rights Council Advisory Committee
A/HRC/24/48	5	Reports of the Human Rights Council Advisory Committee on its tenth and eleventh sessions - Note by the Secretariat
A/HRC/24/49	5	Report of the Expert Mechanism on the Rights of Indigenous Peoples on its sixth session
A/HRC/24/50 and Corr.1	5	Access to justice in the promotion and protection of the rights of indigenous peoples - Study of the Expert Mechanism on the Rights of Indigenous

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
		Peoples
A/HRC/24/51	5	Final summary of responses to the questionnaire on best practices with regard to possible appropriate measures and implementation strategies to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples - Report of the Expert Mechanism on the Rights of Indigenous Peoples
A/HRC/24/52	9	Report of the Working Group of Experts on People of African Descent on its twelfth session
A/HRC/24/52/Add.1	9	Addendum - Mission to the United Kingdom of Great Britain and Northern Ireland
A/HRC/24/52/Add.2	9	Addendum - Mission to Panama
A/HRC/24/52/Add.3	9	Addendum - Comments by United Kingdom of Great Britain and Northern Ireland
A/HRC/24/52/Add.4	9	Addendum - Comments by Panama
A/HRC/24/53	9	Report of the Ad Hoc Committee on the elaboration of complementary standards on its fifth session - Note by the secretariat
A/HRC/24/54	5	Outcome of the panel discussion on common challenges facing States in their efforts to secure democracy and the rule of law - Report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/55 and Corr.1	5	Report of the twentieth annual meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Human Rights Council (Vienna, 24-28 June 2013) - Note by the United Nations High Commissioner for Human Rights
A/HRC/24/56 and Corr.1	2 & 6	Operations of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review - Report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/57	2 & 3	Attacks and discrimination against persons with albinism - Report of the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/58	3	Report of the Special Rapporteur on the human rights of internally displaced persons on the situation of internally displaced persons in the Syrian Arab Republic - Note by the secretariat
A/HRC/24/59 and Corr.1	2 & 10	Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Central African Republic

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/24/60	3	Study by the World Health Organization on mortality of children under 5 years of age as a human rights concern - Note by the Secretary-General

## Conference Room Papers issued

Symbol	Agenda item	
A/HRC/24/CRP.1	3	Oral update of the Special Representative for Children in Armed Conflict
A/HRC/24/CRP.2	4	Assault on medical care in Syria
A/HRC/24/CRP.3/Rev.1	2	Oral update of the High Commissioner for Human Rights on promoting reconciliation and accountability in Sri Lanka

## Documents issued in the limited series

Symbol	Agenda item	
A/HRC/24/L.1	3	Promoting human rights through sport and the olympic ideal
A/HRC/24/L.2	3	Local government and human rights
A/HRC/24/L.3	3	Special Rapporteur on contemporary forms of slavery
A/HRC/24/L.4	1	Postponement of the renewal of the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context
A/HRC/24/L.5/Rev.1	3	Human rights and unilateral coercive measures
A/HRC/24/L.6	3	The right to development
A/HRC/24/L.7	3	The rights to freedom of peaceful assembly and of association
A/HRC/24/L.8	3	The right of everyone to the enjoyment of the highest attainable standard of physical and mental health
A/HRC/24/L.9	10	Assistance technique et renforcement des capacités en matière des droits de l'homme en République démocratique du Congo

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/24/L.10/Rev.1	10	Technical assistance for the Sudan in the field of human rights
A/HRC/24/L.11	3	Panel de haut niveau sur l'identification des bonnes pratiques en matière de lutte contre les mutilations génitales féminines, notamment celles ayant un caractère transfrontalier
A/HRC/24/L.12/Rev.1	3	World Programme for Human Rights Education
A/HRC/24/L.13	3	Panel discussion on the safety of journalists
A/HRC/24/L.14/Rev.1	3	The role of prevention in the promotion and protection of human rights
A/HRC/24/L.15	3	Arbitrary detention
A/HRC/24/L.16	5	Establishment of a Special Fund for the participation of civil society at the Social Forum, Forum on Minority Issues and Forum on Business and Human Rights
A/HRC/24/L.17/Rev.1	5	Cooperation with the United Nations, its representatives and mechanisms in the field of human rights
A/HRC/24/L.18/Rev.1	3	Equal political participation
A/HRC/24/L.19	10	Advisory services and technical assistance for Cambodia
A/HRC/24/L.20	10	Assistance to Somalia in the field of human rights
A/HRC/24/L.21	3	Human rights and indigenous peoples: mandate of the Special Rapporteur on the rights of indigenous peoples
A/HRC/24/L.22	3	Human rights and indigenous peoples
A/HRC/24/L.23	3	Conscientious objection to military service
A/HRC/24/L.24	3	Civil Society Space: Creating and maintaining, in law and in practice, a safe and enabling environment
A/HRC/24/L.25	9	From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance
A/HRC/24/L.26	10	Enhancement of technical cooperation and capacity-building in the field of human rights
A/HRC/24/L.27	3	Preventable mortality and morbidity of children under five as a human rights concern
A/HRC/24/L.28	3	Human rights in the administration of justice, including juvenile justice
A/HRC/24/L.29	3	The use of mercenaries as a means of violating human rights and impeding the exercise of the

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		right of peoples to self-determination
A/HRC/24/L.30	5	The Social Forum
A/HRC/24/L.31	3	The human right to safe drinking water and sanitation
A/HRC/24/L.32/Rev.1	3	Impact of arms transfers on human rights in armed conflict
A/HRC/24/L.33	10	Technical assistance and capacity-building for Yemen in the field of human rights
A/HRC/24/L.34/Rev.1	3	Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps
A/HRC/24/L.35	3	Regional arrangements for the promotion and protection of human rights
A/HRC/24/L.36	10	Technical cooperation for the prevention of attacks against persons with albinism
A/HRC/24/L.37/Rev.1	3	The human rights of older persons
A/HRC/24/L.38	4	The continuing grave deterioration of the human rights and humanitarian situation in the Syrian Arab Republic
A/HRC/24/L.39	10	Technical assistance to the Central African Republic in the field of human rights
A/HRC/24/L.40	5	Amendment to draft resolution A/HRC/24/L.17
A/HRC/24/L.41	5	Amendment to draft resolution A/HRC/24/L.17
A/HRC/24/L.42	5	Amendment to draft resolution A/HRC/24/L.17
A/HRC/24/L.43	5	Amendment to draft resolution A/HRC/24/L.17
A/HRC/24/L.44	5	Amendment to draft resolution A/HRC/24/L.17
A/HRC/24/L.45	5	Amendment to draft resolution A/HRC/24/L.17
A/HRC/24/L.46	5	Amendment to draft resolution A/HRC/24/L.17
A/HRC/24/L.47	5	Amendment to draft resolution A/HRC/24/L.17
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A/HRC/24/L.51	3	Amendment to draft resolution A/HRC/24/L.24
A/HRC/24/L.52	3	Amendment to draft resolution A/HRC/24/L.24
A/HRC/24/L.53	3	Amendment to draft resolution A/HRC/24/L.24

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A/HRC/24/L.54	3	Amendment to draft resolution A/HRC/24/L.24
A/HRC/24/L.55	3	Amendment to draft resolution A/HRC/24/L.7
A/HRC/24/L.56	3	Amendment to draft resolution A/HRC/24/L.7
A/HRC/24/L.57	5	Draft President's Statement on reports of the Advisory Committee

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A/HRC/24/G/1	3 & 4	Letter dated 24 July 2013 from the Permanent Representative of the Republic of Azerbaijan addressed to the President of the Human Rights Council
A/HRC/24/G/2	4	Note verbale dated 29 July 2013 from the Permanent Mission of the Syrian Arab Republic addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/G/3	8	Note verbale dated 4 September 2013 from the Permanent Mission of Austria to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/G/4	3	Note verbale dated 3 September 2013 from the Permanent Mission of the Republic of Poland addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/G/5	3	Note verbale dated 9 September 2013 from the Permanent Mission of the Syrian Arab Republic addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/G/6	4	Letter dated 10 September 2013 from the Permanent Representative of the Republic of Armenia Addressed to the President of the Human Rights Council
A/HRC/24/G/7	6	Letter dated 5 September 2013 from the Minister of Foreign Affairs of Georgia addressed to the President of the Human Rights Council
A/HRC/24/G/8	6	Note verbale dated 16 September 2013 from the Permanent Representative of the Republic of Armenia addressed to the President of the Human Rights Council
A/HRC/24/G/9	1	Letter dated 16 September 2013 from the Permanent Representative of Georgia to the

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		United Nations Office at Geneva addressed to the President of the Human Rights Council
A/HRC/24/G/10	10	Note verbale dated 12 September 2013 from the Permanent Mission of Cambodia addressed to the Office of the United Nations High Commissioner for Human Rights
A/HRC/24/G/11	3	Note verbale dated 18 September 2013 from the Permanent Mission of Greece addressed to the Office of the High Commissioner for Human Rights
A/HRC/24/G/12	4	Note verbale dated 18 September 2013 from the Permanent Mission of Georgia addressed to the Secretariat of Human Rights Council
A/HRC/24/G/13	4	Note verbale dated 24 September 2013 from the Permanent Mission of Georgia addressed to the secretariat of the Human Rights Council
A/HRC/24/G/14	6	Carta de fecha 27 de septiembre 2013 dirigida al Jefe de la Subdivisión del Consejo de Derechos Humanos por el Representante Permanente de la República de Cuba
A/HRC/24/G/15	3	Carta de fecha 30 de septiembre 2013 dirigida al Jefe de la Subdivisión del Consejo de Derechos Humanos por el Representante Permanente de la República de Cuba
A/HRC/24/G/16	3	Note verbale dated 30 September 2013 from the Permanent Mission of the Republic of Singapore addressed to the secretariat of the Human Rights Council
A/HRC/24/G/17	3	Note verbale dated 24 September 2013 from the Permanent Mission of Lebanon addressed to the Human Rights Council

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A/HRC/24/NGO/1	7	Written statement submitted by Mouvement contre le racisme et pour l'amitié entre les peuples
A/HRC/24/NGO/2	3	Written statement submitted by Mouvement contre le racisme et pour l'amitié entre les peuples
A/HRC/24/NGO/3	4	Written statement submitted by United Nations Watch

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<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/24/NGO/4	3	Written statement submitted by the Human Rights Advocates Inc.
A/HRC/24/NGO/5	3	Written statement submitted by the Foundation of Japanese Honorary Debts
A/HRC/24/NGO/6	4	Written statement submitted by Mouvement contre le racisme et pour l'amitié entre les peuples
A/HRC/24/NGO/7	8	Written statement submitted by Verein Sudwind Entwicklungspolitik
A/HRC/24/NGO/8	4	Written statement submitted by the Eastern Sudan Women Development Organization
A/HRC/24/NGO/9	3	Joint written statement submitted by the World Federation of Democratic Youth (WFDY); France Libertes: Fondation Danielle Mitterrand, the International Association of Peace Messenger Cities, Women's Human Rights International Association; the Indian Council of South America (CISA), International Educational Development, Inc., Mouvement contre le racisme et pour l'amitié entre les peuples
A/HRC/24/NGO/10	3	Joint written statement submitted by the World Federation of Democratic Youth (WFDY); France Libertes: Fondation Danielle Mitterrand, the International Association of Peace Messenger Cities, Women's Human Rights International Association; the Indian Council of South America (CISA), International Educational Development, Inc., Mouvement contre le racisme et pour l'amitié entre les peuples
A/HRC/24/NGO/11	4	Written statement submitted by Mouvement contre le racisme et pour l'amitié entre les peuples
A/HRC/24/NGO/12	6	Exposición escrita presentada por la Fundación País Libre
A/HRC/24/NGO/13	3	Written statement submitted by Amnesty International
A/HRC/24/NGO/14	3	Written statement submitted by Verein Sudwind Entwicklungspolitik
A/HRC/24/NGO/15	4	Joint written statement submitted by General Arab Women Federation, Iranian Elite Research Center, Union of Arab Jurists; International Institute for Peace
A/HRC/24/NGO/16	4	Written statement submitted by France

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<i>Symbol</i>	<i>Agenda item</i>	
		Libertes: Fondation Danielle Mitterrand
A/HRC/24/NGO/17	3	Written statement submitted by Amnesty International
A/HRC/24/NGO/19	2	Written statement submitted by Femmes Afrique Solidarité
A/HRC/24/NGO/20	3	Written statement submitted by the Indian Law Resource Centre
A/HRC/24/NGO/21	8	Written statement submitted by the Indian Law Resource Centre
A/HRC/24/NGO/22	3	Written statement submitted by the Indian Law Resource Centre
A/HRC/24/NGO/23	10	Written statement submitted by International Educational Development, Inc.
A/HRC/24/NGO/24	3	Written statement submitted by International Educational Development, Inc.
A/HRC/24/NGO/25	3	Written statement submitted by International Educational Development, Inc.
A/HRC/24/NGO/26	3	Exposición escrita presentada por Permanent Assembly for Human Rights
A/HRC/24/NGO/27	4	Written statement submitted by the Human Rights Law Centre
A/HRC/24/NGO/28	3	Written statement submitted by the International Commission of Jurists
A/HRC/24/NGO/29	3	Written statement submitted by the Sudanese Women General Union
A/HRC/24/NGO/30	3	Joint written statement submitted by Europe-Third World Centre; the International Association of Democratic Lawyers
A/HRC/24/NGO/31	2	Written statement submitted by Reporters Without Borders International
A/HRC/24/NGO/32	3	Written statement submitted by Reporters Without Borders International
A/HRC/24/NGO/33	4	Written statement submitted by the Khiam Rehabilitation Center for Victims of Torture
A/HRC/24/NGO/34	3	Written statement submitted by the Asian Legal Resource Centre
A/HRC/24/NGO/35	3	Idem
A/HRC/24/NGO/36	3	Written statement submitted by Friends World Committee for Consultation

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A/HRC/24/NGO/37	3	Exposé écrit présenté par Centre Europe - Tiers Monde - Europe
A/HRC/24/NGO/38	3	Written statement submitted by the Asian Legal Resource Centre
A/HRC/24/NGO/39	5	Joint written statement submitted by the International Service for Human Rights, the Action Canada for Population and Development, Amnesty International, the Asian Forum for Human Rights and Development, the Cairo Institute for Human Rights Studies, the Canadian HIV/AIDS Legal Network, Centro de Estudios Legales y Sociales (CELS) Asociación Civil, the Commonwealth Human Rights Initiative, Conectas Direitos Humanos, the East and Horn of Africa Human Rights Defenders Project, Groupe des ONG pour la Convention relative aux droits de l'enfant, the Human Rights House Foundation, the International Commission of Jurists, the International Federation for Human Rights Leagues, the International Rehabilitation Council for Torture Victims, the World Organisation Against Torture; CIVICUS - World Alliance for Citizen Participation
A/HRC/24/NGO/40	4	Written statement submitted by the Asian Legal Resource Centre
A/HRC/24/NGO/41	4	Exposé écrit présenté par Centre Europe - Tiers Monde
A/HRC/24/NGO/42	3	Written statement submitted by the Asian Legal Resource Centre
A/HRC/24/NGO/43	3	Written statement submitted by Centre Europe - Tiers Monde - Europe-Third World Centre
A/HRC/24/NGO/44	3	Joint written statement submitted by the Citizens' Coalition for Economic Justice and the People's Solidarity for Participatory Democracy
A/HRC/24/NGO/45	3	Written statement submitted by the Khiam Rehabilitation Center for Victims of Torture
A/HRC/24/NGO/46	2	Joint written statement submitted by Caritas Internationalis (International Confederation of Catholic Charities) and New Humanity; Associazione Comunita Papa Giovanni XXIII, Association Points-Coeur, the

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<i>Symbol</i>	<i>Agenda item</i>	
		International Organization for the Right to Education and Freedom of Education (OIDE), the International Volunteerism Organization for Women, Education and Development - VIDES, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco
A/HRC/24/NGO/47	2	Written statement submitted by the Press Emblem Campaign
A/HRC/24/NGO/48	4	Written statement submitted by the Society for Threatened Peoples Mezan Center for Human Rights, non-governmental organizations in special consultative status
A/HRC/24/NGO/49	3	Written statement submitted by the Society Studies Centre (MADA ssc)
A/HRC/24/NGO/50	3	Written statement submitted by the Society Studies Centre (MADA ssc)
A/HRC/24/NGO/51	7	Joint written statement submitted by the Palestinian Centre for Human Rights, the Al Mezan Centre for Human Rights, Al-Haq, Law in the Service of Man, the Arab Organization for Human Rights, the International Association of Democratic Lawyers (IADL)
A/HRC/24/NGO/52	3	Written statement submitted by the Society for Threatened Peoples
A/HRC/24/NGO/53	2	Written statement submitted by Pasumai Thaayagam Foundation
A/HRC/24/NGO/54	3	Written statement submitted by the Jammu and Kashmir Council for Human Rights (JKCHR)
A/HRC/24/NGO/55	4	Written statement submitted by the Jammu and Kashmir Council for Human Rights (JKCHR)
A/HRC/24/NGO/56	3	Written statement submitted by the Asian Legal Resource Centre
A/HRC/24/NGO/57	6	Written statement submitted by the Asian Legal Resource Centre
A/HRC/24/NGO/58	3	Written statement submitted by the Society for Threatened Peoples
A/HRC/24/NGO/59	4	Written statement submitted by the Women's Human Rights International Association
A/HRC/24/NGO/60	4	Written statement submitted by the Hawa Society for Women

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A/HRC/24/NGO/61	3	Written statement submitted by the Islamic Women's Institute of Iran
A/HRC/24/NGO/62	4	Written statement submitted by Reporters Without Borders International
A/HRC/24/NGO/63	8	Written statement submitted by Reporters Without Borders International
A/HRC/24/NGO/64	10	Joint written statement submitted by the East and Horn of Africa Human Rights Defenders Project, Amnesty International, the Cairo Institute for Human Rights Studies, Human Rights Watch, the International Federation for Human Rights Leagues
A/HRC/24/NGO/65	4	Written statement submitted by the Society for Threatened Peoples
A/HRC/24/NGO/66	7	Written statement submitted by BADIL Resource Center for Palestinian Residency and Refugee Rights
A/HRC/24/NGO/67	3	Written statement submitted by Amnesty International
A/HRC/24/NGO/68	3	Written statement submitted by Aliran Kesedaran Negara National Consciousness Movement
A/HRC/24/NGO/69	4	Written statement submitted by the Women's Human Rights International Association
A/HRC/24/NGO/70	3	Written statement submitted by the Federation of Western Thrace Turks in Europe
A/HRC/24/NGO/71	3	Joint written statement submitted by Friends World Committee for Consultation, Defence for Children International, Geneva Infant Feeding Association, the International Catholic Child Bureau, the International Institute for Child Protection, SOS Kinderdorf International
A/HRC/24/NGO/72	7	Joint written statement submitted by Al-Haq, Law in the Service of Man, the Al Mezan Centre for Human Rights, the BADIL Resource Center for Palestinian Residency and Refugee Rights, Defence for Children International, the Women's Centre for Legal Aid and Counseling
A/HRC/24/NGO/73	3	Exposé écrit présenté par ONG Hope International
A/HRC/24/NGO/74	3	Joint written statement submitted by France Libertes: Fondation Danielle Mitterrand;

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		International Educational Development, Inc., Mouvement contre le racisme et pour l'amitié entre les peuples
A/HRC/24/NGO/75	4	Written statement submitted by the African- American Society for Humanitarian Aid and Development
A/HRC/24/NGO/76	3	Written statement submitted by African- American Society for Humanitarian Aid and Development
A/HRC/24/NGO/77	3	Written statement submitted by Human Rights Now
A/HRC/24/NGO/78	7	Written statement submitted by Human Rights Now
A/HRC/24/NGO/79	4	Written statement submitted by the Cairo Institute for Human Rights Studies
A/HRC/24/NGO/80	3	Written statement submitted by the Cairo Institute for Human Rights Studies
A/HRC/24/NGO/81	6	Written statement submitted by Habitat International Coalition
A/HRC/24/NGO/82	3	Written statement submitted by Human Rights Now
A/HRC/24/NGO/83	3	Written statement submitted by Liberal International (World Liberal Union)
A/HRC/24/NGO/84	3	Written statement submitted by Penal Reform International
A/HRC/24/NGO/85	2	Written statement submitted by Penal Reform International
A/HRC/24/NGO/86	4	Written statement submitted by the Cairo Institute for Human Rights Studies
A/HRC/24/NGO/87	2	Written statement submitted by Verein Sudwind Entwicklungspolitik
A/HRC/24/NGO/88	4	Joint written statement submitted by the Nonviolent Radical Party, Transnational and Transparty; France Libertés: Fondation Danielle Mitterrand, Women's Human Rights International Association; Mouvement contre le racisme et pour l'amitié entre les peuples, International Educational Development, Inc.
A/HRC/24/NGO/89	3	Written statement submitted by the Kham Rehabilitation Center for Victims of Torture
A/HRC/24/NGO/90	10	Written statement submitted by Human Rights Now

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A/HRC/24/NGO/91	3	Joint written statement submitted by Amnesty International, the Asian Forum for Human Rights and Development, the International Commission of Jurists, the International Federation for Human Rights Leagues, the International Service for Human Rights, the World Organisation Against Torture
A/HRC/24/NGO/92	4	Written statement submitted by International Educational Development, Inc.
A/HRC/24/NGO/93	5	Joint written statement submitted by Amnesty International, the Asian Forum for Human Rights and Development, the International Commission of Jurists, the International Federation for Human Rights Leagues, the International Service for Human Rights, the World Organisation Against Torture
A/HRC/24/NGO/94	3	Written statement submitted by the Servas International
A/HRC/24/NGO/95	2	Written statement submitted by the Carter Center, Inc.
A/HRC/24/NGO/96	4	Written statement submitted by Amnesty International
A/HRC/24/NGO/97	4	Written statement submitted by the Sudan Council of Voluntary Agencies (SCOVA)
A/HRC/24/NGO/98	4	Written statement submitted by the Cairo Institute for Human Rights Studies
A/HRC/24/NGO/99	3	Written statement submitted by Human Rights Now
A/HRC/24/NGO/100	4	Written statement submitted by the Society for Threatened Peoples
A/HRC/24/NGO/101	4	Written statement submitted by Mouvement contre le racisme et pour l'amitié entre les peuples
A/HRC/24/NGO/102	3	Written statement submitted by the Iranian Elite Research Center
A/HRC/24/NGO/103	4	Written statement submitted by the Cairo Institute for Human Rights Studies
A/HRC/24/NGO/104	4	Written statement submitted by International Educational Development, Inc.
A/HRC/24/NGO/105	3	Written statement submitted by the Academic Council on the United Nations System
A/HRC/24/NGO/106	3	Written statement submitted by the Women Organization for Development and Capacity

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		Building
A/HRC/24/NGO/107	3	Exposición escrita presentada por la Permanent Assembly for Human Rights
A/HRC/24/NGO/108	6	Exposición escrita presentada por la National Union of Jurists of Cuba
A/HRC/24/NGO/110	4	Written statement submitted by the International Association of Democratic Lawyers (IADL)
A/HRC/24/NGO/111	3	Written statement submitted by Liberation
A/HRC/24/NGO/112	3	Written statement submitted by Verein Sudwind Entwicklungspolitik
A/HRC/24/NGO/113	10	Written statement submitted by Amnesty International
A/HRC/24/NGO/114	3	Written statement submitted by the International Association of Peace Messenger Cities
A/HRC/24/NGO/115		Written statement submitted by the Eastern Sudan Women Development Organization
A/HRC/24/NGO/116	4	Written statement submitted by Amnesty International
A/HRC/24/NGO/117	3	Written statement submitted by the Organization for Defending Victims of Violence
A/HRC/24/NGO/118	4	Written statement submitted by the Organization for Defending Victims of Violence
A/HRC/24/NGO/119	4	Written statement submitted by the Organization for Defending Victims of Violence
A/HRC/24/NGO/120	6	Written statement submitted by the Organization for Defending Victims of Violence
A/HRC/24/NGO/121	7	Written statement submitted by the Organization for Defending Victims of Violence
A/HRC/24/NGO/122	9	Written statement submitted by the Organization for Defending Victims of Violence
A/HRC/24/NGO/123	3	Written statement submitted by the International Human Rights Association of American Minorities (IHRAAM)
A/HRC/24/NGO/124	6	Written statement submitted by the Maarij

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		Foundation for Peace and Development
A/HRC/24/NGO/125	3	Written statement submitted by the Maarij Foundation for Peace and Development
A/HRC/24/NGO/126	8	Written statement submitted by the Maarij Foundation for Peace and Development
A/HRC/24/NGO/127	8	Written statement submitted by Liberation
A/HRC/24/NGO/128	3	Written statement submitted by the Sovereign Military Order of the Temple of Jerusalem (OSMTH)
A/HRC/24/NGO/129	3	Written statement submitted by the African-American Society for Humanitarian Aid and Development
A/HRC/24/NGO/130	4	Written statement submitted by Amnesty International
A/HRC/24/NGO/131	4	Written statement submitted by the Al Zubair Charitable Foundation
A/HRC/24/NGO/132	3	Written statement submitted by the Al Zubair Charitable Foundation
A/HRC/24/NGO/133	3	Joint written statement submitted by the International Youth and Student Movement for the United Nations, the International Organization for the Elimination of All Forms of Racial Discrimination, the Women's International League for Peace & Freedom, the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation, North-South XXI, the United Towns Agency for the North-South Cooperation, the Indian Movement "Tupaj Amaru", the Arab Organization for Human Rights, the Asian Women's Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International, Human Rights Now, the International Federation of University Women, Organisation Mondiale des associations pour l'éducation prénatale, the World Wide Organization for Women; the International Human Rights Association of American Minorities, the Indian Council of South America, the World Peace Council, International Educational Development, Inc.
A/HRC/24/NGO/134	3 & 4	Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination, the Women's International League for Peace &

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		Freedom, the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation, North-South XX1, the United Towns Agency for the North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Arab Organization for Human Rights, the Asian Women’s Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International, Human Rights Now, the International Federation of University Women, the Organisation Mondiale des associations pour l’éducation prénatale, the World Wide Organization for Women; the International Human Rights Association of American Minorities, the Indian Council of South America, the World Peace Council, International Educational Development, Inc.
A/HRC/24/NGO/135	3 & 4	Joint written statement submitted by the Union of Arab Jurists, the International Organization for the Elimination of All Forms of Racial Discrimination, Women’s International League for Peace & Freedom, the General Arab Women Federation, North-South XX1, the Arab Lawyers Union, the United Towns Agency for the North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Arab Organization for Human Rights, the Asian Women’s Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International, Human Rights Now, the International Federation of University Women, Organisation Mondiale des associations pour l’éducation prénatale, the World Wide Organization for Women; the International Human Rights Association of American Minorities, the Indian Council of South America, the World Peace Council, International Educational Development, Inc.
A/HRC/24/NGO/136	3 & 4	Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination, the Women’s International League for Peace & Freedom, the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation, North-South XX1, the United Towns Agency for the North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Arab Organization for Human

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<i>Symbol</i>	<i>Agenda item</i>	
		Rights, the Asian Women’s Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International, Human Rights Now, the International Federation of University Women, the Organisation Mondiale des associations pour l’éducation prénatale, the World Wide Organization for Women; the International Human Rights Association of American Minorities, the Indian Council of South America, the World Peace Council, International Educational Development, Inc.
A/HRC/24/NGO/137	3	Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination, the Women’s International League for Peace & Freedom, the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation, North-South XX1, the United Towns Agency for the North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Arab Organization for Human Rights, the Asian Women’s Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International, Human Rights Now, the International Federation of University Women, the Organisation Mondiale des associations pour l’éducation prénatale, the World Wide Organization for Women; the International Human Rights Association of American Minorities, the Indian Council of South America, the World Peace Council, International Educational Development, Inc.
A/HRC/24/NGO/138 and Corr.1	7	Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination, the General Arab Women Federation, the Union of Arab Jurists, the Arab Lawyers Union, North-South XX1, the United Towns Agency for the North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International; the International Human Rights Association of American Minorities, the Indian Council of South America, the World Peace Council, International Educational Development, Inc.

*Documents issued in the general series*

<i>Symbol</i>	<i>Agenda item</i>	
A/HRC/24/NGO/139	7	Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination, the General Arab Women Federation, the Union of Arab Jurists, the Arab Lawyers Union, North-South XX1, the United Towns Agency for the North-South Cooperation, the Indian Movement “Tupaj Amaru”, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International; the International Human Rights Association of American Minorities, the Indian Council of South America, the World Peace Council, International Educational Development, Inc.
A/HRC/24/NGO/140 and Corr.1	3	Exposé écrit présenté conjointement par Company of the Daughters of Charity of Vincent de Paul, Dominicans for Justice and Peace - Order of Preachers, Edmund Rice International Limited, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, Mouvement International d'Apostolate des Milieux Sociaux Independants, International Organization for the Right to Education and Freedom of Education (OIDEL)
A/HRC/24/NGO/141	3	Written statement submitted by the Kham Rehabilitation Center for Victims of Torture
A/HRC/24/NGO/142	3	Written statement submitted by the Kham Rehabilitation Center for Victims of Torture
A/HRC/24/NGO/143	3	Written statement submitted by the Kham Rehabilitation Center for Victims of Torture
A/HRC/24/NGO/144	3	Written statement submitted by the International Association of Schools of Social Work (IASSW)

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**Annex IV****List of Advisory Committee members and duration of terms of membership**

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<i>Member</i>	<i>Term expires in</i>
Hoda Elsadda (Egypt)	30 September 2016
Alfred Ntunduguru Karokora (Uganda)	30 September 2016
Mikhail Alexandrovich Lebedev (Russian Federation)	30 September 2016
Fernando M. Mariño Menendez (Spain)	30 September 2016
Kaoru Obata (Japan)	30 September 2016
Yishan Zhang (China)	30 September 2016
Jean Ziegler (Switzerland)	30 September 2016

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